

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY, FLORIDA

CASE NO: 05-2015-CF-039871-AXXX-XX

STATE OF FLORIDA

Plaintiff,

vs.

ORIGINAL

DANA LYNN LOYD,

Defendant.

DEPOSITION OF: MARGO SLOAN,
Taken on behalf of the Defendant

DATE TAKEN: October 18, 2019

TIME: 3:00 p.m.

PLACE: Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, Florida 32940

REPORTED BY: HOLLY A. SONNENBERG
Stenograph Shorthand Reporter

1 A P P E A R A N C E S :

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Appearing on behalf of the Plaintiff;

5
MR. MICHAEL COOK
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8 Appearing on behalf of the Defendant.
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I N D E X

WITNESSES

ALL WITNESSES:

PAGE:

MARGO SLOAN for Defendant:

Direct Examination by MR. COOK:

4

Cross-Examination by MS. JUSTMANN:

75

Redirect-Examination by MR. COOK:

EXHIBITS

IDENTIFICATION

PAGE:

Defendant's Exhibit 1:

79

CERTIFICATE OF OATH

80

CERTIFICATE OF REPORTER

81

DIRECT EXAMINATION

BY MR. COOK:

1 Q. Good afternoon, ma'am. My name is Michael Cook.
2 I'm an attorney with Bross and Savy, and our firm has
3 the privilege of representing a Ms. Dana Loyd in a
4 criminal prosecution brought on behalf of the State.

5 Could you state your name and spell your last name?

6 A. Margo, M-A-R-G-O, Sloan, S-L-O-A-N.

7 Q. Are you currently employed, ma'am?

8 A. Yes.

9 Q. Where at?

10 A. State of Florida Department of Corrections,
11 probation and parole, Cocoa probation office.

12 Q. And what are your job duties and
13 responsibilities?

14 A. I am a community control officer. Well,
15 probation officer.

16 Q. Both, community control and probation?

17 A. Yeah. I, actually, have a couple probation.
18 Yes, I do.

19 Q. When did you become -- typically, does a
20 community control officer handle probationers, and does
21 a probation officer handle community controls?

22 A. No.

23 Q. So separate types of supervision?

1 A. Yes.

2 Q. And, at some point, were you a probation
3 officer?

4 A. Yes.

5 Q. And what period of time were you a probation
6 officer?

7 A. From '95, to 2003.

8 Q. And from 2003, until the present time, have you
9 been a community control officer?

10 A. Yes.

11 Q. Have you ever worked in a similar capacity in
12 any other jurisdiction?

13 A. Does that mean another place? No.

14 Q. Yes. When I say --

15 A. Wait. What do you mean?

16 Q. Jurisdiction means outside the 18th Circuit.

17 A. Yes.

18 Q. Where at?

19 A. I started in Orlando in '91.

20 Q. Ninth Circuit?

21 A. Yes.

22 Q. That was what year?

23 A. '95, to '99.

24 Q. 1995 to 1999. Orange County. And were you a
25 probation officer?

1 A. Yes.

2 Q. And were you supervising felony probationers or
3 misdemeanor?

4 A. Felony.

5 Q. Have you always been a felony supervisor?

6 A. Yes.

7 Q. And then from -- excuse me -- from 1999, to
8 2003, were you a probation officer over here in the 18th
9 Circuit?

10 A. Yes.

11 Q. Have you always been out of the Cocoa office?

12 A. I was in Titusville at that time.

13 Q. When did you transfer from Titusville to Cocoa?

14 A. 2003.

15 Q. And 2003 is when you became a community control
16 officer?

17 A. Yes, exactly.

18 Q. Have you ever been arrested for any offense in
19 your entire life?

20 A. Never.

21 Q. Have you ever received any discipline as it
22 relates to your supervisory -- either as a probation
23 officer or a community control officer?

24 A. No.

25 Q. No reprimands or anything like that?

1 A. No.

2 Q. What is the proper term? For instance, if it
3 was a law enforcement officer, they would have what's
4 called an Internal Affairs investigation. What do they
5 call, I guess, the disciplinary proceedings related to
6 supervising officers, either probation officer, or
7 community control?

8 A. I don't know.

9 Q. Never been told about that?

10 A. Not familiar with it. No, I'm not.

11 Q. So if somebody would violate one of their, I
12 guess, duties as a parole officer -- or excuse me --
13 probation officer, community control officer, how would
14 they be disciplined or subject to discipline?

15 A. I'm going to guess that varies per person, but
16 I'm not -- I don't know.

17 Q. At some point, did you -- were you assigned to
18 supervise Dana Loyd?

19 A. Yes, I was.

20 Q. And when was that?

21 A. December, 2017.

22 Q. Do you recall the specific date in December of
23 2017?

24 A. I would have to look at my notes.

25 Q. Help yourself, if you need to refresh from your

1 -- did you bring some notes here?

2 A. I have a printout that would show what day she
3 was assigned to me right here.

4 Q. Go ahead, and take a view of that, and see if it
5 helps refresh your recollection.

6 A. She was assigned to me on 12/5/17.

7 Q. 2017.

8 A. Yes.

9 Q. How does that assignment come down the pike?

10 A. They are assigned by, first of all, where they
11 live, so she would have been getting to the Cocoa office
12 by her address. And then, usually, certain officers get
13 certain areas, and then there is, like, an overflow
14 section.

15 So I'm going to guess she was part of the
16 overflow, and it, also, has to do with numbers, so if
17 somebody is higher or lower -- so I must have got --
18 because she lived in, like, the north Rockledge area
19 when I got her, so that's not usually my area, but I
20 randomly got her I guess.

21 Q. And when a community control -- what is the
22 proper term for somebody who is placed on community
23 control? Is it community control?

24 A. Mm-hmm.

25 Q. When a community control is assigned to you,

1 what information is provided to you about that
2 individual?

3 A. They fill out an intake packet when they walk in
4 the door, but are you talking about court paperwork and
5 stuff like that?

6 Q. I'm talking about everything. I don't know.
7 You tell me what is involved in that.

8 A. Well, today we have intakes coming in that were
9 sentenced yesterday, and we are getting paperwork and
10 stuff like that, but in her example, she had been
11 sentenced months before, and her file was sitting in
12 Titusville, so it was the whole process, had to be
13 involved with getting her file and all her paperwork
14 from Titusville.

15 Q. This was a little bit unusual the way it came to
16 you. Would that be a fair statement? Is this -- when I
17 say that, that was one of the special conditions of her
18 supervision that she serve a specific time of
19 incarceration?

20 A. Yes. She was sentenced to jail. Her community
21 control was running, and she was in jail, and upon her
22 release from jail, she reported, but for the fact she
23 was sentenced by Judge Lemonidis. Her file was sitting
24 in Titusville because they covered that judge. At the
25 time, Lemonidis was in Titusville.

1 Q. So the incarceration, that was a special
2 condition of her community control?

3 A. Yes.

4 Q. Do you recall how much time she had served?
5 Ms. Loyd, that is.

6 A. Well, when she was sentenced, I think, if I
7 remember, she was sentenced to a year in the jail, but
8 she didn't do a year because she --

9 Q. DOC confused her gain time.

10 A. I'm going to guess the Orange County Jail did
11 because she was in the Orange County Jail.

12 Q. Do you know why she was in Orange County, as
13 opposed to the Brevard County Jail?

14 A. According to the offender, she told her -- her
15 husband used to work at the Brevard County Jail, and
16 because of that, they moved her to Orange County Jail.

17 Q. So she was sentenced to a year as a special
18 condition. And when she was released, do you recall
19 what date she was released from the Orange County Jail?

20 A. My understanding was it was that day, December
21 5, 2017. She reported upon being released.

22 Q. So she went straight -- to the best of your
23 knowledge, straight from Orange County, directly to the
24 probation officer and reported, as directed?

25 A. I guess. I don't know how she knew to report to

1 our office, honestly, but yeah, she reported to the
2 Cocoa office.

3 Q. That's a good thing, right, because that's where
4 she was supposed to report?

5 A. Yeah, because she was living in Rockledge, and
6 how she got to our office I don't recall.

7 Q. The logistics you kind of can't recall?

8 A. Yeah. So if she went to Titusville first and
9 then to us I don't remember.

10 Q. But my point in all of that questioning is that
11 she reported directly and in compliance with her orders,
12 correct, court orders?

13 A. I don't remember how the court orders were
14 worded, but yes, she reported upon release.

15 Q. And typically, that's what the court will say,
16 "Within a specified time after your release?"

17 A. Yes.

18 Q. Typically, 24, to 48 hours?

19 A. Yeah, depends on the judge.

20 Q. You don't recall what the specific requirements
21 are in this case?

22 A. No.

23 Q. You brought some notes. Anything in your notes
24 that would refresh your memory?

25 A. I don't know if it's in my notes, but I can

1 check. Doesn't say anything. So, again, I don't know
2 how she knew to report to where she did report, but she
3 reported.

4 Q. Now, you were under subpoena duces tecum. Was
5 there an attached schedule asking for specific documents
6 for you to bring here today?

7 A. There was something about bringing a copy of the
8 file, but I know Ms. Eastman brought that when she did
9 it a couple months ago.

10 Q. So did you bring anything in response to the
11 duces tecum portion of the subpoena?

12 A. Doesn't that mean to bring the file with you?

13 Q. Bring the paperwork, specifically, whatever was
14 asked of you to bring?

15 A. That was the file -- no. I did not bring
16 anything.

17 Q. And you did not respond to that portion of the
18 subpoena because you believed that having Ms. Eastman
19 respond to that was sufficient?

