

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Source of Activity:

While off duty, I received a phone call via my home phone at 1945 Hours from the Clearwater Police Department communication center. I was informed there had been a major traffic crash in the area of 1290 Court Street. I arrived on scene at approximately 2001 Hours. I arrived at the location by traveling westbound on Court Street. I observed a Clearwater Police cruiser blocking all westbound traffic of Court Street at Hillcrest Avenue. An additional police cruiser was noted blocking eastbound traffic on Court Street at South Missouri Avenue. Multiple Clearwater Fire Rescue vehicles were on scene, both in the east and westbound lanes of travel.

Weather Conditions:

The weather conditions at the time of the crash were:

TEMP	82.0 °F
DEW POINT	77.0 °F
HUMIDITY	84%
SEA LEVEL PRESSURE	29.95 in
WIND DIRECTION/SPEED	SE 3 Miles Per Hour
PRECIPITATION	N/A
CONDITIONS	Cloudy

Observations of Scene:

I began to view the scene on Court Street, located between South Missouri Avenue and Hillcrest Avenue. I did not observe any video cameras in the area that might have captured the incident. As I walked west on Court Street, I noticed there were two lanes of travel. Eastbound Court Street also had two lanes of travel, and like westbound, was constructed of blacktop. No construction was noted to the road or any adjoining businesses. I also noted the speed limit to be 40 miles per hour. The roadway was damp from a recent rain shower. Surrounding the crash location was crime scene tape, which was previously erected prior to my arrival.

I observed a yellow vehicle, learned to be a 1998 Toyota Supra upon the center-raised median of Court Street, which divided east and westbound lanes of travel. The median was constructed with a roughly four-inch vertical concrete curb. Multiple Indian Hawthorne and Liriope plants were planted within the median, along with a large palm tree. The vehicle came to rest facing west-southwest, with all four tires upon the median. The vehicle was extremely damaged due to the impact with the above-mentioned palm tree, which the vehicle was still against. The vast majority of the damage occurred when the rear bumper/trunk area of the Toyota struck the palm tree. All four tires, minus the front left were deflated. This possibly occurred when the vehicle ran upon the raised concrete curb.

The frame of the Toyota was severely distorted; with the rear quarter raised in the area of the B-pillar. The rear of the driver's side had a higher concentration of damage, since this area sustained the majority of the

LERS Case Report

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NARRATIVE

NARRATIVE (Cont.)

impact. Every body panel appeared buckled from the violent impact. The windshield and the A-pillar were both removed, which I later learned from Clearwater Fire Rescue, was done in an effort to free the driver. The rear license plate of the vehicle broke loose, and was roughly 15 feet east-northeast of the vehicles final rest. Inside the vehicle, I noted what appeared to be blood upon the right center portion of the dashboard, directly in front of the passenger's seat. Like with the exterior of the vehicle, the inside was damaged extensively. The driver's seat was leaning forward towards the dashboard.

Peppered to the northeast of the vehicle, in both the inside and outside lanes of westbound Court Street, were small pieces of yellow plastic body panels, along with shrubbery and mulch thrown upon the roadway when the vehicle entered the median.

Preliminary investigation revealed the vehicle was traveling east in the outside lane of Court Street, east of South Missouri Avenue. I noted the start of tire marks in the outside lane. The marks revealed the vehicle lost control, and proceeded in an east/northeast direction, entering the inside lane of Court Street. The vehicle spun 180 degrees prior to the impact. The vehicle jumped the center median in reverse and struck a large palm tree within the median of Court Street.

Investigative Action Taken:

I made contact with Sergeant McAuley and Officer Reed when I arrived on scene. Sergeant McAuley informed me that a vehicle struck a large palm tree in the center-raised median of Court Street. Sergeant McAuley said the driver and passenger of the vehicle, learned to be, Nicholas Bollea and John Graziano respectively, had been taken to Bayfront Hospital via Bayflight helicopters.

While Officer Reed obtained the names of the fire department personnel, I made contact with Lt. Steffens who informed me of the investigations current status. I was informed that Officer Bailey had spoken to three witnesses. Prior to making contact with Officer Bailey, I was also notified that Officer Marshall was standing with the driver and passenger of another vehicle, which was reportedly traveling with Nicholas Bollea and John Graziano. I contacted Officer Marshall, who was with the pair on the northside of Court Street. I informed Officer Marshall that I wished to speak with the individuals after I completed my questioning of Officer Bailey's witnesses.

I met with Jeffrey Caminade and Dennis Balila who reportedly witnessed the crash. I spoke with Dennis Balila independently before speaking with Jeffrey Caminade. Dennis Balila said he and his friend Jeffrey Caminade were conversing outside of an apartment building at 514 Betty Lane when the crash occurred. Incidentally, the location where Dennis Balila stated the pair were located was roughly 100 feet directly south of the crash location. During this time, Dennis Balila said he was standing when he observed a yellow vehicle crash into a palm tree on Court Street. I asked Dennis Balila if he heard the vehicle prior to the impact. Dennis Balila said he heard the vehicles tires, "Squeal", which captured his attention, thus prompting him to look north. Dennis Balila advised that the event transpired very quickly, and could not state how soon he heard the vehicle prior to the impact, simply reiterating that the event took place quickly.

After the crash occurred, Dennis Balila said Jeffrey Caminade and he ran north from their location and stopped on the southside of Court Street at the curb. Dennis Balila went onto add that Jeffrey Caminade and he did not approach the vehicle due to the fact they were in fear it might possibly catch fire. I asked

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

Dennis Balila if he observed any other vehicles in the area of the crash. Dennis Balila said he did not see any vehicles when the crash occurred, but soon saw a possible light brown car traveling eastbound when he was proceeding towards the crash location.

After completing my questioning of Dennis Balila, I spoke with Jeffrey Caminade. Jeffrey Caminade, like Dennis Balila, said the pair were having a conversation outside of an apartment building. Unlike Dennis Balila though, Jeffrey Caminade stated he was seated in a chair. Once I established that Jeffrey Caminade witnessed the crash, I began by asking him if he heard the vehicle prior to the impact. Jeffrey Caminade stated he heard, "Tires squealing", and looked towards Court Street. Jeffrey Caminade advised that immediately after looking in the direction of where the noise was emanating, he saw a yellow vehicle crash into a palm tree. I asked Jeffrey Caminade if he saw any other vehicles in the area of the crash. Jeffrey Caminade said he did not, but did say vehicles were stopping when Dennis Balila and he were proceeding towards the crash location. I asked Jeffrey Caminade how close they got to the scene. Jeffrey Caminade advised the pair stopped once they reached Court Street. No further information was obtained from Jeffrey Caminade in reference to the incident.

Glenn Jimenez, who was also outside the apartment building at 514 Betty Lane, gave the same account of events as Jeffrey Caminade and Dennis Balila. Glenn Jimenez said he did not see any other vehicles near the yellow vehicle, that he only heard tires squeal and looked toward Court Street, witnessing the impact.

I returned to Officer Marshall's location where I met Daniel Jacobs and Barrett Lawrance. I then spoke with Daniel Jacobs by himself in the Traffic Homicide Investigation bus.

I began by asking Daniel Jacobs if he witnessed the crash. Daniel Jacobs said he did not witness the crash, but did observe the vehicle just after the crash through his vehicles mirror. Daniel Jacobs said he looked in his vehicles mirror in order to see where Nicholas Bollea's vehicle was currently located. Upon seeing the aftermath, Daniel Jacobs advised that he conducted a u-turn, and proceeded back to the crash location via westbound Court Street. Daniel Jacobs went on to add that his friends occupied the vehicle that had crashed.

I asked who was driving the vehicle. Daniel Jacobs said that Nick, (Nicholas Bollea), was driving, and John, (John Graziano), was the passenger. Daniel Jacobs said his passenger, Barrett Lawrance, along with Nicholas Bollea and John Graziano were enroute to Arigato's Steakhouse for dinner when the crash occurred. I asked Daniel Jacobs where the vehicle he was operating was located when the crash occurred. Daniel Jacobs advised his vehicle was traveling eastbound on Court Street. Daniel Jacobs informed me that Terry Bollea owned the silver Dodge Viper convertible he was driving. Terry Bollea incidentally is the father of Nicholas. I asked Daniel Jacobs how far in front of the Toyota he was when the crash occurred. Daniel Jacobs could not specifically state, but according to his description, it was estimated to be three to four hundred feet to the east when he noticed the event.

I asked Daniel Jacobs how fast he was traveling when the crash occurred. Daniel Jacobs said he was traveling 55 to 60 miles per hour. Like mentioned above, the speed limit is 40 miles per hour. I asked Daniel Jacobs where the group departed from prior to the crash. Daniel Jacobs said they had left Nicholas Bollea's residence sometime after 1900 Hours. I asked Daniel Jacobs if he was with Nicholas Bollea earlier in the day. Daniel Jacobs stated the group took a boat ride on a boat owned by Nicholas Bollea's father. When asked where they proceeded to on the boat, Daniel Jacobs gave the following account. At

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

an estimated 1430 Hours, the group proceeded to Shephard's Tiki Bar. Due to the fact the location was crowded; they reportedly motored to Three Rooker Island. Daniel Jacobs did not recall the exact time frame, however, he stated that the group returned back to Shephard's and stayed at the location less than an hour. At 1700 Hours, the group departed Shephard's and returned back to Nicholas Bollea's residence in Belleair. After arriving back at Nicholas Bollea's residence at 1730, the group reportedly lounged by the pool. At 1900 Hours, Daniel Jacobs said the group departed Nicholas Bollea's residence and proceeded directly to Arigato's Steakhouse for dinner.

I asked how much, if any, alcohol Nicholas Bollea ingested. Daniel Jacobs said that he did not recall. When asked, Daniel Jacobs said he, (Jacobs), ingested two Michelob Light Beers while on the boat along with two Corona beers. All four beverages reportedly were in glass bottles. Daniel Jacobs advised that he also ingested a 32 oz. Rum Runner while at Shephard's.

I asked Daniel Jacobs if both vehicles left Belleair at the same time. Daniel Jacobs said that they did, and when asked, said they proceeded northbound on South Ft. Harrison. After doing so, they made a right turn onto Chestnut Street, which incidentally becomes Court Street. Once at the intersection of Court Street and South Missouri Avenue, Daniel Jacobs advised both vehicles were directly beside one another. The Dodge Viper was reportedly in the inside lane of travel while the Toyota was in the outside lane of the two lane roadway. I asked Jacobs if Nicholas Bollea or he proceeded from the light at a high rate of speed. Jacobs said that they did not. I asked Jacobs if any other vehicles were in the area when the crash occurred, at which time he said there were not.

I asked Daniel Jacobs what he did after returning back to the crash location. Daniel Jacobs said Barrett Lawrance and he exited the Dodge after parking it in a parking lot on the northside of Court Street and proceeded on foot to the crash scene. Daniel Jacobs said that moments after the crash; both a police cruiser and ambulance were on scene. Daniel Jacobs said that Nicholas Bollea was still seated behind the driver's seat, and John Graziano was seated in the passenger's seat. According to Daniel Jacobs, both occupants appeared to be unconscious. Therefore, Daniel Jacobs said Barrett Lawrance and he proceeded back to Nichols Bollea's residence in order to get Nicholas Bollea's father since Nicholas Bollea's father did not answer his phone at that time. The pair returned a short time later with Terry Bollea in his, (Terry's), black Mercedes.

I had Daniel Jacobs complete a victim witness form along with an oath form. Like with all parties involved who completed the victim witness form. The oath form was reviewed prior to the written statement being made.

A driver's license check was later conducted which indicated that Daniel Jacobs had:

1. Adjudication withheld for operating a motor vehicle without a drivers license on 01/31/00.
2. Conviction for careless driving on 06/26/02.
3. Conviction for careless driving on 08/22/02.
4. Adjudication withheld clerk of the court on 08/01/03 for unlawful speed: 51 mile per hour in a 35 mile per hour zone.
5. Adjudication withheld on 10/06/04 for unlawful speed: 57 miles per hour in a 40 mile per hour zone.
6. Conviction on 08/15/05 for unlawful speed: 62 miles per hour in a 45 mile per hour zone.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

I spoke with Barrett Lawrance in the Traffic Homicide Investigation bus while Daniel Jacobs waited outside. I began by obtaining a chain of events prior to the crash. Barrett Lawrance said that the party left Nicholas Bollea's residence in Belleair on a boat at 1430 or 1500 Hours. The group proceeded to Shephard's, but reportedly did not stop due to the large crowd. Barrett Lawrance also said that Nicholas Bollea's father Terry Bollea was also on the boat. The party then cruised for a while, after which they reportedly proceeded to Three Rooker Island. Once they departed that location, Barrett Lawrance stated the boat anchored off shore, next to Shephard's Tiki Bar. I asked Barrett Lawrance if he observed Nicholas Bollea ingest any beverages during their outing. Barrett Lawrance stated he did not recall, but did state he observed Nicholas Bollea drinking on the boat, but could not state what exactly he was ingesting. Barrett Lawrance said that he observed Daniel Jacobs ingest a bottle of Corona Beer just after departing Belleair while on the boat, and also an unknown beverage in a styrofoam cup while at Shephard's. I asked Barrett Lawrance if Nicholas Bollea exited the boat while at Shephard's. Barrett Lawrance said that he did not.