20 A. Yeah. She already did that, yes, because we had
21 copied the file at that time.

22 Q. So you believe -- I'm presuming. I don't mean
23 to put words in your mouth, but you presumed that that
24 would be responsive to our duces tecum that was directed
25 at another, I guess, a supervisor?

1 A. Yes.

2 Q. Did you call our office to get clarity on that?

3 A. No, I did not.

4 Q. So did you bring any documents in response to
5 the duces tecum?

6 A. No.

7 Q. Well, we will kind of -- because I asked you to
8 bring the file for a specific reason, but we will deal
9 with it as best we can. Before we get into the
10 substantive issues, let's talk a little bit about
11 community control officer. Are you subject to normal, I
12 guess continuing education requirements?

13 A. We do training every year. Yes, we do.

14 Q. What does that training consist of?

15 A. Varies by the year, but I can't answer.
16 Defensive tactics. We have some on-line training. We
17 have -- get some staff meetings. Varies year, by year,
18 by year. At least, 40 hours a year.

19 Q. And who selects what the criteria is?

20 A. Some of it we pick ourselves, and some of it is
21 mandated by I would say what's in the computer, so
22 somebody must pick it for us.

23 Q. And does that also -- those mandatory components
24 of your continuing education, does that change from year
25 to year or is it pretty much the same?

1 A. Some of it is pretty much the same.

2 Q. And do you recall the subject areas that are
3 mandatory each year?

4 A. I'm trying to think. There are things in regard
5 to -- I'm trying to remember them all.

6 Q. That's okay. That's one of the reasons --

7 A. There is a whole sheet.

8 Q. That's one of the reasons I asked you to bring
9 your file.

10 A. Well, that wouldn't be in my file. That's in
11 my --

12 Q. Personnel records?

13 A. Possibly. It's in our training section of our
14 People First. There is a part about -- I want to call
15 it blood-borne pathogens. There is a section in regard
16 to PREA.

17 Q. What is PREA?

18 A. In regard to the rape in prisons, which a lot of
19 it doesn't pertain to us as much. It has to do with
20 people coming out of prison, that they are PREA victims
21 or perpetrators.

22 Q. Well, and without belaboring the point, is it
23 fair to say you don't have a vivid recollection of the
24 mandatory requirements each year?

25 A. Well, I'm just trying to figure out how to word

1 what they all are because there's just 10 to 15 of them
2 in there.

3 Q. And you see these each and every year, right?

4 A. Yeah.

5 Q. And you have seen them each and every year, I
6 presume, since you became a supervising --

7 A. No. I can't because they haven't been in the
8 computer that long, but again, some of them vary. Some
9 have to do with HIPAA. We haven't had HIPAA that long.

10 Q. That's why I was asking you the mandatory ones
11 you see every year.

12 A. The one we have to do every year is defensive
13 tactics. That's in class every year. If people have
14 firearms. I don't have a firearm. There's some
15 electives that we choose our own. There is -- I can't
16 recall.

17 Q. Fair enough. So Ms. Loyd reported to you on
18 12/5. Were you able to instruct her as to the
19 requirements of her community control?

20 A. Not on that day, no, I was not.

21 Q. Why not?

22 A. Because I didn't have the file, and I could not
23 download the orders off the -- back on that day.

24 Q. So how did you hit on that situation because,
25 typically, I know, at some point in the supervision

1 period, you have to advise them on what your
2 expectations are. Is that correct?

3 A. Yeah. I told her to come back. It was two days
4 later, so it was on the 7thm and that allowed us time to
5 get the file from Titusville because it comes in our
6 courier, so it took a day and a half to get it down
7 there.

8 Q. So she came in and reported only 12/5. Did she
9 do the intake sheet on 12/5?

10 A. Yes.

11 Q. And you were just unable to instruct her as to
12 the special terms of her community control because you
13 didn't have access to the paperwork?

14 A. Yes, because everything on BECA was sealed.

15 Q. And if I understood your testimony, you required
16 her to report back to you on 12/7, a couple days later?

17 A. Yes.

18 Q. And we are talking 2017?

19 A. Yes.

20 Q. Did Ms. Loyd report to you, as directed, on
21 12/7?

22 A. Yes.

23 Q. Tell me a little bit about that. Were you able
24 to advise her of the special conditions of her community
25 control?

1 A. Yes.

2 Q. Do you recall what those commercial conditions
3 were?

4 A. Well, they included the no-contact with the
5 victim. They include -- she had strange ones in there
6 that include she can't discuss the case with anybody,
7 except her attorney and her husband.

8 Q. When you say, "Strange," you are referring to
9 strange concerns?

10 A. Yeah. That one is worded oddly because it's not
11 normal. I have never seen that like that before
12 because, in all reality, that made it so she couldn't
13 really discuss the case with even us.

14 Q. So it's almost a special condition of community
15 control that is almost impossible for her to fulfill
16 because if -- for instance, if it wasn't one of the
17 requirements that she go and research certain websites
18 and delete any references to the victim or his family?

19 A. Well, she had to -- technically, she was to do
20 it within 24 hours, and at that point, we were doing
21 that on the 17th what we --

22 Q. Is that the 17th or the 7th?

23 A. Sorry, 7th, and but, yeah, as far as discussing
24 the case, like I said, if I remember correctly, she
25 could discuss it with, like, a psychiatric type person,

1 too, was the third person she can discuss it with, but
2 it was worded to, also, attorney of record.

3 Q. So if I understood you correctly, she is already
4 out of compliance because she was released, and she was
5 ordered, within 24 hours of her release, to do certain
6 things. You could not instruct her because you didn't
7 have the specific court orders instructing you what to
8 instruct her on.

9 And if she had 24 hours when she was released on
10 the 5th, obviously, if she wasn't instructed what those
11 special conditions are, it would be impossible to comply
12 within 24 hours. Fair statement?

13 A. In one regard, yes, but also, the flip of that
14 is she knew that because she was in the court when the
15 judge ordered those things.

16 Q. And did you ask her if she was aware of any
17 special conditions when you met with her on December 5?

18 A. I don't recall.

19 Q. So you have no documentation about any notes
20 that you may have taken on the 5th?

21 A. Huh-uh.

22 Q. Would they be in the file?

23 A. No.

24 Q. Do you, typically, take notes like that?

25 A. Huh-uh.

1 Q. Again, I kind of asked you earlier, but kind of
2 walk me through that process. The first we know that
3 you weren't able, on the first meeting on December 5, to
4 instruct her on the special conditions of community
5 control. But were you able to accomplish at least a
6 portion of what you would normally do when you meet with
7 a community controllee on that first meeting?

8 A. Well, basically, we discussed, like, standard,
9 what community control is, how you are confined to your
10 residence, that kind of thing, but going into the
11 specifics of what you are talking about, special
12 conditions, which are special to probably each and every
13 case, no, I couldn't do that with her at that time.

14 Q. And you got contact information. She filled
15 your intake sheet and all of the other information,
16 right?

17 A. Yeah, because we have to verify residence within
18 so many hours.

19 Q. Did you do that?

20 A. I would have to look.

21 Q. Take a look?

22 A. Yeah. That was done by Mr. Monteno (phonetic)
23 within a couple hours.

24 Q. So you didn't, personally, do that. Some other
25 probation officer did?

1 A. Yes.

2 Q. Yes. Mr. Monteno is probation, not community
3 control?

4 A. No. He's community control.

5 Q. Was he back in 2017?

6 A. Was he a community officer?

7 Q. Yes.

8 A. Yes.

9 Q. If I understood you correctly, getting back to
10 -- you, at some point, got the special conditions of
11 Ms. Loyd's community control and you advised her of
12 those conditions on 12/7/17. Is that correct?

13 A. Yes.

14 Q. Did you explain to Ms. Loyd all the items
15 pertaining to the victim and the victim's daughters had
16 to be removed from the internet within 24 hours of being
17 released?

18 A. Yes.

19 Q. Did you attempt to confirm, at least on the 12/7
20 date, that her FaceBook and other sites associated with
21 Ms. Loyd, she had been in compliance with that?

22 A. I checked her website, yes, I did, and the Go
23 Fund Me page.

24 Q. So you checked the website. What website was
25 that? Was it a FaceBook page? Do you know?

1 A. No. It was her -- she had --

2 Q. Was it a Brevard Best News?

3 A. Yeah, because there were different ones. They
4 are very similarly named, but yeah, her personal
5 website. I've done that, and that's where I actually
6 got the link to the Go Fund Me and clicked on that, and
7 it took me to the Go Fund Me.

8 Q. So you saw a Go Fund Me page?

9 A. Link, yeah. And then I went to the page, but
10 that's how I was granted access to it was through her
11 own website.

12 Q. What other websites did you check on that 12/7
13 date?

14 A. That's all I checked that day was those two.

15 Q. What did you tell Ms. Loyd as it relates to her
16 personal website and that link Go Fund Me page?

17 A. That anything and everything involved in the
18 case and/or the names or identities of the victims had
19 to be removed.

20 Q. What did Ms. Loyd do in response to your
21 instructions?

22 A. She immediately went back and deactivated the
23 website.

24 Q. And did you confirm that?

25 A. Yeah. Within, like, hours it was shut down.

1 Q. And we talked about the personal website?

2 A. The Brevard Best News or whatever. That one was
3 no longer there.

4 Q. Did you also confirm that the Go Fund Me page
5 was deactivated? No?

6 A. I did not.

7 Q. Why not?

8 A. Because I didn't have the link from the -- since
9 the website was -- that's how I got in there was through
10 that website.