Like with Daniel Jacobs, Barrett Lawrance said the group proceeded north on South Harrison then turned right onto Chestnut Street. Once they arrived at the intersection of Court Street and South Missouri Avenue, both vehicles had to stop for a red light. I asked Barrett Lawrance where his vehicle was in relation to the Toyota. Barrett Lawrance stated that the Dodge he was riding in was directly behind another vehicle in the inside lane of eastbound Court Street. The unknown vehicle in front of the Dodge was the first vehicle at the stop bar for the red light. The Toyota, which incidentally Barrett Lawrance said was being driven by Nicholas Bollea, was stopped directly at the stop bar. Directly behind the Toyota was reportedly a motorcycle.

I asked Barrett Lawrance what occurred when the light turned green. Barrett Lawrance said that Nicholas Bollea began to accelerate. When asked if he accelerated at a high rate of speed, Barrett Lawrance said no. The driver of a motorcycle directly to the right of the Dodge reportedly yelled to Daniel Jacobs to enter his lane of travel in order to pass the vehicle directly in front of the Dodge and catch up to the Toyota. I asked Barrett Lawrance why or how the motorcycle operator knew the group was together. Barrett Lawrance advised he possibly saw the two vehicles driving next to one another prior to the crash. Barrett Lawrance also said that Nicholas Bollea, Daniel Jacobs and he were also talking about music while at the intersection.

I asked if the pair were operating recklessly prior to stopping at the intersection of Court Street and South Missouri Avenue. Barrett Lawrance advised that the two, (Jacobs and Bollea), often, "Speed around". I asked Barrett Lawrance how he knew this, at which time he said he has witnessed the events first hand. Barrett Lawrance also said, "This is how they always drive". When asked if meant they often drive in a reckless manner, Barrett Lawrance said, "Yes". I again asked Barrett Lawrance if the pair, (Jacobs and Bollea), were driving fast prior to the intersection of Court Street and South Missouri Avenue, at which time he stated that they were. Barrett Lawrance would not specifically state the pairs driving action.

Once the traffic light turned green at Court Street and South Missouri Avenue Nicholas Bollea accelerated from the stop bar, Barrett Lawrance said that Daniel Jacobs immediately pulled into the outside lane of travel directly in front of the motorcycle. After doing so, Daniel Jacobs reportedly passed the vehicle, which was previously in front of the Viper at the stop bar, which itself had begun to accelerate. Once that vehicle was immediately passed, according to Barrett Lawrance, Daniel Jacobs proceeded back into the inside lane of travel and accelerated at a high rate of speed, passing Nicholas Bollea. I asked if any other

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

vehicles were on the roadway in an eastbound direction, and Barrett Lawrance said no, minus the Toyota. Barrett Lawrance advised the Dodge passed the Toyota on the driver's side, and that he did not know that the crash occurred until Daniel Jacobs reportedly yelled, "Oh my God". Barrett Lawrance stated he looked backwards and saw the crash scene. I asked what happened next. Barrett Lawrance advised that Daniel Jacobs turned the vehicle around and the pair proceeded back to the scene. Barrett Lawrance said moments after arriving back at the location; an ambulance and police car were on scene. Barrett Lawrance stated he then drove the Dodge back to Nicholas Bollea's residence in order to advise his family since Daniel Jacobs was reportedly, "Really shaky". Prior to completing my questioning of Barrett Lawrance, I asked how fast the Dodge was traveling. Barrett Lawrance said that he could not tell since he did not see the speedometer. Nevertheless, Barrett Lawrance stated he felt the vehicle was traveling at or near 100 miles per hour.

Barrett Lawrance completed a victim/witness statement form along with an oath form.

I again made contact with Daniel Jacobs and asked how fast he was traveling. Daniel Jacobs again said their vehicle was traveling 55 or 60 miles per hour. I told Daniel Jacobs that Barrett Lawrance felt they were traveling faster than what he, (Jacobs), reported. Daniel Jacobs said that they, (Dodge), were traveling, "Not more than 70 at max". I informed Daniel Jacobs that there were discrepancies about the placement of both vehicles at the intersection of Court Street and South Missouri Avenue as well. I told Daniel Jacobs that Barrett Lawrance stated the Dodge was directly behind an unknown vehicle at the above-mentioned intersection and that the Toyota was to the right of that vehicle. Daniel Jacobs said he was not certain as to the positioning of the vehicles. I asked about the motorcycle motioning him to switch lanes as well. Daniel Jacobs said he did not recall that event. Like with Barrett Lawrance, Daniel Jacobs denied the vehicles were racing. I told Daniel Jacobs that Barrett Lawrance advised that Nicholas Bollea and he, (Jacobs), often drive fast. Daniel Jacobs said that they, (Bollea and he), often, "Get on it". I asked for an elaboration to that statement. Daniel Jacobs's response was that between traffic lights, Bollea and he often drive fast. I then reminded Daniel Jacobs that driving fast is an easy way to waste gasoline. Daniel Jacobs answer to that was, "I do not care".

While Officers Nugent and Hatch mapped the crash location, I proceeded to Bayfront Hospital. I learned John Graziano was being attended to in the emergency room and was unconscious. At that time, I made contact with Officer Milne who was also present on scene. Officer Milne was tasked to obtain blood samples from Nicholas Bollea. Please see Officer Milne's supplement for further details.

I made contact with Nicholas Bollea, who was also in the emergency room. Nicholas Bollea was lying upon a bed in a private room. I noted that a sling was supporting his left arm. Also in the room was his attorney Kevin Hayslett. Kevin Hayslett exited the room at my request, where he and I proceeded to an adjoining room. There I introduced myself and told him that a blood draw was to be conducted. Kevin Hayslett said he understood, but pointed out that his client refused to voluntarily submit to the request. I told Kevin Hayslett that I was also going to question Nicholas Bollea about the crash. Kevin Hayslett again said that he understood, but said he was going to have his client invoke his rights. We proceeded back to the treatment room where Terry Bollea was also standing by.

After the blood draw was complete, I proceeded to question Nicholas Bollea about the traffic crash. Nicholas Bollea said he was enroute to Arigato's Steakhouse, which incidentally is located at 26508 U.S. Highway 19 North, after departing his residence in Belleair. I asked what road he was on when the crash

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

occurred. Nicholas Bollea said he did not know what road he was traveling on, or what direction. I asked whose vehicle he was driving. Nicholas Bollea raised his right hand and pointed to his father, saying "His car". I then asked Terry Bollea if the Toyota was registered to him, at which time he said he would have to check the registration. Incidentally, both parties are listed on the registration, with Terry Bollea being primary. When asked if John Graziano or he were wearing their seatbelts, Nicholas Bollea said he did not know. Nicholas Bollea also said that he did not know if it was raining at the time of the crash. Terry Bollea then stated the road was wet from a previous rain shower. Finally, I asked Nicholas Bollea how fast he was traveling. Nicholas Bollea stated he was traveling 30 or 40 miles per hour. During my questioning of Nicholas Bollea, I noted that his eyes were bloodshot, and that his speech was mumbled and soft.

A driver's license check was later conducted which indicated that Nicholas Bollea had:

1. Adjudication withheld clerk of court on 09/25/06 for unlawful speed: 115 miles per hour in a 70 mile per hour zone.
2. Adjudication withheld on 02/21/07 for unlawful speed: 57 miles per hour in a 30 mile per hour zone.
3. Finally, a conviction on 06/26/07 for unlawful speed: 106 miles per hour in a 70 mile per hour zone.

Nevertheless, Nicholas Bollea's license was currently valid and was issued on July 27, 2005.

After completing my questioning of the traffic crash, I informed Nicholas Bollea that I was now beginning a criminal investigation. Nicholas Bollea was read his Miranda Rights from my State Attorney provided card. Nicholas Bollea, continuing in a mumbled voice, said he understood his rights. When asked if he wished to speak with me further, Nicholas Bollea said he did not. Miranda rights were read to Nicholas Bollea at 2327 Hours.

Prior to completing my investigation at Bayfront Hospital, I was able to speak with John Graziano's mother Debbie Graziano. I asked Debbie Graziano if she had any information dealing with the evening's events. Debbie Graziano said that her son spent the night at Nicholas Bollea's residence and that she did not have any information to add.

Follow-up Investigation:

Citations will be issued when the blood test results have been received.

Investigative Costs:

10 Hours @ \$25.00 Hour = \$250.00

No further action taken at this time.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE (Cont.)

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	McAuley, Brian	DATE:	08/27/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	09/08/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT

On August 26, 2007, I responded in emergency response mode to the 1200 Block of Court Street in reference to an accident with injuries and arrived at 19:35 hours. I approached the scene from Missouri Avenue and parked in the westbound lanes. I made contact with Lieutenant Steffens and he directed me to establish an outer perimeter. I secured the North, West and South side of the outer perimeter with crime scene tape. I directed officers to close Court Street to all vehicle traffic at the intersections of Hillcrest Avenue and Missouri Avenue.

While securing the perimeter of the accident scene, I was advised by Lieutenant Steffens that the occupants of a Silver Dodge Viper were standing on the North side of Court Street. It was my understanding that the Dodge Viper was possibly involved in the accident investigation. I approached the two white males and inquired as to their involvement in the situation. Daniel Jacobs who was wearing a red t-shirt stated that they were friends of Nick (Boella) and saw the accident in the rearview mirror. Jacobs stated that they drove to Nick's house to get his father before returning to the accident scene. I asked who was driving the Dodge Viper and Barrett Lawrance, who was wearing a blue t-shirt, stated Jacobs was driving and he was the passenger. I directed Officer Marshall to standby with both subjects until their level of involvement could be established.

Sergeant Harris advised me that a blood draw would be required for the driver of the vehicle, Nicholas Boella. At approximately 20:20 hours, I directed Officer Milne to respond to Bayfront Medical Center and conduct the blood draw.

I maintained crime scene security until released by Lieutenant Steffens at approximately 23:30 hours.

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NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Allaster, Sean	DATE:	08/27/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	08/27/2007
TEAM:	THI		

NARRATIVE:

INVESTIGATIVE ACTION TAKEN:

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

On Sunday August 26 I was assigned to a uniformed extra duty assignment for a soccer tournament held at Glen Oaks Park, 1345 Court St. At 1930 hours I was positioned within my unmarked police cruiser located at the northwest entrance to the park off Court St. I was monitoring the final soccer match held on the farthest west soccer field. Approximately 10 minutes prior, a typical Florida summer sun-shower had passed through the immediate vicinity. Rainfall was moderate to light. The roadways within my visibility were wet however; in the process of drying due to the heat and humid conditions.

I noticed all soccer participants and spectators halt action and run to the chain link fence located on the west portion of the field. Unaware of what had occurred, as I did not hear anything startling, I pulled out onto Court Street from the northwest entrance to the park. Immediately I observed a cloud of smoke and vehicular traffic coming to a halt west of my location. Believing there was a potential crash, I activated my emergency siren and lights and responded to the area to determine what had occurred.

Upon arrival on scene I observed a severely damaged yellow sports car resting on the palm tree median, adjacent to 1290 Court. The vehicle, now facing westbound, appeared to have struck a palm tree. A passing Sunstar ambulance stopped to assist. Two white male subjects were standing outside the passenger door to the yellow vehicle. They immediately told me that the driver was Hulk Hogans son, Nick. I directed them to stand back for safety. (Due to the circumstances, I was unable to gather their personal information at that time). I observed two white male occupants to the vehicle. Both appeared to be in serious condition. The driver, Nicholas Bollea, was pinned in the drivers side compartment of the car and did not have visible signs of injury other than a cut lip at that time. The passenger, John Grazino, was bleeding severely from his head and was positioned with his head down between the passenger door and dashboard. At 1931 hours I notified dispatch of a serious crash and request multiple units for assistance. F.D. was summoned. I requested that District 2 Commander, Night Lieutenant Steffens, and a THI Sergeant be notified. I asked that both Bollea and Grazino remain still and calm as medical assistance was on the way. Grazino appeared unresponsive. I completed a quick scan of the area and asked several bystanders if any other vehicles were involved. It was believed at that time that only one vehicle was involved in this crash.

As units quickly arrived in the area, I coordinated the scene. I requested the roadway be closed and traffic diverted on Court Street at Hillcrest and Missouri Avenues. Upon Lt. Steffens arrival on scene I briefed him on what I knew. F.D. began tending to both occupants. I then assisted Sgt. McAuley and other officers with securing the scene with crime scene tape. The driver, Nicholas Bollea's father, Terry Bollea AKA "Hulk Hogan," arrived on scene. I was instructed by Lt. Steffens to remain with Mr. Bollea.

It was learned that both occupants would be air-lifted to Bayfront Hospital in St. Petersburg. The landing zone was coordinated for Glen Oaks Park Soccer Fields. At approximately 2009 hours, Lt. Steffens directed me to transport Mr. Bollea in my cruiser to Bayfront Hospital. We coordinated that Mr. Bollea's personal car would be left at the Clearwater Police Department Headquarters. Officer Lenczden followed in his cruiser to Bayfront. Upon arrival at the hospital, approximately 2035 hours, I coordinated with hospital staff. Both occupants, Bollea and Grazino, arrived via bayflight shortly after our arrival.

I stood by with the driver, Nicholas Bollea, while at the hospital ER. I assigned Officer Lenczden to the occupant, John Grazino. ER staff began medical evaluations on both. Grazino's status at that time was critical. It was believed by hospital staff that Grazino would be taken to surgery for his head injury. Bollea

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

was listed as serious, pending further testing. All property and clothing were collected by hospital staff. I asked that those items be retained as evidence in paper bags, per Lt. Steffens. I took possession of Nicholas Bollea's personal effects (clothing and cell phone) while Lenczden maintained custody and control of Grazino's property. Bollea's effects were secured in the truck of my cruiser. I was not present in Bollea's ER room while medical staff completed their evaluations and testing however; I remained outside his door. Officer Milne arrived and handled the blood draw process. I was only present in Bollea's room for the initial blood draw. (See Milne's supplement for further.) Bollea made no statements to me during the course of this investigation.

Lead THI Officer Turpack and PCSO Forensic Tech. Hamidi arrived at the hospital ER. I briefed him on what I knew. All property and evidence were turned over to Hamidi. I cleared from Bayfront Hospital at approximately 2320 hours. I responded back to the scene and met with Lt. Steffens. This concludes my involvement in this case.

NFAT

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Milne, Thomas
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 08/27/2007
REVIEW DATE: 09/02/2007

NARRATIVE:

SUPPLEMENT REPORT:

Around 1900 hrs on 8-26-2007, I was enroute to a robbery call at 1406 Cleveland St. I drove on Chestnut St at Ft Harrison Ave to Court St and San Remo Ave to get to the scene of the robbery. The road was wet from an afternoon shower.

I was cancelled just as I arrived. Simultaneously, Sgt Allaster called out that there was a very bad crash in the 1300 block of Court St. I went to the scene.

When I arrived, Fire Department personnel and other officers were on scene. There was a yellow Toyota in the median, facing west. The rear end was crushed in, apparently by collision with the palm tree in the median. FD personnel were extracting the passenger and then the driver from the wreck.

I began to interview witnesses.

I first spoke to Robert and Janice Steele. They told me that they had been near the Hess Mart at Ft Harrison Ave and Chestnut St when they saw the yellow car racing another car. They said that the two cars were racing east on Chestnut from Ft Harrison Ave. They thought that the two cars were very

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

NARRATIVE (Cont.)

reckless and dangerous. They pointed out a silver Dodge Viper that was parked on the east side of 1290 Court St. They also pointed out the two males who were in that car. They said that the Viper was the other car that was racing the yellow Toyota.

After I interviewed the Steeles, I went to interview the occupants of the Viper, but they and the car were gone. They told someone in the crowd that they were going to get Hulk Hogan because his son was in the yellow car.

I interviewed Shayne Michael Yerby and Larry Dean Johnson II. They said that they hadn't seen the crash but did see the yellow car and a silver sports car racing eastbound on Court St just before the crash.

Tony Costanza said that he was walking his dog behind 1290 Court St. He said that he was coming around the corner of the fence when he heard loud noises, looked up, and saw the yellow car hit the palm tree.

Stacey Lynn Auriemma said that she was at the intersection of Chestnut and Myrtle when she saw the two cars racing eastbound through the intersection. She said that the driver of the yellow car lost control and fishtailed badly, enabling the silver sports car to get a big lead. The yellow car kept going fast, heading eastbound, trying to catch up to the silver car.

I briefly saw the passenger in the Sunstar ambulance as I walked past it. He had a huge gash in the middle of his forehead.

I was directed to go to the Bayfront Medical Center to get a blood draw from the driver of the yellow Toyota. The blood draw was mandatory since the injuries to the passenger in the Toyota were life threatening.

I arrived at the hospital and went to the ER. Sgt Allaster and Ofc Lenczden were there and showed me the room where the driver, Nicholas Bollea, was. Bollea's father, Terry, was in the visitors' lounge at the moment. We decided to wait for him to return to the ER before we did the blood draw since Nicholas was a juvenile.

Terry Bollea consulted by phone with his attorney, Kevin Hayslett. Hayslett spoke to me and said that he understood the circumstances of the situation and that the blood draw was mandatory. He said that Nicholas, his client, was not giving the blood voluntarily, but that he would cooperate with the forced blood draw.

Lab Tech Assistants Haydee Roldan and Laura Hite performed the first blood draw. They used blood kit lot number 5786, from Lynn Peavey Co, which expired in 11-2008. I witnessed them draw two small samples from Nicholas' right forearm, commencing at 2150 hrs.

Because Nicholas' left arm was sore from injury sustained in the crash, they could not draw blood from his left arm. Because there was a shunt to an IV bag in Nicholas' right arm, at the elbow, they were only able to draw blood from his right forearm. This turned out to be a slow process, but they were making progress, until the ER nurse entered the room and said that Nicholas had to go to the CAT Scan and X-ray. They made Roldan and Hite cease their blood draw.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Roldan and Hite told me that the blood samples, which were only about an inch in each vial, were not sufficient for a lab analysis. Therefore, I waited until Nicholas returned from Cat Scan and X-ray.

I did seal the blood kit with Roldan's name and initials. I kept it with me.

After Nicholas returned, I called for the lab technician again. This time, Tiffany Bullock came to draw blood. We used the blood kit made by Biological Specimens, Lot Number 9394, exp 12-30-2007.

After a series of delays in getting the IV removed (on doctor's orders), finding a urinal, and waiting for Nicholas to pee, Bullock finally did the blood draw at 2337 hrs. I witnessed her draw blood from Nicholas' right arm, at the elbow. She drew two vials of blood and gave these to me.

After completing paperwork on the blood draws, with proper labels and signatures, I transported these to the Sheriff's Office where I placed them into the Property Room. The first blood kit was placed in locker #65. The second blood draw kit was placed in locker #66.

Bollea was given phentonol, an opiate pain killer, while he was in the Bayflight helicopter. No pain medication had been administered at the hospital up to the time after the second blood draw. Nicholas Bollea's attending physician was Dr Dooley. His medical chart number is MRN: 1307176.

No further information.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Reed, Chad	DATE:	08/27/2007
REVIEWED BY:	McAuley, Brian	REVIEW DATE:	08/27/2007
TEAM:	L_Team-D2		

NARRATIVE:

Supplemental Report:

I responded to a traffic crash in the 1200 block of Court St. on 08/26/07 at 1931 hours. I was instructed to block off traffic on Court St at Lincoln Av. I placed my fully marked Police vehicle with emergency lights active across all eastbound lanes of Court St. No traffic was allowed to travel eastbound on Court St for the duration of the investigation.

I assisted in keeping pedestrian traffic away from the north side of the investigation scene. I obtained the names of the primary Clearwater Fire/Rescue personnel that were on scene.

N.F.A.T.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Harris, Richard	DATE:	08/27/2007
REVIEWED BY:	Diebel, John	REVIEW DATE:	10/09/2007
TEAM:	THI		

NARRATIVE:

SAO INFORMATION: Refer to the original narrative prepared by Ofc. T. Turpack.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

BACKGROUND: On 08-26-07 at approx. 1940 hours, Communications Center Supervisor John Schroeder called me and notified me of a single car crash at 1290 Court St, where a subject had sustained life threatening injuries. I was told the on scene supervisor (Lt. J. Steffens) had requested the crash to be worked as a Traffic Homicide Investigation (THI). I was told by Communications Center Supervisor John Schroeder there was another vehicle involved which had left the scene and it was apparently a noncontact crash with the vehicle which reportedly left the scene. I responded from my residence, going to District 3 where I picked up a cruiser and then responded to the scene, arriving on scene at approx 2002 hours.

OBSERVATIONS and / or INVESTIGATIONS: As I was enroute to the crash scene, the Communications Center advised the driver of the vehicle originally thought to have been involved and left the scene, was now on scene. While I was still enroute to the crash scene the Communications Center advised me there were two injured persons from the crash and both were being transported by BayFlight Helicopter to BayFront Hospital. I requested an officer be sent to Bay Front Hospital and Ofc. Thomas Milne was dispatched. I requested Communications Center Supervisor John Schroeder to initiate a Traffic Homicide Investigation (THI call out).

I approached the crash scene on Court St from east of the scene. As I approached the crash scene I observed the area to be a four lane roadway of asphalt construction, with two lanes for east bound traffic, two lanes for west bound traffic and for the east and west bound lanes of traffic being separated by a raised median area. This raised median area is planted with decorative vegetation, consisting of decorative grasses, plants and palm trees. I observed the roadway to be damp from having rain in the area a short time earlier.

When I arrived at the crash scene the occupants of the vehicle had been removed from the vehicle and had been transported to the parking lot of St. Cecilia's School, which was being used as a landing zone for the BayFlight Helicopters. As I approached the crash scene I saw the helicopters in the parking lot, however I did not see the occupants of the vehicle.

The area of the crash scene was cordoned off with crime scene tape and multiple police units were in place to provide security for the crash scene. Clearwater Fire Dept. Personnel were there with fire hoses laid out and manned in case of a fire.

I observed a yellow sports car in the median facing west with the left rear of the vehicle against a palm tree. The vehicle had suffered such extensive damage, I initially was unable to tell the make of the vehicle. After several minutes I saw the symbol of the Toyota Motor Company in the middle of the steering wheel and realized the vehicle was a Toyota Supra. I observed severe crush damage to the rear of the vehicle, which apparently caused the rear interior section of the vehicle and the sides of the vehicle to intrude into the passenger compartment.

I spoke with Lt. J. Steffens who told me the driver of the yellow vehicle was Nicholas Bollea, the son of professional wrestler Hulk Hogan (Terry Bollea). Lt. J. Steffens said both Nicholas Bollea and the passenger were being taken to BayFront Hospital by BayFlight with life threatening injuries. He told me Sgt. S. Allaster had been working an off duty job at the soccer field at Glen Oaks Park (1345 Court St) at the time of the crash. Sgt. Allaster found the crash immediately after it had occurred and began calling for assistance. Lt. J. Steffens said Sgt. Allaster was enroute to BayFront Hospital with Terry Bollea and he would be available to assist with anything needed there. Lt. J. Steffens told me that apparently the yellow

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

vehicle had been travelling east on Court St prior to the crash occurring.

Officer T. Turpack was assigned as the primary THI Investigator, Ofc. D. Nugent was assigned to do the mapping of the crash scene and Ofc. M. Hatch was assigned to assist Officers T. Turpack and D. Nugent.

I spoke with the on scene Fire Dept. Commander who told me the vehicle had suffered a ruptured fuel tank during the impact and had been leaking gasoline. He said the on scene Fire Department personnel had "plugged" the fuel tank to prevent and further leakage of gasoline, however they needed to be present when the vehicle was moved in case there was an ignition source and there was a fire. The Fire Department then released the scene to me, as it was no longer a medical or fire emergency, and I had the Fire Department Personnel leave the cordoned off crash scene.

While waiting for the Fire Department personnel to clear the scene, I walked the scene between Lincoln Ave and the crash scene itself. I observed tire marks in the outside lane which continued into the inside lane. This indicated to me the yellow vehicle had initially been in the outside lane, began to lose control, came into the inside lane, struck the raised median, went into the median and struck the palm tree.

Officer D. Marshall was standing with two subjects on the north side of Court St, just west of the crash scene. Ofc. D. Marshall told me these two subjects had been in the vehicle that was originally thought to have been involved in the crash and had left the scene. These subjects were Daniel Jacobs, the driver of a silver colored Dodge Viper and Barrett Lawrence, a passenger in the vehicle being driven by Daniel Jacobs. I then spoke to these two subjects individually.

I first spoke with Daniel Jacobs. Daniel Jacobs told me he was employed by Terry Bollea's wife Linda as her business manager. Daniel Jacobs said he was driving a silver colored Dodge Viper and Barrett Lawrence was riding with him as the passenger. He said Nicholas Bollea was driving the yellow Toyota Supra, with John Graziano being the passenger in the yellow vehicle. He said they were on their way to dinner at Arigato's Restaurant, at Countryside Blvd and U.S. Hwy 19, from Nicholas Bollea's residence when the crash occurred. He said he was driving east in the inside lane of Court St and the yellow Toyota Supra was travelling east in the outside lane of Court St. He said he was ahead of the yellow Toyota Supra when he looked in his rear view mirror and saw the yellow Toyota Supra in the median against the palm tree. He said he told Barrett Lawrence his passenger, "Nicks crashed." He went to the first median break he came to, turned around and went back to the crash scene. At the crash scene he said both Nicholas Bollea and John Graziano were unconscious, but he saw Nicholas Bollea moving slightly. Daniel Jacobs said he thought John Graziano was dead and he thought Nicholas Bollea was possibly dying. He said they tried calling Nicholas Bollea's father, Terry Bollea, to tell him of the crash, however Terry Bollea did not answer his cell phone. Daniel Jacobs said he and Barrett Lawrence drove the silver colored Dodge Viper to the Bollea residence in Belleair, Florida, where they told Terry Bollea his son was involved in a crash. Terry Bollea, Barrett Lawrence and he then returned to the crash scene in Terry Bollea's Mercedes-Benz, with Terry Bollea driving. I asked him where the silver colored Dodge Viper he had been driving was located and he said they had left it at the Bollea residence in Belleair. I asked him who owned the silver colored Dodge Viper and he said it was owned by Terry Bollea.