11 Q. Well, you had already been to it. Is that
12 correct?

13 A. Yes.

14 Q. Did you take notes contemporaneous to your
15 viewing of that, so you can later on confirm that had
16 been taken out?

17 A. At that time, no, I did not.

18 Q. Why not?

19 A. I just guess I did not do it.

20 Q. Did you ask Ms. Loyd whether she had removed
21 that specific linked page, Go Fund Me, that you had
22 seen?

23 A. She, actually, told me that someone else
24 established it.

25 Q. So you had a conversation with her about it?

1 A. Well, I did, and I told her, I go, "You can have
2 a Go Fund Me that requests attorney's fees, but you
3 cannot have anything on it at all in regard to the
4 victim or the case, but it can, standardly, say, "Help
5 me pay my attorney's fees."

6 Q. So, technically, if I'm understanding your
7 testimony -- and I don't want to put words in your mouth
8 -- she could still maintain a Go Fund Me page so long --
9 and be in compliance with the special conditions or
10 community control, so long as there was no mention of
11 the victim or the victim's daughter?

12 A. Or the case.

13 Q. And you advised her of that on that date?

14 A. That date, the 7th. I called her after she left
15 the office.

16 Q. Did you call her back into the office to discuss
17 this or was this a phone conversation?

18 A. That day was a phone conversation.

19 Q. And this day we are referring to is December 7?

20 A. Yes.

21 Q. Did you -- then you said something about, during
22 that conversation, did Ms. Loyd tell you that something
23 about a third party?

24 A. Yes.

25 Q. Describe what she told you. Describe that

1 portion of the conversation.

2 A. I don't remember if she said who did it, but she
3 said some other person did it, and then, at some point
4 in the near future -- I don't remember if I have this
5 information -- was she went to a court hearing in
6 Volusia County, and at that point, she had a different
7 attorney at that time, some guy from down south.

8 And she told me -- in front of him, she told the
9 person who was present at that court hearing that she
10 said I told them to shut the website or Go Fund Me down.

11 Q. So she is doing everything she can to comply
12 with the special conditions, shut all of these websites
13 down -- is that correct -- at least with what it would
14 appear?

15 A. Yes, according to her.

16 Q. Did you confirm any of that?

17 A. Well, she was telling me it was a third party's
18 Go Fund Me.

19 Q. Is there any way -- did you do any investigation
20 to confirm that or did you take any of that information
21 and investigate further?

22 A. No, I did not.

23 Q. On December 7, when Ms. Loyd was in your office,
24 did the victim call?

25 A. I don't recall.

1 Q. Do you have any notes about your contact with
2 the victim?

3 A. No, I do not.

4 Q. Would you keep such notes?

5 A. I may. I may not. But I do not.

6 Q. Is there -- when somebody calls into community
7 control, how is that recorded? Is there a log or a
8 phone log or anything that's kept?

9 A. If we were going to keep track, we could put it
10 in the notes, which would be here, but it depends on if
11 you type it in the computer or not.

12 Q. So when a victim calls, and you are the
13 community control officer, you don't put notes about the
14 fact that you have had contact with the victim?

15 A. Each and every time? Not always.

16 Q. Well, when you say, "Not always," what kind of
17 goes into your thought process when you put notes in,
18 versus when you don't? Why would you put notes in on
19 one and not on another?

20 A. I can't answer that.

21 Q. Well, if a victim is upset, particularly, is
22 that something you would encounter frequently?

23 A. No. It depends. I don't know what you are -- a
24 specific thing. I don't know.

25 Q. Sometimes -- have you ever encountered a victim

1 who is upset with, I guess, whatever the sentence was
2 imposed upon your community controllee, and do they try
3 and call and raise a ruckus?

4 A. I don't know if I have ever had that.

5 Q. What about this case? Did you have any contact
6 with the victim at any point in the case?

7 A. I did, but I can't recall ever -- I don't recall
8 every conversation I had with him.

9 Q. How many conversations did you have with him?

10 A. I just know he called.

11 Q. Did you have multiple conversations with him?

12 A. No. He called me once or twice, and he just
13 contacted the supervisor after that.

14 Q. And do you have any notes, whatsoever, in
15 reference to the once or twice that he called you?

16 A. No, I do not.

17 Q. What did he say when he talked with you? Well,
18 first, other than calling you, did he actually converse
19 with you? Did you speak with him?

20 A. I spoke to him, but I don't recall.

21 Q. You don't recall the, I guess, what was
22 discussed during the conversation?

23 A. No, I do not.

24 Q. Did he tell you that he had been perusing the
25 Internet, looking to make sure that all articles related

1 to him and his family had been removed?

2 A. Possibly. I don't remember.

3 Q. Well, if he had told you that a site was still
4 active, and it had mentioned him, would that be
5 something you would want to put in your notes, so you
6 can talk to your community controllee about?

7 A. If I would have talked to her about it, doesn't
8 mean I would have noted it.

9 Q. Well, that's kind of an important thing.
10 Wouldn't you agree, especially if it's a special
11 conditional of her community control or anybody's
12 community control?

13 A. Well, yeah, doesn't mean I have to write it down
14 and note it, does it?

15 Q. Well, I don't know. You conduct your business
16 the way you do. I'm trying to figure out what goes into
17 the process as you do that.

18 So, in your mind, that's not an important aspect
19 when somebody may call you and say, "Hey, she was
20 required to do something, and she is not in compliance
21 with that." You wouldn't put any notes in there?

22 A. I can't answer that.

23 Q. Why can't you answer it?

24 A. Because I wouldn't -- I don't know. I can't
25 answer -- I don't know.

1 Q. Specifically, on 12/7, do you have an
2 independent recollection of the victim calling while
3 Ms. Loyd was in your office?

4 A. He may have, but I don't remember the
5 conversation.

6 Q. Do you recall having a conversation? If I told
7 you that you had a conversation about having an issue
8 with an order, amended orders, and then you advised the
9 victim that you would send him a copy of an updated
10 order, does that help refresh your recollection at all?

11 A. No. It does not because I don't remember ever
12 sending him anything.

13 Q. Let's talk a little bit about that. The
14 original order, was it ever amended?

15 A. It was, and more than once, if I remember right,
16 but I don't recall.

17 Q. In what timeframe was it amended?

18 A. While she was in the jail, so between the
19 original sentencing and her release.

20 Q. And when you met with her on 12/7, did you have
21 the updated order? Did you have the original order?
22 Did you have the first amended order? Do you recall?

23 A. I had the original order, and I want to say an
24 amended order, but I didn't have the most up-to-date
25 order. No, I did not.

1 Q. I'm just going to go through the chronology
2 here. We had the original order. We have a first
3 amended order, and was there a second amended order?

4 A. At least a second amended order.

5 Q. And maybe more? When I hear, "At least."

6 A. I don't recall.

7 Q. So you know there was at least three orders.
8 The original, amended, and second amended, correct?

9 A. Yes.

10 Q. Do you know if there were any more than the
11 three that you just talked about?

12 A. No, I do not.

13 Q. Can you tell me the dates that the original
14 order became effective, the first amended order, and
15 then the second amended order became effective?

16 A. Well, the first order would have been the day
17 she was sentenced, which was May -- well, this,
18 actually, says 4/7, so it would have been April 7, 2017.

19 Q. I'm sorry?

20 A. 4/7/17.

21 Q. That's the original.

22 A. Now, there is a note here from one of our
23 clerical saying there is an amended order right after
24 that that was, apparently, done that day.

25 Q. So the original order 4/7/17, and then

1 subsequent to the original order on the same date,
2 4/7/17, it was amended. Is that correct?

3 A. Yeah. I don't know why.

4 Q. That's my next question. Do you know what the
5 amendments were?

6 A. No. It says, "Received amended court order from
7 the clerk of court."

8 Q. And when you spoke with my client on 12/7/17,
9 when you came back, and were waiting, not the first
10 time, but when you told her to come back two days later,
11 what order did you have, and what order did you advise
12 her from?

13 A. Well, like I said, the one I had, apparently,
14 wasn't the most recent, so she said her attorney had the
15 most up to date one, so we contacted him, and he,
16 actually, sent it to us.

17 Q. Do you recall who that individual was?

18 A. First name is Alex. That's all I remember.

19 Q. So when you got the amended most recent one from
20 Alex, was that on the same date, 12/7?

21 A. Yeah, it was while she was in my office.

22 Q. And did you advise her of all the terms of the
23 updated, second updated amended order?

24 A. Yes.

25 Q. And what were they? What were the special

1 conditions?

2 A. I don't recall.

3 Q. Generally, just from your recollection, do you
4 recall? You stated earlier there were strange ones.
5 And referring to special conditions, correct, of her
6 community control?

7 A. Which had to do with the who she could talk to
8 and things like that, but anything else I don't know.

9 Q. So you didn't bring your file with you that we
10 can refresh?

11 A. No. She's not assigned to me anymore. No. I
12 don't have the file.

13 Q. But you had access to it as a community control
14 officer with the Department of Corrections. You are in
15 the same office?

16 A. Yeah.

17 Q. So you could have easily grabbed the file,
18 right, or procure the file in response to the duces
19 tecum subpoena, right?

20 A. But I would have brought a copy.

21 Q. I understand, but you could have brought a copy
22 of it, right? You have to go on record and say yes or
23 no.

24 A. I could have, but, no, I did not because
25 Ms. Eastman did.

1 Q. And we kind of covered that. You don't recall
2 the conversation with the victim at the same time my
3 client was in your office? I think we have kind of gone
4 through that. I want to make sure. Is that correct?

5 A. No.

6 Q. So do you recall a conversation, much less the
7 specifics of the conversation? Do you recall?

8 A. He may have called, but I don't remember the
9 conversation, no, I do not.

10 Q. So when you were meeting with Ms. Loyd on
11 December 7 and discussing Brevard's Best News, did you
12 understand it to be Ms. Loyd's on-line publication?

13 A. Yes.

14 Q. Did you discuss removing that site or just, I
15 guess, stories within the site or was it my client who
16 came up with the idea to just remove the whole
17 publication?

18 A. Both of those because, yes, I told her she had
19 to remove anything and everything about the case, and
20 she said it was, for her, just easier just to shut it
21 all down, so she shut the whole thing down.

22 Q. And I think you stated that you confirmed that
23 it had been shut down within an hour or two. Is that
24 correct?

25 A. Yes.

1 Q. How did you confirm that?

2 A. If you click on it, it wouldn't go to it
3 anymore.

4 Q. Did you ever call anybody to confirm that Go
5 Daddy or anything like that or was this just an on-line
6 search?

7 A. On-line search.

8 Q. Now, after -- do you recall any other, I guess,
9 information that was shared with Ms. Loyd on the visit
10 on 12/7?

11 A. (Witness shakes head.)

12 Q. Did you have her sign any documentation on 12/7?

13 A. She signs her orders saying that she's been
14 instructed, and I always give her a copy.

15 Q. And you keep the original?

16 A. Well, the file has the original.

17 Q. When I say, "You," as an agent for the
18 Department of Corrections, community control officer is
19 what I'm saying, and you being the assigned community
20 control officer. So you would have kept that with the
21 file?

22 A. Yes.

23 Q. And it's not your personal records. It's,
24 actually, Department of Corrections'?

25 A. Every time she would be instructed it would be

1 signed.

2 Q. If there was a change or she had been updated or
3 amended orders, each time she would be reinstructed, and
4 she would sign again?

5 A. Yes.

6 Q. Other than the 12/7 date, did that ever happen
7 that you are aware of?

8 A. Has she been instructed?

9 Q. By you?

10 A. By me, no. I never reinstructed her again, but
11 she's had several officers since me.

12 Q. And who are the officers? Well, I guess it's
13 not really important, at this point, because we are
14 talking, specifically, about an alleged violation during
15 your period of supervision. Is that correct?

16 A. Correct.

17 Q. Are you aware of whether she's been violated for
18 any additional issues subsequent to the violation that
19 we are here today to discuss?

20 A. Unaware.

21 Q. Do you know, after 12/7, she came into your
22 office? I believe you said that you called her after
23 she left your office on 12/7. Is that correct?

24 A. Yes.

25 Q. And one more time. Tell me about that

1 conversation, briefly. Just paraphrase what that
2 discussion was about.

3 A. That was when I discussed the website with her
4 and all the contents about anything to do with the case
5 and/or the victim and she said she would just -- her
6 decision was to just shut the site down.

7 Q. Now, couldn't have contact, but was there also a
8 condition where she couldn't research anything about the
9 victim or his family?

10 A. I don't recall that.

11 Q. Because it kind of sets up an interesting
12 proposition. I think I covered this, but the special
13 conditions were to remove it within 24 hours. Is that
14 correct?

15 A. Yes.

16 Q. She, clearly, didn't do that. She was released
17 on 12/5, and you checked it on 12/7, correct?

18 A. Yes.

19 Q. That was more than 24 hours, correct?

20 A. Yes.

21 Q. And so, technically, she was not in compliance
22 with the special condition. Is that a fair statement?

23 A. Yeah.

24 Q. Did you violate her?

25 A. No.

1 Q. Why not?

2 A. Because we -- at that time, I discussed it with
3 the supervisor that it was because she was instructed at
4 that time.

5 Q. Meaning she wasn't instructed between 12/5 and
6 12/7 and it was within 24 hours of when she was
7 instructed. Did that go into that discussion?

8 A. Even though she would have known it from being
9 in court, herself.

10 Q. Again, that would have been what --

11 A. Or however times she is in court.

12 Q. Well, it wouldn't have been sdf/A*RP until 4/7
13 when she was sentenced. Would you agree with that? Her
14 special conditions of community control?

15 A. That's when she was sentenced, but I don't know
16 if she was in court ever time they amended it. I don't
17 know.

18 Q. But, again, that was just -- going to do,
19 quickly, here my math -- approximately, eight months
20 prior?

21 A. Yeah.

22 Q. So when was the next time after 12/7 that you
23 had contact with my client?

24 A. Let me look. The next day -- Eastman saw her on
25 the 8th. I saw her at home on the 12 -- no. Sorry --

1 saw her in the office on the 12th.

2 Q. So is it unusual to see a community control so
3 frequently? The 5th, the 7th. You said, "Eastman."
4 Who is Eastman?

5 A. Samantha Eastman, the supervisor.

6 Q. Where did Samantha Eastman see Ms. Loyd on the
7 8th?

8 A. She called her in for some reason. I wasn't
9 there.

10 Q. Is there any notes that she put in your file, or
11 whatever you have in front of you there?

12 A. Yeah. It says she called her in the office in
13 regard to the FaceBook.

14 Q. Now, did you check any FaceBook sites involving
15 Ms. Loyd on the 7th?

16 A. No, I did not.

17 Q. Did you have any discussions about any FaceBook
18 sites?

19 A. I don't recall.

20 Q. Is there notes in that document you have in
21 front of you in reference to Ms. Eastman's contact with
22 Ms. Loyd on the 8th?

23 A. Yes.

24 Q. Take a look at it, and tell me if there was a
25 discussion about FaceBook. What was that discussion

1 about, at least pursuant to the notes? Does it say
2 something about the victim calling in and being upset
3 because someone was on FaceBook and had posted that
4 Ms. Loyd was out of jail and tagged her name?

5 A. No mention about the victim here at all.

6 Q. What's it say about FaceBook?

7 A. It said she was instructed to show her FaceBook
8 and then she was instructed to deactivate it, and she
9 did.

10 Q. Do you know why?

11 A. No, I do not.

12 Q. Why would Ms. Eastman have contact, your
13 supervisor, have contact with your community controllee?

14 A. I was not in the office, so she is the
15 supervisor. I don't know.

16 Q. Well, when you are not in the office, do they
17 assign the -- the supervisor assign somebody else who is
18 the on-call, I guess, community control officer?

19 A. We have an officer of the day, but she is a
20 supervisor, so she above all of us, so I'm not sure why
21 she handled it that day.

22 Q. What is her -- as a supervisor, what are her job
23 duties, and how do they differ from the community
24 control officers?

25 A. She is in charge of the office, so I'm not sure

1 what all her duties are.

2 Q. Does she, generally, do hands-on as it relates
3 to supervisory kinds of roles like this?

4 A. She can.

5 Q. Not whether she can. Does she, generally, do
6 that?

7 A. I don't know what all she does.

8 Q. How often do you talk with Ms. Eastman?

9 A. Once or twice a day maybe. I know she's in
10 charge of the office. She is in charge of lots of
11 things.

12 Q. Well, in those one or two times that you talked
13 with her each day, do you ever talk about whether she
14 does any hands-on kind of supervision, like she did in
15 the case having direct contact with a supervisee?

16 A. I don't know how to answer that because I don't
17 know when she does if needed. Let me put it that way.
18 If we are short-staffed, she sees people in the lobby.
19 If people are in court, she will step up. I don't know.
20 That particular day I was out. I don't know what the
21 reason was.

22 Q. So she instructed Ms. Loyd to shut down the
23 FaceBook or what was the specific instructions?

24 A. Deactivate her FaceBook.

25 Q. In other words, shutting it down. Fair enough?

1 Do you know if that was shut down in response to that
2 directive by Ms. Eastman?

3 A. It says she stated she would deactivate her
4 FaceBook ASAP.

5 Q. Do you know if Ms. Loyd -- excuse me --
6 Ms. Eastman confirmed that her FaceBook had been
7 deactivated?

8 A. I don't see anything right then and there, so if
9 Eastman did it later I'm not sure.

10 Q. Is there any indication in there that her
11 FaceBook account had any reference to the victim or the
12 victim's family or in any way would have put her in
13 violation of her special terms of community control?

14 A. Not stated here.

15 Q. So why would she be directed to deactivate a
16 FaceBook account?

17 A. I don't know. I can't answer that.

18 Q. Did you have a conversation with Ms. Eastman why
19 she directed your community controllee to deactivate an
20 account?

21 A. I don't recall.

22 Q. Did you put any notes in there about that?

23 A. No.

24 Q. Would that be something you would be interested
25 in as it relates to supervising your community

1 controllee?