I asked Daniel Jacobs if he and Nicholas Bollea had been racing each other prior to the traffic crash and he said, no. I told him that looking at the damage to the yellow Toyota Supra it was obvious speed was a factor. He then told me, "they had been getting on it from light to light." I asked him what he meant when he

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

said they had been getting on it from light to light, he said, that's just the way we drive. I asked him how fast he was going and he said, about 60.

I asked Daniel Jacobs where they had been prior to the traffic crash and he said they had been on Terry Bollea's boat for several hours and had gone to Three Rooker Island. He said they returned to the Bollea residence where they all took showers, changed clothes and had left to go to dinner. While I was talking to Daniel Jacobs I noticed a moderate odor of alcoholic beverage, from approx three feet away, coming from his person. I asked him if he had been drinking and he said he had drank maybe two beers over a time period that spanned several hours.

I then spoke with Barrett Lawrence. Barrett Lawrence said he was a passenger in a silver colored Dodge Viper being driven by Daniel Jacobs. He said the yellow Toyota Supra was being driven by Nicholas Bollea with John Graziano as the passenger in that vehicle. He said the four of them were friends and they had been "hanging out together." He said they left the Bollea residence and were enroute to dinner at Arigato's Restaurant when the crash occurred.

I asked him what had occurred prior to the crash. He said they were east bound on court St and had stopped for a red light at Missouri Ave. He said the yellow Toyota Supra being driven by Nicholas Bollea was in the curb lane, and was the first vehicle in that lane. The silver Dodge Viper, which he was riding in, was in the inside lane and was the second vehicle from the traffic light. He said when the light changed to green, Nicholas Bollea began accelerating through the intersection. He said the driver of a motorcycle that had been behind Nicholas Bollea at the stop light yelled at "them" to change into the curb lane. He said Daniel Jacobs accelerated, changed into the curb lane, passed the vehicle that had been in front of them while they were stopped for the red light, and then changed back into the inside lane while continuing to accelerate. He said these lanes changes were made while they were in the intersection or just exiting the intersection on the east side of the intersection. He said Daniel Jacobs continued accelerating and passed the yellow Toyota Supra being driven by Nicholas Bollea. He said shortly after they passed Nicholas Bollea, Daniel Jacobs screamed out, "Nicks crashed." He said they went to the first median break, turned around and went back to the crash scene. He said he and Daniel Jacobs both went to the Toyota Supra. He said he knew both Nicholas Bollea and John Graziano were seriously injured. He said they tried calling Terry Bollea, but he did not answer his phone, so they drove to the Bollea residence in Bellair to tell him of the crash. He said Terry Bollea, Daniel Jacobs and he they drove from the Bollea residence back to the scene of the crash. I asked him how fast he thought the silver Dodge Viper he was riding in was travelling and he said he estimated the speed at 90 to 100 miles per hour.

I asked Barrett Lawrence if the two vehicles had been racing prior to the crash and he said, they were just getting on it between red lights. When I asked him what he meant by getting on it between the red lights, he said, they always drive like that, just fooling around.

I took down the personal information of Daniel Jacobs and Barrett Lawrence and had them walk with me to the Traffic Homicide Investigation Bus, which was located east of the crash scene. There I met with Officer T. Turpack, gave him the personal information I had written down and told him what the two subjects had told me. I also told Ofc. T. Turpack about the odor of alcoholic beverage I observed coming from the person of Daniel Jacobs. I was present when Ofc. T. Turpack asked Daniel Jacobs if he had been drinking and heard Daniel Jacobs respond that he had. I heard Ofc. T. Turpack ask Daniel Jacobs if he would be willing to give a voluntary blood sample to determine his blood alcohol content. He said he

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

wanted to think about it. After approx seven to 10 minutes he said he would not be willing to give a blood sample. I then left Daniel Jacobs and Barrett Lawrence with Ofc. T. Turpack to be interviewed.

While I was on scene I spoke with Kevin Hayslett, who said he was representing Nicholas Bollea. Kevin Hayslett said his client was not giving permission for the vehicle to be searched and I told him I understood that. I told him the vehicle was being impounded/seized as part of the investigation and an inventory, according to Clearwater Police Department Policy, would be done. Kevin Hayslett said he understood. For more information concerning the conversation between Kevin Hayslett and myself, refer to the supplement which details this conversation.

Ofc. Milne called me from BayFront Hospital and said Nick Bollea's condition was being upgraded to non life threatening injuries. He said John Graziano's injuries were still considered life threatening. He told me he had taken two blood samples from Nicholas Bollea. He said during the process of taking the first blood sample, hospital employees had interrupted the process to take Nicholas Bollea for x-rays. He said the laboratory technician said they did not believe enough of a blood sample had been obtained to perform a laboratory analysis on the specimen. He said once the medical procedure Nicholas Bollea had been taken for had been completed, he had taken a second sample. Ofc. Milne said he would be leaving BayFront hospital and taking the two blood samples to the Pinellas County Sheriff's Office, where they would be stored pending laboratory analysis.

Investigation continues....

Investigative Costs:

7.1 hours @ \$25.00 per hour = \$177.50

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Harris, Richard	DATE:	08/27/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	08/27/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT :

On 08-26-07 at approx 2230 hours, while still on scene of the traffic crash at 1290 Court St, I spoke with Kevin Hayslett, the attorney representing Nicholas Bollea. Kevin Hayslett had called Lt. J. Steffens who then handed the phone to me. During the conversation, I informed Kevin Hayslett that I was assigned as the THI Supervisor to the investigation. Kevin Hayslett told me his client (Nicholas Bollea) was invoking his right to not speak with police investigators and that he was not giving consent to a search of the vehicle involved in the crash. I told Mr. Hayslett that I understood what he was saying, however the vehicle was being seized/impounded by the police department in accordance with departmental policy on THI investigations. Also as part of the department's policy on seizing and impounding vehicles we would be conducting an impound seizure inventory of the vehicle. Mr. Hayslett said he understood. I went on to tell Mr. Hayslett that as part of the THI Crash Investigation, we (the THI Investigators) would be performing a vehicle inspection of the vehicle. Mr. Hayslett said he understood what I had told him and he asked me to include in my report that his client was not giving consent to a search of the vehicle and was invoking his

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

right not to speak to the investigating officers and I told him I would.

On 08-27-07 at approx. 1800 hours I received a phone call from Lt. Steffens. Lt. Steffens said he had received a call from Kevin Hayslett asking when the vehicle involved in the crash would be available for his investigators to examine and photograph. Lt. Steffens said he told Kevin Hayslett this crash was being investigated as a THI investigation, however he would get in touch with me and I would call him back. I called Kevin Hayslett back and he asked about arranging to have his investigators photograph the crash vehicle. I told him that would not be possible at this time as we had not done an inspection of the vehicle, however an inspection of the vehicle was scheduled for 08-28-07. He then asked when he could have an investigator photograph the vehicle and I told him I was unable to give him an answer to that question at this time. I went on to explain that once the police department had completed the vehicle inspection there were two possibilities that could occur. The first possibility being the police department could release the vehicle to the rightful owner, at which time he could make arraignments with the rightful owner to examine and photograph the vehicle. The second possibility being the police department may retain the vehicle as evidence. If the vehicle was retained as evidence he would have to use the discovery process to obtain access to the vehicle. Mr. Hayslett said he understood.

Mr. Hayslett asked for the department's FAX number and said he would be sending a FAX requesting to examine and photograph the vehicle.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Ziermann, Christopher
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 08/27/2007
REVIEW DATE: 08/27/2007

NARRATIVE:

SUPPLEMENT

On August 26, 2007, at 21:42 hours, Ofc. Ziermann and I, Recruit Tejera were dispatched to the intersection of Hillcrest Rd. and Court St. for traffic control. We blocked off all of the westbound traffic on Court St. leading to the accident area. We were on scene from 21:45 hours on August 26, 2007, until 00:24 hours on August 27, 2007.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Lenczden, Corey
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 08/27/2007
REVIEW DATE: 08/27/2007

NARRATIVE:

I was dispatched Code 3, to the area of 1200 Court Street, reference a serious injury crash that just occurred. I arrived, and immediately observed that a yellow vehicle was sitting in the grassy median facing westbound. The vehicle was severely damaged, and I could see that there were two occupants still inside. They were later identified as Nicholas Bollea and John Graziano III. I was directed by the on-scene commander Lt. Steffens, to assist in securing the scene with crime scene tape. I placed crime scene tape along the northern end of the 1200block of Court Street just west and east of the scene. I was then directed to assist with crowd control at the scene, for which I did.

I was then directed to assist Sgt. Allaster in going to Bay Front Medical Hospital in order to stand by with the victims; who were subsequently going to be Bay-Flighted to the hospital. I arrived at Bay Front Hospital at about 2035hours, and stood in the trauma room, observing medical treatment being preformed

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

on John Graziano. I also watched as RN Charge Nurse; Michael Hulen gathered all the personal belongings and clothing of Graziano. All of Graziano's possessions and clothing were placed into 3 separate bags. I remained at the hospital observing Graziano until THI Officer Turpack arrived. PCSO Crime Scene Technician Hamidi also arrived with Ofc. Turpack. I handed her the belongings of Graziano which she took possession of.

At about 2320hours, Ofc. Turpack relieved me at the hospital and I returned to the city, having no other action on this case.

NFI

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	McMullen, Ryan	DATE:	08/27/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	08/27/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT
=====

I responded to a severe traffic crash involving one car. When I arrived in the area of the crash other units already on scene were requesting that eastbound traffic on Court Street be shut down. At that time I positioned my cruiser on Court Street blocking all eastbound traffic, diverting traffic either North or South on Missouri Ave. I stayed at that location until we opened the intersection back up.

NO FURTHER INFORMATION
=====

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Durivou, Scott	DATE:	08/27/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	09/02/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT:

I arrived on scene of this traffic crash and blocked Eastbound traffic on Court St. with my cruiser. A white male walked up to me and asked me if Nick was O.K.? The male was identified as Eric Sherman. I asked Sherman if he was a family member and he advised he was not. Sherman stated he knew it was Nick Hogan's car because he owns an automotive shop and just worked on the car last week. Sherman also advised he just saw Nick racing with another vehicle. He was stopped at Court St. and MLK Ave. in his vehicle. Two vehicles raced by East on Court St. As they passed he recognized the yellow car and saw Nick Hogan in the drivers seat. He told his wife who was with him there goes Nick. The other vehicle he was racing looked like a silver Viper.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Young, David	DATE:	08/28/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	09/02/2007
TEAM:	THI		

NARRATIVE:

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

INVESTIGATION: I responded to the crash code 3. Upon arrival Lt. Steffens directed me to take care of the landing zone for Bayflight which was going to be the soccer fields just east of the crash site. FD changed the LZ to the parking lot on the northwest corner of Hillcrest and Court St. I then responded back to the scene where Lt. Steffens directed me to extend the scene with crime scene tape to keep numerous spectators away from the scene. After doing this I assisted with scene security before clearing.

NFAT.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Harris, Richard	DATE:	08/29/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	10/04/2007
TEAM:	THI		

NARRATIVE:

WITNESS STATEMENT:

On 08-29-07 at approx. 2035 hours, I met with Rabih N. Cheaib at the Clearwater Police Department, for the purpose of him to give a statement of what he had observed on 08-26-07. Rabih N. Cheaib gave me a verbal statement which will be detailed in this supplement and he then gave a written statement which was placed into property.

Rabih N. Cheaib said on 08-26-07, he and three friends, Larry Johnson, Shane Yerby and Eric (last name unknown) were coming from Clearwater Beach. He said they were in Larry Johnson's vehicle, with Larry Johnson driving the vehicle, he (Rabih N. Cheaib) was riding in the right front passenger seat, Shane Yerby was seated in the rear left seat and Eric (last name unknown) was seated in the rear right seat. He said he does not know Eric's last name as he is a friend of Shane Yerby's. He said they were travelling east on Court St and when they approached Rita's Italian Ice (1010 Court St), Shane Yerby wanted to stop there so they did. He said they pulled into the drive through window so Shane Yerby could make an order.