2 A. At the time. I just don't recall.

3 Q. Well, was Ms. Eastman (sic) violated on or about
4 12/8/2017?

5 A. Eastman.

6 Q. Excuse me. Ms. Loyd.

7 A. No, she was not.

8 Q. After that date, December 8, 2017, what was the
9 next time you, personally, had contact with Ms. Loyd?

10 A. On the 112.

11 Q. Tell me a little bit where did that contact
12 occur?

13 A. That was in the office. It was weekly
14 reporting.

15 Q. And Ms. Loyd is required to report in person
16 each week?

17 A. Every community controllee is every single week,
18 yes.

19 Q. Is there a specific time that Ms. Eastman (sic)
20 was assigned to report?

21 A. Loyd.

22 Q. Thanks.

23 A. At that time, I don't remember. We have
24 scheduled appointments now. I don't remember at that
25 time.

- 1 Q. But Ms. Loyd reported, as directed, correct?
- 2 A. Yes.
- 3 Q. And I believe you said that was on December 12?
- 4 A. 12/12, yes.
- 5 Q. And what occurred during that contact?
- 6 A. It was just standard routine contact.
- 7 Q. I have never been on community control. Tell me
8 what standard, routine contact is?
- 9 A. They report and submit a weekly schedule for the
10 whole week -- front, back page -- that says, "This is
11 what I'm going to do, and this is where I'm going to go
12 for the next seven days."
- 13 Q. That's a case you would approve that or say,
14 "You can't go here," or something as her officer,
15 correct?
- 16 A. Yes. It says if they are home or not.
- 17 Q. As part and parcel of your duties as a community
18 control officer, will you, from time to time, go by the
19 site or the residence of your community controllees to
20 confirm they are where they should be, in accordance
21 with their preapproved schedule?
- 22 A. Their home or work or where they may possibly be
23 at that time, yes.
- 24 Q. Do you recall any other conversations or any
25 other aspects of your conversation with Ms. Loyd on that

1 visit of 12/12/2017?

2 A. That's the day she was going to the appellate
3 court in Volusia County.

4 Q. So you approved that travel?

5 A. Yes.

6 Q. Now, did you, at that time, do any additional
7 research to make sure that her FaceBook had been
8 deactivated, her Brevard County website, Brevard County
9 or Brevard's Best News or any other websites had been
10 deactivated in compliance with either your or
11 Ms. Eastman's directives?

12 A. I had already confirmed that the Brevard's Best
13 News was deactivated. I did that back on the 7th. The
14 FaceBook I don't recall. Didn't have anything to do
15 with that.

16 Q. So after that, when was the next time you had --
17 well, let me rephrase that. When is the last time
18 Department of Corrections, Department of Supervision or
19 probation, community control --

20 A. Probation/parole.

21 Q. When is the next either yourself, Ms. Eastman,
22 or any other agent with DOC probation and parole had
23 contact with Ms. Loyd?

24 A. I saw her the next day, which was 12/13, at
25 residence.

1 Q. Was that just an on-site kind of check-up to
2 make sure she was where she was supposed to be and doing
3 what she was supposed to be doing?

4 A. It was a routine contact, yes, it was.

5 Q. And was she compliant? Was she where she was
6 supposed to be?

7 A. Yeah. She was at home.

8 Q. That's where she was supposed to be?

9 A. Yep.

10 Q. Anything unusual about that visit?

11 A. She was at home with her husband.

12 Q. And after that 12/13 home visit, when is the
13 next time anyone with DOC probation and parole had
14 contact with Ms. Loyd?

15 A. 12/19 she was back in the office.

16 Q. Was that her weekly visitation?

17 A. Yes.

18 Q. And who did she meet on 12/19?

19 A. Me.

20 Q. What occurred during that visitation?

21 A. Same standard weekly reporting.

22 Q. Do you recall what time of the day or night
23 Ms. Loyd responded to the 12/19 visitation?

24 A. 11:15 in the morning.

25 Q. Do you know if Ms. Eastman had called her

1 earlier that morning?

2 A. No, I do not.

3 Q. Is there any notes in there in that
4 communication -- what exact document are you refreshing
5 your recollection with?

6 A. It prints any case notes that are in our
7 computer.

8 Q. Who puts the case notes in?

9 A. Whoever puts the case notes in.

10 Q. I could put case notes in there or --

11 A. Well, you have to have access to our system, and
12 I can tell who did it because it's got my code.

13 Q. Is it like one of those things like law
14 enforcement?

15 A. It's probation and parole. I don't think
16 anybody else has access to it.

17 Q. Sometimes you may presuppose my question, so
18 please let me ask it. Before I go there, are you law
19 officer or civilian?

20 A. No. We are certified law enforcement officers.

21 Q. So when you say, "Whoever has access to it,"
22 does anybody within the Department of Corrections have
23 access to it?

24 A. Yeah.

25 Q. Is it limited to just the Cocoa office?

1 A. No. It's a statewide system.

2 Q. And like law enforcement officers, they,
3 typically, assign a certain badge number or identifier
4 that's assigned to that particular employee. Is that
5 what goes on in the Department of Corrections probation
6 and parole?

7 A. Well, I have a badge with a badge number, and I
8 have a user ID number.

9 Q. So when you are using the computer system, it's
10 governed by a user identification number?

11 A. Yes.

12 Q. Separate from that, when you are out in the
13 field, your badge would be or your badge number would be
14 a separate identifier in the field. Fair statement?

15 A. I guess.

16 Q. I mean, your badge doesn't have somebody else's
17 number?

18 A. No. I'm not really identified by my badge.

19 Q. How are you identified?

20 A. As Officer Sloan.

21 Q. So when you are using the computer, you don't
22 put your badge number in, right?

23 A. No.

24 Q. You put your user ID number in, right?

25 A. Yes.

1 Q. That Officer Sloan thing comes with the badge,
2 doesn't it?

3 A. Yep.

4 Q. Is there a photo ID?

5 A. It's right here.

6 Q. So you don't know whether anyone, other than
7 yourself, contacted Ms. Loyd on the 19th?

8 A. No, I do not.

9 Q. There is nothing in the notes that would
10 indicate that Ms. Eastman called her on that morning,
11 right?

12 A. No. There is not.

13 Q. Did you become aware, at some point, that there
14 was still an active Go Fund Me page?

15 A. I know it was by Eastman, but I don't know
16 what -- I don't recall what day that was. Not by
17 looking at this.

18 Q. Is there anything in the documentation in front
19 of you that would help you figure out what date
20 Ms. Eastman became aware of a Go Fund Me active page?

21 A. Not sure if I have a copy of the violation.

22 Q. Go ahead and see if that helps refresh your
23 recollection.

24 A. I don't remember the question.

25 Q. This was in reference -- did you become aware

1 that Ms. Eastman had become aware of an active Go Fund
2 Me page? And you were going to review your notes and
3 see if there was anything that would help refresh your
4 recollection to that.

5 A. As what is stated in the violation, it says, "On
6 12/20/17 the Go Fund Me account was still active, and
7 Supervisor Eastman contacted the offender, and within
8 one hour, the offender called back and the Go Fund Me
9 account was disabled."

10 Q. So do you know how Ms. Eastman became aware, as
11 your supervisor, of your community controllee that, on
12 -- according to your report, anyway -- 12/20 that she
13 became aware of an active Go Fund Me page?

14 A. No, I do not.

15 Q. You don't know that, in fact, the victim had
16 E-mailed Ms. Eastman on December 15 and advised her that
17 there was an active Go Fund Me page?

18 A. No, I do not.

19 Q. Did you have a conversation with Ms. Eastman
20 about this?

21 A. I don't recall.

22 Q. Wouldn't that be something that would be
23 important to know when you all became aware of a
24 potential violation?

25 A. Back here two years ago? Yeah. Would have

1 discussed it, but that was two years ago.

2 Q. So if Ms. Eastman testified, under oath, that
3 she received an E-mail from the victim stating there was
4 an active Go Fund Me page, do you believe that she would
5 have told you about that?

6 A. Do I believe she would have told me? She may
7 have told me, but I don't remember. Is that even a
8 question?

9 Q. Yeah.

10 A. Do I believe Ms. Eastman when she talks to me?
11 Yes, I do believe her.

12 Q. You said she would have discussed it, if you
13 became aware of an active page. I'm telling you -- and
14 this is information based upon previous sworn testimony.

15 I want you to assume, just for purposes of my
16 question, that Ms. Eastman testified that her
17 department, specifically, directed to her, received an
18 E-mail on December 15 from the victim advising that
19 Ms. Loyd had an active Go Fund Me page.

20 A. Okay.

21 Q. My question would be, under normal conditions,
22 would you expect Ms. Eastman to share that information
23 with you, assuming the hypothetical?

24 A. She probably did and that's probably why the
25 violation was completed.

1 Q. But you don't have any notes in your file?

2 A. No.

3 Q. Why is that?

4 A. No idea.

5 Q. Now, purportedly, at least according to this
6 violation report, you made this, authored this. Is that
7 correct?

8 A. Yes, if it's the one I did, yes.

9 Q. That's your signature there?

10 A. Yes.

11 Q. I'm just going to read from it. It says, "The
12 officer called the offender at home and instructed the
13 offender that every article in Brevard's News dot com
14 with any mention of the victim must be removed, and also
15 any information about the victims on the Go Fund Me
16 account must be removed immediately." Is that fair?

17 A. Yes. That would have been back on 12/7,
18 informing Ms. Loyd of that.

19 Q. Did she tell you that the actual account was set
20 up by a third party?

21 A. That's what she told me, yes.

22 Q. And if she wasn't the one who actually set up
23 the account, how would she be able to disable that?

24 A. Well, according to Ms. Eastman, when she looked
25 at the Go Fund Me, it was actually set up by Ms. Loyd.

- 1 Q. And how was that determined?
- 2 A. I don't know. Ms. Eastman told me that, though.
- 3 Q. You mean there was some link to Ms. Loyd in one
4 way, shape, or form. You don't have any personal
5 knowledge of that?
- 6 A. Just from what Eastman told me.
- 7 Q. So you had already seen that on 12/7 the Go Fund
8 Me page, correct, because there was a link to the
9 Brevard County News?
- 10 A. Brevard's Best News, yes.
- 11 Q. You seen it, and then you instructed her to shut
12 that down?
- 13 A. No. I instructed her to remove all -- anything
14 regarding the case and/or the victims.
- 15 Q. And did you see anything on those Brevard's Best
16 News dot com or the Go Fund Me page that had any
17 reference to the victims?
- 18 A. Oh, yeah.
- 19 Q. And I think you testified that you checked
20 afterwards and were unable to find any information about
21 any of those being active after you told Ms. Loyd to
22 remove them or deactivate them?
- 23 A. No. I said the Brevard's Best News was
24 deactivated.
- 25 Q. That was where some of this information was,

1 correct?

2 A. The Brevard's Best News website, yes. That was
3 shut down immediately.

4 Q. And so Ms. Eastman contacted Ms. Loyd about this
5 Go Fund Me page. Is that correct?

6 A. Yes.

7 Q. And we are talking about what date now?

8 A. Didn't it say the 20th? 12/20.

9 Q. How did you get that information to put into
10 your report that particular date?

11 A. Eastman must have given it to me.

12 Q. Now, when I hear someone say, "Must have," that
13 tells me they are not sure.

14 A. Well, at the time, it had to have been -- it
15 happened on 2/20.

16 Q. Okay. So if there is a discrepancy between what
17 Ms. Eastman says and what is contained in your report,
18 which of the two would be more accurate?

19 A. Well, they are both accurate.

20 Q. Well, if she said it happened on a different
21 day, and you said it happened on a different day and
22 they are not the same date, one of them is not accurate.
23 Would you agree?

24 A. I don't know what Eastman said.

25 Q. Well, that wasn't my question. I understand you

1 don't. You weren't there. I was. But my question was,
2 if you say that this happened on a date and put it in
3 your report, and then you are now surmising that you
4 don't recall how you got that information, you are
5 presupposing that Ms. Eastman gave you that information
6 and I'm telling you, if Ms. Eastman said something
7 different, under oath, about a different day, one of
8 them has to be wrong. Is that correct?

9 A. I can't answer that.

10 Q. Common sense. If they are both saying the same
11 thing about a different date, and they are not the same
12 day, one of them is right and one of them is wrong,
13 correct?

14 A. I would assume so.

15 Q. As we sit here today, can you tell me which of
16 those two? Was it the 19th or the 20th that this
17 conversation occurred?

18 A. I can't say. I mean, she was in my office on
19 the 19th -- I'm talking about Ms. Loyd -- so I don't
20 know.

21 Q. I understand. I presume Ms. Eastman was
22 probably in your office on the 19th, too, or at least in
23 the office. Maybe not your office. Do you have your
24 own office?

25 A. Yeah.

1 Q. So your understanding is that Ms. Eastman
2 contacted Ms. Loyd on the 20th, at least according to
3 your report, and within an hour of that contact, the
4 offender called back and the Go Fund Me account was
5 disabled. Is that correct?

6 A. Yes.

7 Q. That was some 13 days, if it occurred on the
8 20th, after you had that conversation with her on the
9 7th. Is that correct?

10 A. Yes.

11 Q. Did you ever receive any E-mails from the victim
12 in the case?

13 A. I don't recall.

14 Q. Did you check?

15 A. Did I check what?

16 Q. To see if you had received any E-mails from the
17 victim in this case.

18 A. I don't have access to -- my computer locked up
19 last year.

20 Q. You mean some of the files were damaged in your
21 computer?

22 A. I can't go backwards, which I generated the
23 hearing we had last year on this.

24 Q. Now I'm missing --

25 A. I texted or sent something to that Teri lady

1 about not having access, and we ended up having a
2 hearing over this.

3 Q. So did you ever figure out what the problem was?

4 A. I was out of the office for over four months,
5 and it locked up my computer, and they had to actually
6 give me a new computer, but I never got access to any
7 old E-mails further back than November of last year when
8 I returned to work.

9 Q. You never figured out where those --

10 A. I can tell you why, because I didn't have the
11 right Windows. It updated Windows, at one point, and
12 they never did that on mine, and so when I came back --

13 Q. So that was a whole big brouhaha over that?

14 A. Yes.

15 Q. And the IT folks over at the department of
16 probation or parole were unsuccessful in their attempts
17 to retrieve it?

18 A. They may be able to, but I can't go back further
19 than when they got me a new computer in November.

20 Q. Did you ever ask anybody to attempt -- I'm
21 presuming they have you guys -- the department of
22 probation and parole has their own IT department?

23 A. It's in Tallahassee.

24 Q. Did anybody inquire whether they could procure
25 the E-mails that you could not access?

1 A. My understanding is you guys did.

2 Q. Do you recall how that turned out?

3 A. You got them, as far as I know. I mean, I don't
4 know what you got, but you guys did a public records
5 request.

6 Q. Did you ask the IT to see if they could help you
7 retrieve those?

8 A. No. I mean, it's not just on her.

9 Q. Right. I presume you were locked out of all
10 your files?

11 A. Locked out of a lots of stuff.

12 Q. Not a good place to be.

13 A. No. the computer wouldn't turn on.

14 Q. That was a four-month period you said?

15 A. Yes. I was off for four months. I had the old
16 Windows or something.

17 Q. And they updated during that time period?

18 A. No. I think they updated a couple years ago.
19 It just, finally, caught up with me.

20 Q. Now, you are stating that, in your report, I
21 think that, on the 20th, is when you discovered,
22 allegedly, that there was still an active Go Fund Me
23 with some sort of links to the victim. Is that correct?

24 A. Yes.

25 Q. Did you, actually, see that yourself, with your

1 own eyes?

2 A. No.

3 Q. How did you confirm that it was, in fact, in
4 violation of the special conditions of Ms. Loyd's
5 community control?

6 A. Ms. Eastman told me it was.

7 Q. Did you go and confirm or did you just rely on
8 what Ms. Eastman told you?

9 A. I relied on what Ms. Eastman told me.

10 Q. Again, why -- this is the second time
11 Ms. Eastman is actually assuming a hands-on supervisory
12 capacity over Ms. Loyd. Is that correct?

13 A. Well, she -- like I had said, she's over all of
14 us.

15 Q. I understand. She's the -- let me see how she
16 describes -- she's the office manager. Is that correct?

17 A. Yes.

18 Q. And what is your understanding of the role and
19 job duties of an office manager for the department of
20 probation and parole?

21 A. What is my understanding?

22 Q. Yes, ma'am.

23 A. I don't know all of her duties. She runs the
24 entire office. She is the senior supervisor.

25 Q. So when did you violate Ms. Loyd?

1 A. That violation report is dated 12/29/17.

2 Q. And you became aware of the purported violation
3 on December 20. Is that correct?

4 A. Yes.

5 Q. Why did you wait nine days to violate her?

6 A. There were some holidays in there, but I think
7 there was a letter sent to the judge in-between there.

8 Q. Who sent the letter?

9 A. I did.

10 Q. What date did you send the letter?

11 A. It would be whenever the letter is dated.
12 12/21, the next day.

13 Q. What did the letter say?

14 A. The letter explained everything in the
15 violation.

16 Q. Who did you send that to?

17 A. Judge Lemonidis.

18 Q. Is that something you would normally do?

19 A. Depends.

20 Q. What does it depend on?

21 A. If it's a technical violation or an egregious
22 violation or if they are a violent felony offender.
23 Depends. Every case and every violation is different.

24 Q. How many times, other than this case, have you
25 sent a letter to a judge?

1 A. I can't answer. Many times.

2 Q. Many times?

3 A. Mm-hmm.

4 Q. "Many" is subject to phenomenon. It's a
5 relative term. What is "many" to you? More than 10?

6 A. Thirty, 40, 50. I have been with the department
7 24 years. A lot.

8 Q. So in this case, what was the catalyst? What
9 caused you to send a letter to Judge Lemonidis?

10 A. Sent the letter and asked -- I guess we were
11 asking. The next page would be the judge's response.

12 Q. My question was, what spurred you to send the
13 letter? What caused you to send the letter?

14 A. The not shutting down the Go Fund Me page.

15 Q. And, again, this was after you became aware of
16 the fact that it was still active on the 20th, the day
17 before?

18 A. Yes.

19 Q. This is the day after, while it's all fresh in
20 your mind. Is that correct?

21 A. Yes.

22 Q. And did you state in your letter that, "This
23 officer believes that the offender has not violated her
24 supervision, as she did deactivate her Brevard County
25 News dot com website and her FaceBook account within 24

1 hours of being instructed on her orders. The Go Fund Me
2 account was set up by a third party and has now been
3 deactivated." Were those your words?

4 A. Yes.

5 Q. And this after you became aware that it was
6 still active on the 20th, the day before?

7 A. Yes.

8 Q. And, yet, some eight days after you authored
9 that letter and sent that to the judge you filed a
10 violation report?

11 A. Because of the instruction --

12 Q. Let me ask the question, please. Is that
13 correct?

14 A. Yes.

15 Q. And did anything change, materially, between the
16 day that you wrote this letter, and the day that you
17 filed the violation report, as far as -- were there any
18 other violations that you became aware of?

19 A. I don't know what you mean by the word
20 "materially."

21 Q. Well, did you do any research that showed that
22 there was another active site that was in violation of
23 the special conditions of Ms. Loyd's terms of community
24 control? Did you receive any additional information
25 from the victim that there is another site that was

1 still up and having information in violation of a
2 special condition of Ms. Loyd's community control?