While waiting at the drive through window to be served, he said he heard the sound of a turbo charged vehicle accelerating. He turned towards the direction the sound was coming from (west) and a second or so later two cars came into sight. He said one of the vehicles was a yellow Toyota Supra travelling east in the curb lane and a gray Dodge Viper travelling east in the inside lane. He said he heard the "turbo whistling" and knew the sound of the whistling turbos was coming from the Toyota Supra. He said he knows this as he is a car enthusiast and knows the Dodge Viper does not use a turbocharger.

He said the Toyota Supra was approx 1/2 to one car length in front of the Dodge Viper. Rabih N. Cheaib said that if the Toyota Supra was not at full acceleration, it was close to full acceleration. He estimated the speed of the Toyota Supra and the Dodge viper to be in excess of 60 miles per hour and their speed was increasing. He then said both the Toyota Supra and the Dodge viper were both accelerating "hard." He said the traffic light for east and west traffic on court St at Martin Luther King Av was green and both vehicles passed through the intersection continuing east on Court St. Shortly after crossing through the intersection both vehicles passed out of his sight. He said he believes the Toyota Supra and the Dodge Viper were racing when they passed by Rita's Italian Ice (1010 Court St.). Rabih N. Cheaib said he was not able to see the drivers of either vehicle.

As they were preparing to leave Rita's Italian Ice, he saw several police vehicles turn off Martin Luther king Av and go east on Court St. They pulled out onto Court St and began driving east. As they approached

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Missouri Ave they saw the emergency vehicles in the roadway and a yellow vehicle against a tree in the median. They parked off the roadway and walked to the area of where the crash had occurred. Rabih N. Cheaib said when they walked up to the scene of the crash, paramedics were just removing the passenger from the wrecked vehicle. He said the vehicle was so badly damaged he did not recognize it as being the same vehicle he had just seen going east on Court St when he was at Rita's Italian Ice.

A few minutes after they had walked to the accident scene, he saw Hulk Hogan (Terry Bollea) walk up to the scene of the crash. He said when he saw Hulk Hogan (Terry Bollea) he realized the Toyota Supra he had seen travelling east on Court St and the wrecked yellow car he was looking at belonged to Hulk Hogan's (Terry Bollea's) son, Nick (Bollea). He said he has seen the yellow Toyota Supra on television and on Nick Bollea's My Space web site, but he did not connect the car he had seen travelling east on Court St as being the same vehicle until he saw Hulk Hogan (Terry Bollea) at the crash site. He said he has a friend Mike Graziano (brother of injured person John Graziano) who is a friend of Nick Bollea's. He called Mike Graziano and told him that Nick Bollea had just struck a tree with his car. Mike Graziano asked him (Rabih N. Cheaib) if there was anyone in the car with Nick (Bollea) and Rabih N. Cheaib told him there was a passenger in the car and it looked like the passenger was dead. Rabih N. Cheaib said Mike Graziano immediately hung up the phone and arrived at the crash site several minutes later. Mike Graziano identified the passenger as his brother John Graziano and when he was told his brother was being taken to Bay Front Hospital, he left the crash scene to go to Bay Front Hospital.

Rabih N. Cheaib said he has a background of foreign made automobiles that are used for street racing. He said a couple of years ago he did street racing every Saturday night for a year, primarily in Tampa. He said for approx. the past four years he has built foreign made cars that can be used in street racing. He said he has built BMW, Mitsubishi, Toyota and Nissan cars. He said just about every car he has dealt with has a turbocharger, so he is familiar with the sound and performance of a turbocharged foreign made car.

Rabih N. Cheaib said this type of Toyota Supra is an in-line six cylinder turbocharged engine. He said the car was manufactured from 1993 to 1998 and is a MK-4 model. He said the car is over three hundred horsepower from the factory and even with "minor" modification, the horsepower rises dramatically. He said this type of car is street legal, but really should not be on the road and not in the possession of a "17 year old kid."

Rabih N. Cheaib said he saw a lady giving an interview on one of the news programs where she was describing seeing the yellow Toyota Supra and the gray Dodge Viper racing from red light to red light. He said that if in fact this is what the two vehicles were doing, it is called "Light to Light Dragging." Rabih N. Cheaib stated he did not see the vehicles doing this type of driving as the vehicles had passed out of his sight, but was merely commenting on the statement made by the lady in the interview.

NFAT

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Steffens, James
REVIEWED BY: Harris, Richard
TEAM: L_Team-D2

STATUS: Approved
DATE: 09/02/2007
REVIEW DATE: 09/02/2007

NARRATIVE:

Source of Activity/Background:

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

On 08/26/07 at approximately 1930 I was working as the Evening Shift Lieutenant (Commander) and was monitoring radio traffic in the city.

Synopsis: I overheard Sergeant Allaster advise on Group 11 (District II/West Side) of a major traffic crash on Court St. in the 1200 block. He requested emergency response by Fire Rescue and PD Patrol personnel. I believed that based on his request that this crash would consist of life threatening injuries and I advised that I would respond. I did respond in emergency mode and parked west of the crash site.

I walked to the scene which appeared to consist of a yellow 2D sports car that was in the median backwards and had impacted a large palm tree. Fire Rescue was on scene and working to extricate both the passenger and the driver. I did not see any other related vehicle at that time. I made contact with Sergeant Allaster who told me that he was a couple of hundred yards to the east of the crash site working off-duty at the Glen Oaks sports complex. He noticed the soccer players pointing towards the west and when he got out of his cruiser he could see smoke and deduced that a crash had occurred. He immediately responded. Sergeant Allaster also informed me that the driver of the sports car was believed to be the son of celebrity wrestler/actor Hulk Hogan whose real name was Terry Bollea. He did not know who the passenger was yet but he was a young W/M believed to be in his late teens or early twenties. I had seen the news of the past week and knew that the Hogan/Bollea family had just relocated back to Belleair from Miami and I suspected that the Media would quickly converge on this scene once word got out of Hogan/Bollea's son being involved.

I set about to coordinate the crime scene while notifying our agency's Public Information Officer Wayne Shelor. I knew that the dynamics of this crash would require his presence and assistance. I worked with Sergeant McAuley and Sergeant Young to set up the inner perimeter, a media perimeter, an outer perimeter, the Landing Zone and the Traffic Homicide Investigator notifications. While doing this, Officer Milne approached me and asked if I knew where the "silver sports car" was that had been parked in the parking lot directly north of the crash location. He said that the silver sports car may be involved and that two young w/ms were the driver and passenger of that car. We could see that it was not on scene anymore. Multiple bystanders, emergency apparatus and emergency personnel were on scene but the silver sports car was nowhere to be seen. We continued with setting up the scene while Officer Milne put a BOLO out on the radio requesting the silver sports car be located.

I observed that the passenger was now removed from the yellow sports car and was being worked on by the paramedics. I was advised by the commanding Fire Rescue Chief that the passenger was in very poor condition and may expire at any time from the injuries he had sustained. He was placed in a nearby ambulance and it was about this time that PIO Shelor arrived on scene and I began to update him on what we had so far. I believed that if Hogan/Bollea was in town, that he would probably be showing up at the scene and I began to coordinate personnel to assist with dealing with him and his presence at the scene. As I suspected, Hogan/Bollea did arrive and had parked west of the scene driving a black Mercedes. He was the only occupant and he quickly walked to and into the N/W section of the scene. I walked to him, met him while advising him that his son was still trapped in the driver's section of the car and that rescue personnel were working to free him. Hogan/Bollea was visibly upset and wanted to immediately see his son. I knew that if I prevented him from going closer to his son that we were going to have immediate issues to deal with Hogan/Bollea. I did not want to exacerbate the situation any further. I asked Hogan/Bollea to come with me and we would get him as close as we could while the rescue personnel

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

worked but that he needed to stay back a few feet. He agreed and we moved to the sports car. He kept asking if his son was still alive and we told him that he was but that he was just stuck and it would take a little while longer until they could free him.

I stood with Hogan/Bollea while he watched the extrication. I was advised that this was going to be a double Bay Flite and the LZ was going to be at St. Ceceilia's Middle School east of our location. Once the rescue personnel were removing Hogan/Bollea's son from across the passenger compartment from the driver's seat we moved up to the car and were on the N/S. Hogan/Bollea was able to tell his son that he was there and his son replied to him in kind for a few seconds. The paramedics then took him to an ambulance and Hogan/Bollea began to make cellular calls to his wife telling her that "Nick was in a car crash and he hit a tree". He told her that he was going to be flown to the hospital and he asked me which one. I told him Bayfront Medical Center in St. Petersburg.

Hogan/Bollea was headed back to his car and advised that he was headed to the hospital. I was already sending two officers to Bayfront to stand by with both the driver and the passenger and I authorized Sergeant Allaster to transport Hogan/Bollea to the hospital with him as I knew he would have certainly sped through our city while trying to get to the hospital. I did not want the possibility of another crash occurring and I was sending our personnel down there anyway. Sergeant Allaster then transported Hogan/Bollea and stood by at the hospital to ensure that the evidence chain of custody was ensured and to have Officer Lenczden and Officer Milne obtain any statements while standing by the victims. Sergeant Allaster then served as my supervisory point of contact at the hospital while I dealt with the scene. The Bayflite choppers left and I confirmed that our personnel were present when they landed at the hospital.

When THI Lead Investigator Turpack arrived along with THI Supervisory Harris, I briefed both of them. We worked at that time to transition the scene from the Fire Rescue Incident Command to the PD Incident Command. I met with the Commanding Fire Chief and we worked to clear out FD apparatus from the scene and completed the transfer at 2035. I remained on scene as was advised that the apparent driver and passenger of the silver sports car, possibly a Dodge Viper, had returned to the scene and were introduced Sergeant Harris and Officer Turpack. The THI Command Bus was at the scene and the THIs went about interviewing the two w/ms while Officer Nugent and Officer Hatch worked the scene with PCSO Forensics. PIO Shelor continued to deal with the Media who had flocked to the scene and my other sworn supervisors maintained the scene security. I requested City of Clearater Public Works respond to fix a broken sprinkler head and hopefully turn off the water in the median so the scene would not be further contaminated.

I was updated by Sergeant Allaster that the passenger was in critical condition and was being taken to surgery. The driver, Nick Bollea was going to survive with non-life threatening injuries. Hogan/Bollea had been taken to a waiting room by hospital staff and was with family members of the passenger. I then contacted the Communications Supervisor to make sure all needed notifications had been made. I called Captain Holloway directly to update him and then I cleared from the scene.

I was advised later that rumors were circulating that Hogan/Bollea had been at the scene earlier than he was and that he actually might have been the driver of the Silver Viper. At no time did I observe him prior to his arrival in the Black Mercedes. No one at the scene ever advised me that he was involved and the only parties said to be involved were being interviewed by THI investigators. I was advised that those same w/ms in the Viper had been friends of Nick Bollea and that they left the scene to go directly to

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Hogan/Bollea's home to inform him of the crash. That may help explain how fast he responded to the scene which was estimated to be within 10-15 minutes of the crash. That concluded my involvement at that time.

NARRATIVE

TYPE: Supplemental Report STATUS: Approved
AUTHOR: Marshall, David DATE: 09/03/2007
REVIEWED BY: Harris, Richard REVIEW DATE: 10/03/2007
TEAM: THI

NARRATIVE:

SUPPLEMENTAL REPORT:
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On this date, I responded to the area of 1290 Court St., reference an injury accident. Upon arrival, I blocked off eastbound traffic at Court St. and S. Missouri Ave. While at the intersection, additional officers were asked to respond to the accident scene to assist. Once I arrived at the accident scene, I was instructed to stay with the first ambulance on scene and keep supervisors updated on the passenger, John Graziano's condition. After Graziano was removed from the scene by Suntar, I stayed with possible witnesses Daniel Jacob and Barrett Lawrance until T.H.I. Officers could talk with them.

After the interviews, I stayed with Lawrance and Jacobs, until they left the scene.

No further action taken.

NARRATIVE

TYPE: Supplemental Report STATUS: Approved
AUTHOR: Bailey, Douglass DATE: 09/03/2007
REVIEWED BY: Harris, Richard REVIEW DATE: 09/03/2007
TEAM: L_Team-D2

NARRATIVE:

I responded to the scene to assist in traffic and crowd control. I canvased the area and made contact with three witnesses who said they saw the crash. They were identified as Glenn Salig Jimenez, Joeffrey Garrido Caminade, and Dennis Villarmino Balila. I then collected their information and asked them to stay in the area to be interviewed by the primary officer.

NFI

NARRATIVE

TYPE: Supplemental Report STATUS: Approved
AUTHOR: Harris, Richard DATE: 09/03/2007
REVIEWED BY: Miller, Nancy REVIEW DATE: 10/04/2007
TEAM: THI

NARRATIVE:

WITNESS STATEMENT: JEREMY T. WHITSON

On 09-02-07 I went to Shepard's Beach Resort and spoke with the on duty manager. I told this manager there had been an article in the St. Petersburg Times Newspaper stating Terry Bollea along with his son Nicholas Bollea and several of their friends had been at Shepard's Beach Resort on 08-26-07, but had been denied admittance. The manager told me this was correct. The manager told me the resort's Head of Security was the person who had denied them admittance. I asked if this person was working today and was told he was. The manager then called for the head of security and asked him to come to the office. The manager said Shepard's Beach Resort has a policy of only allowing those persons 21 years of age and

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

older to go into the area of the Tiki Bar.