3 A. No.

4 Q. So were there any additional alleged violations
5 of Ms. Loyd's community control that occurred after you
6 wrote this letter on December 21?

7 A. No.

8 Q. But you want to explain why you wrote that
9 letter, don't you?

10 A. Oh, I know I wrote the letter.

11 Q. Well, more importantly, do you want to explain
12 why you didn't believe she was in violation, and you
13 changed your mind some eight days later?

14 A. No. I can explain that because the response
15 from the judge was to process a violation.

16 Q. So Judge Lemonidis, in response to this -- where
17 is that letter?

18 A. It was, I think, through a phone call from the
19 judicial assistant.

20 Q. Who is supervising the community control agents,
21 the judge or is it you?

22 A. I am.

23 Q. So you sent this letter, and at that time, you
24 didn't believe she was in violation. You believed she
25 was, in good faith, attempting to comply with her

1 special conditions. You say, in your own words, that
2 you believed the offender has not violated her
3 supervision?

4 A. Yes.

5 Q. And, in good faith, you sent that off to the
6 judge, and the only reason you violated her is because
7 the judge says, "Process the violation."

8 A. Yes.

9 Q. That was done via phone call?

10 A. If I -- the response came back, yes.

11 Q. And did you talk with the judge directly?

12 A. No, I did not.

13 Q. Do you know who received that phone call?

14 A. I don't recall.

15 Q. Now, do you know that that occurred?

16 A. Because that's why the violation was completed.

17 Q. How do you know that?

18 A. Because I did the violation.

19 Q. I know you did the violation. There's no doubt
20 about that. We can all agree about that. How do you
21 know the judge called and said, "Process the violation"?

22 A. Because I was there. I remember it happening.

23 Q. When you say, "I was there," where is "there"?

24 A. At work in my office.

25 Q. And if you didn't have direct conversation with

1 the judge, and you weren't there, tell me who did?

2 A. Because it was the judicial assistant responded
3 saying that the direction was to do the violation.

4 Q. Do you recall the name of the judicial
5 assistant?

6 A. No, I do not.

7 Q. Can you tell me what date that occurred?

8 A. Between the 21st and 29th I guess. Again,
9 Chris' is in there. That's why the violation was done
10 on the 29th.

11 Q. Did you put anything in your business records
12 about that contact?

13 A. No.

14 Q. How often does a judge call you and tell you, or
15 a judicial assistant on behalf of a judge, call you and
16 tell you to process a violation?

17 A. Not very often.

18 Q. This is an unusual. Would you agree?

19 A. If anything, we, usually, get the letter back
20 with one of the things checked.

21 Q. But a personal phone call is unusual. Would you
22 agree?

23 A. Yes.

24 Q. You said earlier that these were unusual special
25 terms. You don't have all of the special terms with you

1 right here, do you?

2 A. No, but I saying it's particular to a certain
3 case.

4 Q. But these were particular to a certain case and
5 particular, of and by themselves. Would you agree with
6 that?

7 A. They can be -- I mean, each case is different.

8 Q. I agree with that. But these were a little bit
9 a lot outside the norm. Would you agree?

10 A. It depends. I mean, I instructed a guy today
11 that has no contact with the victim and no place it
12 occurred (sic), so it's all relative to the case.

13 Q. How many times have you, in your recent history
14 and memory, have you had to deal where you are removing
15 websites that have reference to victims?

16 A. I think this is the only one.

17 Q. And you have been doing this for how long?

18 A. Twenty-four years.

19 Q. So that's a little bit unusual?

20 A. That she has websites, yes. That's different.

21 Q. Not just that because she is supposed to --
22 Ms. Loyd, that is -- remove all these websites. Was
23 there any special conditions about not doing any
24 independent research on the victim or their family?

25 A. I don't recall that.

1 Q. Let me see.

2 A. You have said that twice. I don't remember that
3 at all.

4 Q. Well, did you know my client was not allowed to
5 use the name of the victim, and that would cause a
6 violation, in and of itself, if she searched a Go Fund
7 Me account with the victim's name?

8 A. Why would she search a Go Fund Me for victim?

9 Q. To make sure that, if she had multiple Go Fund
10 Me accounts, or any Go Fund Me account that was linked
11 to her, or in any way, referencing her, she would be
12 able to remove it?

13 A. Well, if it was hers, wouldn't she know it?

14 Q. My question was, did you know a special
15 condition of her probation -- excuse me -- community
16 control. You are her officer?

17 A. I was, two years ago, her officer.

18 Q. At the time of the alleged violation. That's
19 what we are here to discuss. Did you know that a
20 special condition was that she could not search any
21 internet involving the victim's name after the first 24
22 hours of her release?

23 A. Makes sense.

24 Q. And so anytime, after her 24 hours it would have
25 violated -- and she used the name of the victim or any

1 of the family, the daughter, any of the family members,
2 she would be in violation of her community control,
3 wouldn't she?

4 A. That sounds good.

5 Q. Being directed by Ms. Eastman, on the 19th or
6 the 20th, to go to a specific location Go Fund Me
7 account, and see what she can do about deactivating it,
8 and in fact, deactivating it, that would, in fact, be
9 violating her probation, wouldn't it, or her community
10 control.

11 A. Not if it's a Dana Loyd website. Why can't you
12 search Dana Loyd to see if you have websites, right?

13 Q. Well, I'm talking about Dana Loyd websites, if
14 it just references Dana Loyd, that is nothing that is
15 going to violate her community control, right?

16 A. Right.

17 Q. So that's not going to get her where she needs
18 to go. She has to research the victim's name or his
19 family to make sure it's not, in any way, connected to
20 her and that would violate her community control,
21 wouldn't it?

22 A. Which is why I thought she should never have
23 computer access.

24 Q. So I mean, does that mean, yes, you agree, and
25 that's why you believed, in this particular case, based

1 upon these special conditions of community control, it
2 would be probably a little bit more prudent just to
3 prohibit complete access to the internet at all?

4 A. Exactly. Like a sex offender, she shouldn't
5 have even had access for any reason, whatsoever.

6 Q. So based upon what I'm hearing, would you agree
7 -- isn't it true -- the restrictions the Court placed on
8 my client are hard to understand and confusing at times?

9 A. No. Like I said, it should have been more
10 restrictive.

11 Q. My question was, would you agree with my
12 assessment that the restrictions that the Court put n my
13 client or hard to understand and confusing at times?

14 A. They are not hard to understand. It's maybe
15 hard for her to follow.

16 Q. Well, would you be surprised to know that
17 Ms. Eastman -- when your supervisor, when she was asked
18 that question, said that, "I would absolutely agree with
19 you, sir." So you would differ with your supervisor in
20 your assessment of that question?

21 A. I mean, what is black and white on a court order
22 is easy to understand. It's just different for each
23 offender to follow their rules.

24 Q. So your opinion differs from your supervisor.
25 Is that what I'm hearing?

1 A. Each and -- like I said, each and every offender
2 and each and every condition, I mean, they need to
3 follow them.

4 Q. I understand that, but they have to understand
5 them, in order to willfully violate them. Wouldn't you
6 agree?

7 A. Yes.

8 Q. And if they are confusing and hard to
9 understand, it's hard to show a willful violation.
10 Wouldn't you agree?

11 A. Yes.

12 Q. Isn't that why you instructed them, in the first
13 place, on your special concerns, so they know, exactly,
14 what they are supposed to be doing?

15 A. And we discussed what she was supposed to do.

16 Q. And she attempted to do it, and you confirmed
17 that she made a good faiths efforts to do that, didn't
18 you? You told her to remove the Brevard Best News dot
19 com website, and you confirmed it was done within hours,
20 didn't you?

21 A. And she wasn't violated for that.

22 Q. I understand that, but then you also saw that
23 link that was linked to Brevard County Best News dot
24 com, wasn't it? That's the only way you became aware of
25 it.

1 A. The Go Fund Me?

2 Q. Yes, ma'am.

3 A. Yes.

4 Q. And when you checked it again, i.e., the Brevard
5 County Best News do com --

6 A. Brevard Best News.

7 Q. There was no further link. You couldn't find
8 that Go Fund Me page, right?

9 A. Yes. Well, I didn't go to the Go Fund Me again.
10 No, I did not.

11 Q. Right, but I mean, obviously, if it's linked to
12 a page -- let me ask you this, are you computer savvy?

13 A. Yes, but do I go into Go Fund Me all the time?
14 No, I do not.

15 Q. So if you are not savvy as it relates to Go Fund
16 Me, but you have general knowledge of computers, right?

17 A. Yes.

18 Q. If there is a page that's linked to the page,
19 and you deactivate the page, would you feel that it
20 would be safe to assume that anything linked to the page
21 is also deactivated?

22 A. No. Different website.

23 Q. So the link is a separate website. Do you know
24 who maintained the website on the Go Fund Me page that's
25 at issue?

1 A. Who maintained it?

2 Q. Yes.

3 A. No.

4 Q. Who enacted it? Who authored it? Who
5 controlled it?

6 A. No, I do not.

7 Q. Do you know if Ms. Loyd had any ability to
8 deactivate that or whether she had to rely on others to
9 deactivate it?

10 A. Like I had said, she told me a third party did
11 it, but apparently, she deactivated herself on that last
12 day.

13 Q. Apparently. You mean, because Ms. Eastman told
14 her to do it within a certain time when she became aware
15 of it, it was deactivated?