Jeremy T. Whitson came into the office and identified him self as the person in charge of security for Shepard's Beach Resort. He said on 08-26-07 between approximately 1700 and 1800 hours, he was in the Tiki Bar area, standing by the steps that lead from the Tiki Bar area down to the beach area. He saw Terry Bollea's (Hulk Hogan's) boat pull into the area behind Shepard's Beach Resort and anchor. He saw Nicholas Bollea and approx. seven others get off the boat and wade into the shore. He said Terry Bollea (Hulk Hogan) stayed on the boat and then got into the water, but he did not come onto Shepard's Beach Resort property.

Jeremy T. Whitson said all of the security personnel know Nicholas Bollea by sight and know he is not 21 years old, so he is not allowed in the area of the Tiki Bar. Jeremy T. Whitson said when the subjects left the boat and began wading in towards the beach leading up to the Tiki Bar they were all holding bottles of Corona Beer except Nicholas Bollea who was holding a large greenish colored plastic cup. When the subjects, including Nicholas Bollea, reached the area of the stairs leading up to the Tiki Bar, he asked them for their identification and they all said they had left their wallets at home and did not have their identification with them. He said he told them they would have to have identification before they would be allowed in the Tiki Bar area and they would not be allowed to bring their own alcoholic beverages onto Shepard's property. He said they all then returned to the boat and left without further incident.

I asked Jeremy Whitson if he thought Nicholas Bollea was drinking alcoholic beverages and he said Nicholas Bollea was standing approx. six to eight feet away from him, so he was unable to say if there was an odor of alcoholic beverage on Nicholas Bollea's breath. He also said Nicholas Bollea was wearing a pair of large sun glasses so he was not able to see his eyes. He also said Nicholas Bollea was not stumbling or staggering.

Jeremy Whitson said the cup being held by Nicholas Bollea was of the size that would hold 32 ounces or more of a beverage. He said the beverage in the cup held by Nicholas Bollea was light in color, not dark as a cola or red wine would be. He said there was approx. two and a half to three inches of liquid in the cup. He said from where he was standing when he was speaking with them, he was unable to smell any odor that may have been coming from the cup.

NFAT

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Harris, Richard
REVIEWED BY: Miller, Nancy
TEAM: THI
NARRATIVE:

STATUS: Approved
DATE: 09/08/2007
REVIEW DATE: 10/04/2007

SUPPLEMENT REPORT

WITNESS INTERVIEW:

Ofc. D. Nugent told me that a Confidential Source of Information had told him that Nicholas Bollea and several of his friends had been at Albertson's Liquors, 1295 So. Missouri Ave, at approx. 1410 hours. Reportedly while at the liquor store alcoholic beverage was purchased, but Ofc. Nugent did not know who had made the purchase.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

On 09-05-07 I went to Albertson's Grocery Company and was told by an employee that the clerk working in the liquor store on 08-26-07 was June Hoopingarner, but she was not working on this day. I was told she would be working on 09-08-07.

On 09-08-07 I returned to Albertson's Grocery Company and met with the store director, Charles J. Magaraci. I asked Mr. Magaraci if the store have video surveillance in the liquor store and I was told it did. I asked Mr. Magaraci for a copy of the liquor store's video surveillance and he said he did not have equipment on premise to make a copy. He offered to give me the original tape so the police department could make a copy of what was needed, however he said he would need the original tape back. I accepted the tape and gave him a receipt for it. I gave the tape to Sgt. Diebel who will make contact with Det. M. Weaver to have a copy made. When a copy is made we will return the original tape to Mr. Magaraci.

On 09-08-07 at approx 1415 hours I met with liquor store clerk June Hoopingarner, at Albertson's Liquor Store. She told me on August 26, 2007 she opened the liquor store for business at 10:30 AM and worked there until 7:30 PM. She said she was the clerk on duty when Hulk Hogan (Terry Bollea), his son Nick and several other young males came into the store and she is the person who waited on them. She said she is sure Nick Bollea was one of the young males as she has seen pictures of him and his father. She said Hulk Hogan (Terry Bollea) selected two 12 packs of Corona Beer and one 18 pack of either Miller or Miller Lite Beer. She said Hulk Hogan (Terry Bollea) paid for the purchase with either a credit card or a debit card as he signed for the purchase. She said Hulk Hogan (Terry Bollea) carried out two of the packages of beer and one of the other young men carried out the third package of beer. She does not remember which one of the young men carried out the third package of beer. She said Hulk Hogan (Terry Bollea), Nick Bollea and the young men with them did not appear to have been drinking. She said she rang up their purchase at the counter and was standing just a few feet away from them and did not smell any odor of alcoholic beverages.

June Hoopingarner said Robert Copeland was at the store on August 26th and he saw Hulk Hogan (Terry Bollea), his son Nick, and the other young men drive up to the store. I went to Albertson's Grocery Company, 2170 Gulf To Bay Blvd, and met with Robert J. Copeland.

Robert J. Copeland said he was at Albertson's Grocery Company, 1295 So. Missouri Ave with his two small children on August 26, 2007. On August 26th, between approx. 1530 hours and 1600 hours, while he and his children were in the parking lot, he saw a yellow pickup truck pull into the parking lot of Albertson's Grocery company and recognized it as being Hulk Hogan's vehicle. He said he managed the Albertson's Gas Station in the past and during his time there Hulk Hogan (Terry Bollea) occasionally came there to purchase gasoline for his vehicles. The pickup truck parked in a parking space and Nick Bollea and three other young male subjects got out of the pickup truck. Robert J. Copeland said Nick Bollea was driving the pickup truck when it pulled into the parking lot and parked. He said just a few seconds later Hulk Hogan (Terry Bollea) drove the yellow Toyota Supra into the parking lot and parked it. He said Hulk Hogan (Terry Bollea) was alone in the yellow Toyota Supra. He said Hulk Hogan (Terry Bollea) got out of the yellow Toyota Supra and went inside of the liquor store. He said Nick Bollea and the three other subjects remained outside talking. He is unsure if Nick Bollea and the other three subjects ever went inside of the liquor store.

Robert Copeland said a short time later Hulk Hogan (Terry Bollea) came out of the liquor store carrying

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

two packages. He said Hulk Hogan (Terry Bollea) put the two packages in the yellow pickup truck. Robert Copeland said Hulk Hogan (Terry Bollea) left the Albertson's Grocery Company parking lot alone and driving the yellow pickup truck. He said Nick Bollea and the other three young males all got into the yellow Toyota Supra, with Nick Bollea driving and left the parking lot as well.

Neither Robert Copeland nor June Hoopingarner had any contact with any of the above persons, once the subjects left the parking lot of Albertsons's Grocery Company.

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NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	09/13/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/07/2007
TEAM:	THI		
<u>NARRATIVE:</u>			

Supplemental Report.

Investigative Action Taken:

On August 27, 2007, I spoke with Destina Sibley who had previously called 911 moments after the crash, advising she had witnessed the event. Destina Sibley said she was traveling eastbound on Court Street and had stopped for a red light at S. Missouri Ave. I asked Destina Sibley where she was located at the intersection. Destina Sibley said she was stopped in the inside lane of Court Street. I asked if she was the first vehicle at the stop bar. Destina Sibley stated she believed she was, but could not say for certain. Shortly underway in an eastbound direction, Destina Sibley said she noted a silver vehicle directly in front of her vehicle in the inside lane, and a yellow car in the outside lane. Destina Sibley did not recall if the silver car passed her vehicle prior to noting it in front of her. Once past the intersection, and roughly, "Two swimming pool lengths in front, (of her)", both vehicles appeared to be playing, "Cat and mouse". I asked what she was revering to. Destina Sibley said both vehicles were attempting to get parallel with each other. I asked if the vehicles were doing anything out of the ordinary while this was occurring. Sibley stated she observed the vehicles; "Jump" forward then slow immediately. I asked if this action appeared to be an indication to race. Destina Sibley agreed. Destina Sibley also added that she observed the brake lights on both vehicles activate and deactivate during the reported cat and mouse game. No other vehicles were noted by Destina Sibley in the area of the two above-mentioned cars as well, which might have prompted the need to activate their brakes. Destina Sibley added it was, "Clear they were gonna race".

After a few moments, Destina Sibley said both vehicles began to accelerate at a high rate of speed. Destina Sibley added that the silver car passed the yellow car very rapidly. I asked what she observed with the yellow car. Destina Sibley said she observed the back of the yellow car begin to, "Fishtail", and saw smoke emanating from the vehicle. I asked if the smoke appeared to be coming from the rear wheels, and Destina Sibley said that it did. Destina Sibley also stated that the yellow vehicle was still traveling forward when the smoke began to emanate from it. I asked what happened next. Sibley advised the right side of the yellow car, possibly the right front tire, struck the right curb. After that, the yellow car reportedly began to spin, and struck the palm tree with the rear of the vehicle. At that point in time, Destina Sibley stated she contacted 911.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

On August 27, 2007, I spoke with Jena Carpenter, who like Destina Sibley, called 911 advising that she had witnessed the crash. Jena Carpenter stated she was traveling westbound on Court Street at an estimated 40 to 45 miles per hour. While doing so, she advised she observed a yellow vehicle in what she believed was an attempt to conduct a u-turn while traveling eastbound of Court Street. Jena Carpenter said she knew that this was not possible, due to the fact that a raised median was present. Jena Carpenter stated she assumed the vehicle was possibly hydroplaning at that time. I asked how far of a revolution the vehicle conducted prior to impacting the tree. Jena Carpenter advised the vehicle appeared to have conducted a complete 180° turn prior to hitting the raised curb and subsequently striking the tree.

I asked Jena Carpenter if she observed any other vehicles in the immediate area of the yellow car, at which time she said that she did not. However, Jena Carpenter advised she did observe a light colored car traveling eastbound roughly 5 or 6 car lengths in front of the yellow car. I asked Jena Carpenter if she knew what kind of vehicle it was, and she said that she did not, again stating that it was light in color. I asked Jena Carpenter if she could tell as to whether the light-colored vehicle was traveling at a high rate of speed. Jena Carpenter said that she could not.

Upon approaching the crash location, Jena Carpenter said she stopped at the scene and did not see anyone inside of the vehicle. During this time, Jena Carpenter said she did not get out of her car, but did contact 911 to report the crash. I asked Jena Carpenter how long she remained at the scene. Jena Carpenter said that she stayed at the location the entire length of time she was speaking with a 911 operator. After completing the phone call, Jena Carpenter advised she departed the area. Jena Carpenter provided no further information.

On August 27, 2007, I spoke with Denise Cirella via the telephone. Denise Cirella also called 911 after witnessing the accident. Denise Cirella said she was driving northbound on South Fort Harrison and made a right turn onto Chestnut Street. While traveling eastbound on Chestnut, Denise Cirella came to a stop at Chestnut Street and Myrtle Avenue. It should be pointed out that this area of roadway is designated a one-way street. There are four lanes of eastbound travel. I asked Denise Cirella what lane she was in. She stated that she was in the second lane from the south. While stopped, Denise Cirella advised that a yellow sports car with a large spoiler stopped on her right side, and a silver convertible stopped on her left. During this time, Denise Cirella said she saw the profile of the yellow cars driver. According to Denise Cirella, the driver of the yellow car, "Grimaced", at the occupants of the sports car. Denise Cirella then said that she thought to herself, "What a cocky little fuck". I asked Cirella if the look was aggressive in nature. Cirella agreed, and added the look was, "Passionate". I asked what the occupants of the other car did during this time. Denise Cirella advised that the other vehicles two occupants did not appear to make any gestures or comments to the driver of the yellow vehicle.

Once the light at Chestnut Street and Myrtle turned green, Denise Cirella said both vehicles, "Tore off". The yellow vehicle reportedly squealed its tires upon the start. Denise Cirella said that the silver car, "Smoked", the yellow car. Both vehicles reportedly continued eastbound on Chestnut Street, which by this time, converted into Court Street. Denise Cirella said that she lost sight of both vehicles, and that she herself stopped at the next intersection, but did not know the name of it.

On August 27, 2007, Officer Hatch, Officer Nugent, Sgt. Harris and I responded to BJ's Towing in order to conduct a vehicle inspection on the Toyota. The inspection report was completed and submitted to

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

records. (See inspection form for further details). It should be pointed out that since fire department personnel cut the battery cables, I was unable to obtain any information regarding the vehicles electrical system. I was able to more closely examine the passengers A-pillar, which, like mentioned previously, had been cut and removed by fire department personnel. Along the passengers side of the A-pillar was noted what appeared to be a factory installed handgrip. The handgrip and surrounding area, along with the dashboard in front of the passenger's seat had, what appeared to be dried blood upon it. The driver's seatbelt had a clearly visibly cut, which was done for extrication purposes. The passenger's seatbelt did not appear to be damaged in any way. The front windshield had window tint that extended over the entire surface. This was noted due to the fact that the tint was peeling off, possibly as a result when fire department personnel removed the windshield with the use of heavy equipment. Pinellas County Sheriff's Office Forensic Tech Scire photographed that, along with the entire vehicle.

Investigative Costs:

6 Hours @ \$25.00 Hour = \$150.00

No further action taken at this time.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Turpack, Todd
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 09/13/2007
REVIEW DATE: 10/07/2007

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On August 28, 2007, I met Denise Cirella at the Clearwater Police Department's main station. While a passenger in my cruiser, Denise Cirella showed me her travel route the day of the crash. The intersection, in which Denise Cirella stopped after Chestnut and Myrtle, was Court Street and Martin Luther King. The two vehicles reported by Denise Cirella were not at this intersection when she approached. When the eastbound light at Court Street and Martin Luther King turned green, Denise Cirella stated she proceeded once again. At the next traffic light, which is Court Street and South Missouri Avenue, Denise Cirella said she again saw the two vehicles. Denise Cirella said she thought, "Not these two again". I asked Denise Cirella if the pair were stopped at Court Street and South Missouri Avenue. Denise Cirella said the light had just turned green and that both vehicles were traveling eastbound once again. Denise Cirella, who drives a large SUV, said she was slowing her vehicle when approaching the intersection of Court Street and South Missouri Avenue due to the fact that additional traffic was still beginning to accelerate.

Once her vehicle passed the intersection, Denise Cirella said she noted the silver car was once again ahead of the yellow vehicle. Denise Cirella expressed that she felt the yellow car, "Just couldn't get it together or catch up". Denise Cirella went on to add that she did not know why the yellow car did not give up, since the silver car was clearly faster. Denise Cirella stated the yellow car appeared to be, "Out of control" and

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

that it was, "Fishtailing". During this time, Denise Cirella was an estimated 75 yards behind the vehicles. Again due to the height of her vehicle, Denise Cirella said she observed the yellow car swerve from lane to lane with its back tires spinning. Denise Cirella's written statement stated that the yellow vehicle, "Hit the right curb, left curb, spun around, jumped on the median, hit the tree and seemed to bounce around and rock back and forth before stopping". Finally, I asked Denise Cirella if she felt both vehicles were racing. Denise Cirella gave a definitive. "Yes".

On August 28, 2007, I proceeded to Clearwater Fire Department Station 45 in order to question the first responders.

I spoke with Firefighter/EMT Patrick Davis Jr. Patrick Davis Jr. said he along with two other crew members from Unit R45B were traveling eastbound on Court Street in the area of S. Missouri Ave. Patrick Davis Jr. said he observed traffic stopping in front of their rescue vehicle and he saw a car involved in a traffic crash with heavy damage. He advised that people were motioning to the marked rescue vehicle in order to get their attention. Patrick Davis Jr. said he proceeded to the passenger's side of the vehicle and observed a white male who appeared to be in poor condition due to, "serious head trauma". I asked Patrick Davis Jr. if the individual was wearing a seatbelt, and he said that he was not. Patrick Davis Jr. said the passenger was extricated from the vehicle in order to receive emergency treatment.

I asked Patrick Davis Jr. if the passenger's door needed tools in order to be opened. Davis Jr. said the door had to be opened with force, but no tools were required. After removing the passenger, Patrick Davis Jr. advised he proceeded back to the car and assisted with the treatment of the driver. I asked Patrick Davis Jr. if he recognized who the driver was. Patrick Davis Jr. advised that he did, stating that it was, "Nick Bollea". I asked Patrick Davis Jr. how he knew who the individual was. Patrick Davis Jr. stated he recognized Bollea from seeing him, "Around Clearwater and the TV show". Patrick Davis Jr. went on to state the driver was responsive and that his only complaint was his right arm. Patrick Davis Jr. also added that the driver was wearing a seatbelt and that he applied a c-collar along with an oxygen mask to Bollea. Patrick Davis Jr. finally stated that once the driver was extricated, he completed no other tasks.

I spoke with Lt. Charles Gibson who is assigned to unit T45B. Lt. Charles Gibson said that when he arrived on scene, R45B was currently in the process of removing the passenger from the vehicle. Lt. Charles Gibson said he noted that there was one additional occupant of the vehicle, who was reportedly trapped in the driver's seat. Lt. Charles Gibson stated another crewmember and he covered the individual with a protective blanket while the front windshield and driver's door was removed. After removing the windshield and driver door, Lt. Charles Gibson said he assisted with rolling the dashboard away from the patient's person, so that extrication could be completed. The patient was removed out of the passenger's door while upon a backboard. I asked Lt. Charles Gibson what if anything the driver said to him. Lt. Charles Gibson said that the white male driver with blonde hair said, "Please help me".

I spoke with Firefighter/EMT Zebulum Veale. Zebulum Veale said when his unit arrived on scene, he observed a yellow Toyota Supra in the center median of Court Street. Zebulum Veale stated he began to stabilize the car and also cut and removed the battery from the vehicle. After doing that, Zebulum Veale advised he removed the driver's door. During this time, Zebulum Veale said, "Hulk Hogan", arrived on scene. It was then that Zebulum Veale realized that, "Nick", was in the driver's seat. I asked Zebulum Veale if Bollea was wearing his seatbelt. Zebulum Veale said that he was, and that he cut the seatbelt from Bollea.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

I spoke with Firefighter/EMT Cameron Hill. Cameron Hill, who is assigned to E45B, said that upon arriving at the traffic crash location, he retrieved a hose line from the fire engine due to the fact there was a report of fuel leaking from the vehicle. Cameron Hill stated he was also instructed to the aid with the unconscious passenger. When the passenger was secured, Cameron Hill advised he helped remove the front windshield in order to extricate the driver. I asked Cameron Hill if he recognized the driver. Cameron Hill said that he did not recognize the driver until, "Hulkster Hogan", arrived at the location and reportedly told, "Nick", that he loved him.

I spoke with Assistant Chief Marvin Pettingill. Chief Marvin Pettingill said he was assigned to oversee the extrication of the vehicles driver. Chief Marvin Pettingill said the driver was a white male who reportedly stated that his name was, "Nick". Chief Marvin Pettingill advised that the driver was wearing a seatbelt, which was cut by rescue personnel.

All parties completed a victim/witness form and an oath form, which were placed into records. Copies of the forms were forwarded to records.

Sean Becker and Jerome Mourelatos, were also assigned to R45B, but were not present when I spoke with Patrick Davis Jr. Both individuals will be interviewed during their next scheduled day of work.

Investigative Costs:

8 Hours @ \$25.00 Hour = \$200.00

No further action taken at this time.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	09/13/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/07/2007
TEAM:	THI		

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On September 2, 2007, I proceeded to Clearwater Fire Rescue 45 in order to interview Jerome Mourelatos and Sean Becker who were not present during my initial interview.

I spoke with Jerome Mourelatos who is a fire fighter/paramedic with R45B. Jerome Mourelatos said he was seated in the backseat of the rescue vehicle along with P. Davis Jr. While eastbound on Court Street in the area of South Missouri Avenue, Jerome Mourelatos stated he observed traffic backing up in an eastbound direction. During this time, Jerome Mourelatos advised people were standing among the stopped cars and, "Waving them down". At that time, Jerome Mourelatos said he noticed a yellow car upon the center median of Court Street. Upon arriving at the crash location, Jerome Mourelatos stated he noticed two occupants within the vehicle and proceeded to the passenger's side. The passenger was

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

reportedly slumped forward and to the right. Jerome Mourelatos said he thought the unrestrained individual was dead, due to overt head trauma. Jerome Mourelatos advised he picked up the passengers head, at which time the individual began to breath. The breathing was reportedly slow. A cervical collar was placed upon the passenger, at which time he was removed from the vehicle.

I spoke with Sean Becker, who is also a firefighter/paramedic. Sean Becker said he was driving unit R45B when he saw people standing around stopped vehicles in front of their rescue unit on Court Street just east of South Missouri Avenue. A female upon a motorcycle reportedly began to motion in order to summon the rescue unit. Sean Becker said he noticed two occupants of the yellow vehicle, and that the driver was pinned in within the driver's seat. While Jerome Mourelatos was tasked with aiding the passenger, Sean Becker said he introduced himself to the driver and asked what his name was. Sean Becker stated the driver said his name was, "Nick". When asked how old he was, Sean Becker said the driver stated he was, "17". I asked Sean Becker if he recognized the driver. Sean Becker said he did not at first, but did so when another member of the unit told him who the driver was. I asked Sean Becker if Nicholas Bollea was given any medication. Sean Becker said the driver was offered pain medication, but declined any during his custody. When asked if the driver was wearing a seatbelt, Sean Becker said that he was.

Both parties completed a victim/witness form and an oath form which were placed into records. Copies of the forms were forwarded to records.

Investigative Costs:

3 Hours @ \$25.00 Hour = \$75.00

No further action taken.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	09/13/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/09/2007
TEAM:	THI		

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On September 10, 2007, I met with Linda Berry at her residence. Linda Berry, who is the mother of John Graziano's girlfriend, said she responded to the hospital after being informed of the crash. Berry stated she was notified of the crash shortly after it occurred.

While on the second floor intensive care unit Linda Berry advised she sat down upon the floor next to Daniel Jacobs, outside of John Graziano's room. I asked if she knows Daniel Jacobs, at which time Linda Barry said she has known Daniel Jacobs and John Graziano for seven years. That being the length of time her daughter has reportedly been dating John Graziano. After sitting upon the ground to Daniel Jacobs's left, Linda Berry said he stated, "Linda I'm probably gonna be charged with something". I asked Linda Berry what if any response she had to that statement. Linda Berry advised she told Daniel Jacobs that it

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

was an accident in order to comfort him, and went onto say it was an unfortunate crash. Linda Barry said Daniel Jacobs added that after the crash, Barrett Lawrance and he drove to Terry Bollea's residence in order to notify him.

I asked Linda Berry if Daniel Jacobs made any statements about racing. Linda Berry said she also spoke with Barrett Lawrance, who with Daniel Jacobs, said the two vehicles were racing. Daniel Jacobs stated the pair were side by side when he noticed Nicolas Bollea was no longer next to the Viper. Barrett Lawrance reportedly told Linda Berry he looked westbound and saw, "A ball of smoke". Barrett Lawrance said Daniel Jacobs turned around and proceeded back to the crash scene.

While still at the hospital, Linda Berry added she overheard Daniel Jacobs speaking with a pastor from Countryside Christian Church about the crash. While standing five or six feet away from the conversation, Linda Berry stated she overheard Daniel Jacobs claim the vehicle he was driving was traveling either 113 or 130 miles per hour. Linda Berry was not certain the exact speed she overheard, but knew it was over one hundred miles per hour. Barry said she did not confront Barrett Lawrance or Daniel Jacobs about the speed of both vehicles.

These events reportedly took place shortly after midnight on the 27th of August.

Barry completed a victim/witness statement form and oath form which were both placed into property. Copies of the forms were forwarded to records.

Investigative Costs:

2 Hours @ \$25.00 Hour = \$50.00

No further action taken at this time.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	09/13/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/07/2007
TEAM:	THI		
<u>NARRATIVE:</u>			

Supplemental Report.

Investigative Action Taken:

On September 5, 2007, I proceeded to businesses along Court Street in order to determine if any had video cameras that might have captured the traffic crash.

No businesses had such cameras except for St. Cecelia School, located at 400 South Hillcrest Avenue. I was able to speak with the locations Security Officer Fred Casale. Casale provided me with a compact disk of St. Cecelia School's security footage during the time frame of the traffic crash. The exterior camera faces Court Street in a southeastern direction. The video camera, which faces southwest, the direction of

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

the crash, was reportedly not working due to a recent lighting strike.

I viewed the video, but was unable to make out any vehicles traveling eastbound on Court Street.

The compact disk was placed into property as evidence.

Investigative Costs:

1 Hours @ \$25.00 Hour = \$25.00

No further action taken.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Turpack, Todd
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 09/20/2007
REVIEW DATE: 09/21/2007

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On September 20, 2007, Officers' Hatch, Nugent and I met with John Murdoch, the owner of John Murdoch Consulting. The State Attorneys Office retained Murdoch in order to assist with the crash reconstruction.

After viewing the crash location, we proceeded to BJ's Towing in order to view the crashed vehicle. While there, I obtained a list of all BJ's Towing employees. The employees were as follows:

1. Robert Clark
2. Ernie Clark
3. Shane Stockham
4. James Winters
5. Debra Cole
6. Steven Constantini
7. Richard Clark

No further action taken at this time.

Investigative Costs:

5 Hours @ 25.00 Hour = \$125.00

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Nugent, David	DATE:	09/21/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	09/21/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT

Investigative Action Taken:

On September 8th & 9th, Officer Michael Hatch and I met with Chet Tomlinson, a trainer employed by Visual Statement. He assisted us in using a Nikon NPL-332 and downloading it to our agency's Vista FX3 software.