16 A. Yes.

17 Q. So you are speculating that Ms. Loyd somehow
18 deactivated it, as opposed to contacting somebody else
19 to deactivate it. Is that correct?

20 A. Yes.

21 Q. So you don't have personal knowledge of that.
22 You are speculating? You don't know how it was
23 deactivated, do you?

24 A. Ms. Loyd did it because she can't discuss it
25 with anybody else.

1 Q. So if she can't search the internet to see if
2 there is any website still existing, and she can't
3 discuss it, how can she comply with the special orders?

4 A. That's not my -- I'm not the person that ordered
5 it.

6 Q. That leads me to my original question. Would
7 you agree that the special conditions imposed upon
8 Ms. Loyd, in this particular case are, confusing and
9 somewhat ambiguous and in conflict with each other?

10 She can't use or research the victim's name
11 on-line and she can't discuss the victim or his family
12 on-line with anybody else, and if she doesn't have
13 control over a specific web page, how is she supposed to
14 remove it and be in compliance with the special order?

15 A. Like I had said, she told me she didn't have
16 control over the website.

17 Q. Right from the get-go?

18 A. But I don't believe -- I think that she did.

19 Q. That's just your belief. Do you have any proof
20 to back that up?

21 A. No. You can ask her.

22 Q. I'm asking you. Do you have any proof, other
23 than your bear hunch?

24 A. No. But didn't we ask for some clarification of
25 the conditions at the back? It's in part of my

1 violation.

2 Q. Are you asking me a question?

3 A. Yeah, it's right here, some of the things I
4 asked for.

5 Q. What are you referencing?

6 A. My violation report.

7 Q. Specifically, what within your violation report?

8 A. I asked for the court to clarify some of the
9 conditions.

10 Q. When was this?

11 A. In the violation report, page two.

12 Q. And the violation report is dated what date?

13 A. 12/29/17.

14 Q. Why would you do that?

15 A. To not have it be so ambiguous.

16 Q. Talking about the special conditions?

17 A. I'm talking about the bottom of page two under
18 Status of Other Conditions. I go on to ask for the
19 court's clarification on that.

20 Q. So are you talking about where says, "Status of
21 other Special Conditions"?

22 A. Mm-hmm.

23 Q. And it says, "It should be noted that
24 difficulties arise as a result of wording of some of the
25 special conditions, in regard to supervising the

1 offender."

2 A. Yes.

3 Q. And you go on to state, "Example: This is just
4 an example. Condition G there is no mention of the
5 victim or victim's daughter for any reason, except
6 defendant is permitted to communicate with her attorneys
7 of record, her husband, and any and all mental health
8 professionals."

9 Did you go on to say, "Due to this continue,
10 this officer is not allowed to speak or ask the offender
11 any information about the victim or his daughter"?

12 A. Mm-hmm.

13 Q. So if I'm understanding you correctly, your take
14 on this is, just by talking about the Go Fund Me page in
15 reference to the daughter, she would have been in
16 violation?

17 A. Technically, yes.

18 Q. Now, if that isn't ambiguous and confusing, what
19 is, ma'am?

20 A. Well, go on to the second one. It talks about
21 possession of any material related, which is what
22 Ms. Loyd would always talk about was, when you would
23 hand her a copy of her orders, she is possessing that.
24 That's why we talk about it here, but that's why I was
25 asking the court to clarify that.

1 Q. Did you --

2 A. Two years ago.

3 Q. Did you get some clarification?

4 A. No, because you guys have drug this case out for
5 almost two years.

6 Q. How often do you do that, that you have to ask
7 the court to clarify because it appears that you are
8 confused?

9 A. I'm not confused. I can read it, but I, also --
10 didn't I ask that she, basically -- does it say,
11 "Continue on supervision"? I don't think I asked for
12 much in the recommendation, did I?

13 Q. I'm not worried about you so much, but my
14 question to you is --

15 A. Been three judges at this point.

16 Q. My question to you was, clearly, by wanting
17 clarification, you feel that there is some ambiguities
18 and some problems with supervising with the special
19 conditions, correct?

20 A. Yes, on some of these. That's why they are
21 mentioned here, yes.

22 Q. So, I mean, technically, each time you had
23 conversations, she was in violation, as it relates to
24 the plain reading of the language of the special
25 conditions?

1 A. In all reality, yes.

2 Q. And you didn't violate her for all those things.
3 The only reason you violated her was the JA told you to
4 process that, right?

5 A. Yes.

6 Q. Otherwise, you wouldn't have violated her at
7 all?

8 A. No. We were going with the letter, originally.

9 Q. Then the whole point was to get this clear, so
10 everybody was on the same page. Fair statement?

11 A. Yes.

12 Q. I have no further questions. Tender.

13 CROSS-EXAMINATION

14 BY MS. JUSTMANN:

15 Q. Just a couple more questions to clarify some
16 things. Start with the Status of the Special
17 Conditions, since that's where we left off.

18 So, essentially, what you were asking for was
19 just an extension to include she can speak to probation
20 about the case, the victim, clearly, to comply with the
21 conditions?

22 A. Yes.

23 Q. So you weren't confused on what the conditions
24 were?

25 A. No.

1 Q. So the only one that seemed to be confusing was
2 the defendant, by what she was and was not allowed -- or
3 having a difficulty complying with?

4 A. And it was very restrictive.

5 Q. Okay. And it looks like the next one was that
6 the "Don't possess or have any material," that looks like
7 it's the possession of the copies from community
8 control. Was that more so the defendant's issued, more
9 probation's issue, or your issue?

10 A. Yes, for the fact she didn't want us to even
11 hand her a copy of her own orders. Was I saying, "Do
12 ahead and search the Internet"? I was not. "Here is a
13 copy of your orders," and she would kind of not want
14 that.

15 Q. So it was more her misunderstanding or
16 miscommunication of the order, not your misunderstanding
17 or thought?

18 A. The victims' names are listed under the special
19 conditions, and she wouldn't want the orders because it
20 listed the victims in it.

21 Q. Now I want to go back to the Go Fund Me. You
22 didn't, personally, check that. I think it was
23 Ms. Eastman checked it, that the Go Fund Me was still
24 active, right?

25 A. Yes. Eastman verified it later.

1 Q. So did you have a conversation with Ms. Loyd in
2 reference to who owned the Go Fund Me?

3 A. Yes. She told me it was a third party.

4 Q. A third party. A third party where?

5 A. In Volusia County.

6 Q. I think you might have stated earlier. It was
7 someone in prison was the person or -- just wanted to
8 clarify that.

9 A. No. I said, when she went to court that day in
10 Volusia, at that appellate hearing, she had that
11 attorney, Alex, with her and she said, in front of her
12 attorney, Alex, she told that person to deactivate that
13 account.

14 Q. So you are saying that she, personally, told the
15 person who was, allegedly, operating the Go Fund Me to
16 deactivate it?

17 A. Yes.

18 Q. What timeframe was that again?

19 A. According to these notes, she went to Volusia on
20 12/13/17 for an appellate court, which was all
21 pertaining to this court case.

22 Q. But in fact, it was not, in fact, deactivated,
23 until the 20th of --

24 A. When Eastman talked to her, yes.

25 Q. I think that was a phone conversation you

1 stated?

2 A. When?

3 Q. Eastman spoke to Ms. Loyd?

4 A. I don't recall if it was that or I don't
5 remember.

6 Q. I think she reported on the 19th.

7 A. Okay. Have to refresh my memory.

8 Q. That's okay. So when speaking to Eastman -- and
9 we will talk to Eastman about the specifics, but within
10 an hour, the Go Fund Me was then deactivated?

11 A. Yes.

12 Q. Nothing further.

13 REDIRECT EXAMINATION

14 BY MR. COOK:

15 Q. I just want you to take a look at this right
16 here. Does that appear to be a letter dated December
17 21, one page, followed by a second page?

18 A. Yeah. It's this one right here.

19 Q. And did you bring that with you? Is this a
20 copy?

21 A. Yes.

22 Q. You brought that from your own file, your own
23 records, right?

24 A. Yeah. I don't know where I had got a copy of
25 it.

1 Q. I'm going to attach it as an exhibit, as to the
2 letter that you were referencing?

3 A. Looks the same. I believe it is.

4 Q. That does bear your signature? It's a copy?

5 A. I don't know if it was a photocopy.

6 MR. COOK: I will just attach that as Defense 1.

7 I have no additional questions. Read or waive? You

8 have a right to read a copy or waive it.

9 THE WITNESS: I'll waive.

10 (Whereupon, the deposition was concluded.)

11 (Whereupon, Defendant's Exhibit 1 was marked for
12 identification.)

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CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF BREVARD

I, HOLLY SONNENBERG, Notary Public, State
of Florida, certify that OFFICER MARGO SLOAN personally
appeared before me and was duly sworn.

Witness my hand and official seal this 22nd day
of October, 2019.



Holly A. Sonnenberg
Stenograph Shorthand Reporter
Commission #GG079819
My Commission Expires 3/6/21

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF BREVARD

I, HOLLY A. SONNENBERG, Shorthand Reporter,
certify that I was authorized to and did
stenographically report the deposition of OFFICER MARGO
SLOAN, that a review of the transcript was not
requested, and that pages 1 through 80, inclusive, are a
true and accurate record of my stenographic notes.

I further certify that I am not a relative,
employee, attorney, or counsel to any party, nor to the
attorneys of said action, nor in any way interested in
the outcome thereof.

Dated this 22nd day of October, 2019.



Holly A. Sonnenberg
Stenograph Shorthand Reporter