The measurements were taken to verify our original data points and to obtain elevations for a 3D diagram.

We also used the Nikon and a reflector pole to measure the vehicle's post-crash dimensions.

Upon returning to the station, Chet Tomlinson ensured the data was properly downloaded and interpreted for the diagram.

On September 13, 2007, I accompanied PCSO Forensic Specialist Robert Detwiler while he took aerial photographs of the crash scene. I also had him photograph Chestnut Street from the intersection of South Fort Harrison Avenue & Chestnut Street to the intersection of Court Street & South Hillcrest Avenue.

I then drove to B.J.'s Towing and had them tow the Toyota Supra to Clearwater Fire Department Station #48. Once Specialist Robert Detwiler arrived at the fire station, we went up in Truck 48's bucket and took aerial photographs of the vehicle.

I then accompanied the tow truck to the Clearwater Solid Waste Facility at 1701 North Hercules Avenue. I spoke with Solid Waste Supervisor 1 Carl Swigart, and asked him if he could weigh the Toyota.

After he zeroed the scale, I motioned for the tow truck driver to pull onto the scale. The first weight, a combination of the tow truck and the Toyota, was 18580 lbs. The second weight, consisting of the tow truck only, was 14920 lbs. This resulted in a vehicle weight of 3660 lbs for the Toyota.

I obtained a copy of the scale's most recent inspection from David Powers, in the Solid Waste Administration Office.

The Toyota was returned to its storage location, and I drove to the District 2 station to continue my investigation.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Harris, Richard	DATE:	09/21/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	10/10/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

WITNESS INTERVIEW:

On August 31, 2007 I drove to Orlando, FL to interview Scott Franklin Murray, who Ofc. M. Hatch had developed as a witness through Francis Vitalis.

Scott Murray is unfamiliar with the Clearwater Area and was unable to give street locations other than he knew he was on Court St. He was able to give locations and distances by the number of red lights west of Court St and Missouri Ave, which was the last red light he stopped at prior to the traffic crash. Scott Murray brought two match box series type cars with him, which he used as aids when he was demonstrating the events and driving of the two vehicles prior to the crash. I drew a diagram of the area between the crash scene location and Court St and Ft. Harrison Ave, which was referred to during the interview. This diagram I drew was placed into evidence.

Scott Murray said he was operating a motorcycle with Francis Vitalis as his passenger. He said he and Francis Vitallis had been on Clearwater Beach for several hours prior to the traffic crash and he was taking her home so he could return to the Orlando, FL area, when the traffic crash occurred. He said he was stopped at a traffic light next to a Hess Convenience Store (Ft. Harrison Ave) facing east bound on Court St when he first observed the yellow Toyota Supra and the silver Dodge Viper. He said the yellow Toyota Supra and the silver Dodge Viper had turned east onto Court St from Ft. Harrison Ave, and both vehicles accelerated rapidly down to the next red light (Myrtle Ave). He said while the two vehicles were accelerating rapidly towards the next intersection with a red light (Myrtle Av). Scott F. Murray said it appeared to him the yellow Toyota Supra and silver Dodge Viper were racing to see who could get to the next intersection (Myrtle Ave) first. He said when his light for east bound traffic changed to green he proceeded towards the next intersection (Myrtle Ave)

He said as he approached this intersection the light changed to green and yellow Toyota Supra and the silver Dodge Viper "took off again." He said he followed these two vehicles for approximately one mile until they stopped for a red light at the intersection just prior to the crash, which would be Missouri Ave. He said during the time he was following these two vehicles, they were racing. I asked him if he could estimate the speeds of the two vehicles and he could only say they were going at a high rate of speed. He said he was approx 1/4 mile behind the two vehicles while he was following them to the final red light (Missouri Ave). I asked him what he meant by "racing" and he said they were both crossing lanes, changing lanes and appeared to be trying to get ahead of each other. I then asked him what his definition of racing was and he said, he used to race cars when he was younger and living in south Florida. He said he participated in 1/4 racing (drag racing), but it was done off of the public roadways. He went on to give me his definition of racing as being a contest of speed between two cars.

He said when they came to the intersection (Missouri Ave) with the red light just before the crash location, the yellow Toyota Supra was in the curb lane and was the first car in that lane. He said he stopped directly behind the yellow Toyota Supra. He said the silver Dodge Viper was in the inside lane behind a another vehicle. He said the other vehicle was the first car at the intersection in the inside lane and the silver Dodge Viper was the second car from the intersection in the inside lane. He said while they were at this red light the passenger in the silver Dodge Viper (Barrett Lawrence) was talking to the driver (Nicholas Bollea) of the yellow Toyota Supra. He said he was not able to hear what was being said, but he could see they were talking to each other. He said it was obvious that the driver of the yellow Toyota Supra (Nicholas Bollea) and the passenger of the silver Dodge Viper (Barrett Lawrence) knew each other. He said while they were

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

at the intersection waiting for the light to change to green, neither vehicle revved up their engine.

He said when the light changed to green the yellow Toyota Supra began accelerating. He said he motioned for the driver of the silver Dodge Viper to go into his lane (curb lane) in order to go around the vehicle in front of the Dodge Viper. He said the reason he did this was he knew the two vehicles were racing each other and he did not want to get caught up in that. He said the silver Dodge Viper changed into the curb lane, accelerating hard, passed the vehicle in the inside lane and then changed back into the inside lane. He said both the yellow Toyota Supra and the silver Dodge Viper were under hard acceleration. He said once the silver Dodge Viper changed into the inside lane, the silver Dodge Viper passed the yellow Toyota Supra. He estimated the speed of the Dodge Viper between 90 to 110 miles per hour when it passed the yellow Toyota Supra. He said the silver Dodge Viper was ahead of the yellow Toyota Supra when the yellow Toyota Supra began to lose control. He estimated the speed of the yellow Toyota Supra at the time it began to lose control to be 80 to 100 miles per hour. He was basing his estimations of speed on the fact that he was riding his motorcycle at 40 miles per hour and the yellow Toyota Supra was double his speed at a minimum.

He said when the yellow Toyota Supra began to lose control, the rear of the vehicle slid to the right approx 12 to 18 inches, the driver evidently tried to correct the vehicle, however the rear of the vehicle then slid to the left at an approx 45 degree angle. The driver then apparently attempted to correct the vehicle again, however the rear of the vehicle slid to the right to approx an 80 degree angle of the roadway. The rear of the vehicle then continued sliding to the right until the vehicle was sliding sideways. He said the vehicle then struck the inside curb, jumped the curb and appeared to go airborne. He said the vehicle then turned and the rear of the vehicle struck the palm tree in the median. He said it appeared to him the vehicles was still airborne when it struck the palm tree.

He said he immediately pulled into a parking lot across from the crash and went to the yellow Toyota. He said he looked at the driver and did not see any apparent or obvious injuries. He said the driver's eyes were open and the driver appeared to be alert. He said the passenger in the yellow Toyota Supra was unconscious.

He said the silver Dodge Viper returned to the scene and he walked over to it, where he met the occupants. He said the occupants of the silver Dodge Viper told him the occupants of the crashed yellow Toyota Supra were friends of theirs. Scott Franklin said he told the driver of the silver Dodge Viper they had been racing and he said the driver denied they had been racing.

Scott Franklin said police and fire department personnel began arriving on scene and he departed the scene when the fire department began extricating the occupants of the yellow Toyota Supra.

I asked Scott Franklin if he would be able to identify the drivers of the silver Dodge Viper and the yellow Toyota Supra and he said he could. He described the driver of the silver Dodge Viper as being a white male, tall, slim, dark hair, with earrings in both ears. I remembered Daniel Jacobs having earrings in both ears the night of the crash when I interviewed him.

He described the silver Dodge Viper as having a black stripe approx 1 3/4 inches wide that wrapped around the rear of the car and apparently went around the sides of the car.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

I had Scott Franklin Murray to complete a witness statement, detailing the events he witnessed the day of the crash. I placed him under oath and signed an oath form.

The original witness statement (2 pages), the original oath form and the hand drawn diagram were placed into property.

COST RECOVERY:

6.0 hours X \$25.00 per hour = \$150.00

200 miles in vehicle G-3164

NFAT

NARRATIVE

TYPE: Supplemental Report

STATUS: Approved

AUTHOR: Turpack, Todd

DATE: 09/21/2007

REVIEWED BY: Harris, Richard

REVIEW DATE: 10/09/2007

TEAM: THI

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On September 20, 2007, I met with Ashley Williams at her residence. Williams had contacted 911 after the traffic crash occurred. I asked Williams what if any part of the crash she observed. Williams said she was traveling westbound on Court Street in her vehicle. Upon approaching the last median break on Court Street just prior to South Missouri Avenue, Williams advised she observed two vehicles, "Racing one another". The last median break prior to South Missouri Avenue is incidentally South Lincoln Avenue. I asked what direction the two vehicles were traveling. Williams said the vehicles were traveling eastbound.

I asked Williams why she believed the vehicles were racing one another. Williams said she was able to hear a lot of engine noise emanating from the vehicles, and that both vehicles were, "Side by side". As the vehicles passed, Williams stated she observed, through her vehicles side mirror, the yellow vehicle strike a tree. Williams was not able to state what kind of vehicles were involved, or the positioning of them once they past her vehicle. After the crash ocured however, Williams said the, "Other car kept going". No further information was obtained from Williams.

No further action at this time.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Investigative Costs:

\$25.00 Hour @ 1 Hour= \$25.00.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Hatch, Michael	DATE:	09/21/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/09/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENTAL REPORT

On 08/26/2007, at approximately 1948 hours, I received a call from Clearwater Police Communications regarding a Traffic Homicide Investigation and a request to respond. I was issued a call number of 598 and advised that I would be there within an hour.

At 2034 hrs, I arrived on scene and observed road blockage from police cruisers at the intersection of Missouri Avenue and Court Street. I continued past the roadblock and parked in the eastbound lane of Court St.

As I approached the scene, I immediately observed a yellow in color vehicle facing west in the median of Court Street. There was a moderate amount of debris scattered about the area closest to the vehicle. No occupants were present upon my arrival. There was dirt strewn about the westbound lanes and the vehicle was resting near a palm tree planted in the center of the median.

I met with OFC D. Nugent and OFC T. Turpack, who were also dispatched. OFC. Turpack was designated the primary officer in the investigation. OFC Nugent and I began surveying the scene and assessing the impact and the resulting damage of the collision. We marked all visible skid marks and other roadway evidence using spray chalk. (See OFC Nugent Supplement for details of observations)

OFC Nugent and I measured the drag factor of the roadway under the then existing conditions. We utilized a 45 lb drag sled and OFC Nugent pulled the drag sled a total of 10 times while I recorded the results. (See OFC Nugent supplement for information and results)

After the evidence was marked and the drag sled calculations were figured, I assisted OFC Nugent in measuring the scene via laser mapping equipment. Measurements of the area were taken as well as vehicle placement and other debris. Data points were collected by OFC Nugent and I. All pertinent data was taken into custody by OFC Nugent at the conclusion.

After completion of the scene mapping, the roadway was opened up and I cleared the scene.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Nugent, David	DATE:	09/21/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/15/2007
TEAM:	THI		

NARRATIVE:

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

SUPPLEMENT

Source of Activity:

On 08/26/07, at approximately 1940 hours, I was called at my residence by the communications center and asked to respond to the 1300 block of Court Street in reference to a serious injury crash.

Observations Upon Arrival:

I drove to the location in emergency mode and arrived at approximately 2010 hours. As I traveled westbound on Court Street, I saw a police car diverting all westbound traffic onto Hillcrest Avenue. I proceeded past the intersection and parked my car in the inside westbound lane, behind several other emergency vehicles. As I arrived, both helicopters departed the St. Cecelia's School parking lot.

I exited my vehicle and met with Sergeant Richard Harris. He asked me to respond to the District 2 station and drive the THI bus to the scene, which I did.

I arrived back at the scene and parked the bus in the outside, westbound lane, east of the crash scene. I exited the bus and saw the following:

- This area of Court Street has a raised median that divides the two eastbound and two westbound traffic lanes.
- The median contains numerous bushes and six large palm trees.
- The roadway is illuminated by streetlights along the north and south curb lines.
- As it had rained earlier, the road surface was patched with wet and dry areas.
- A yellow 2-door vehicle was on the center, raised median, several feet west of a large palm tree.
- The vehicle was facing a west-southwest direction and had heavy rear end damage.
- The damage appeared to originate from a collision with the second palm tree from the west.
- Damage to the windshield and both A-pillars appear to have been caused by firefighters removing the occupants.
- Dirt, plant material, and vehicle debris were strewn across the westbound lanes of Court Street, northeast of the impact location.
- The vehicle's left door was leaning against some bushes east of the palm tree.
- One of the firefighters told me the door was placed there during their extrication.
- Several feet east of the detached door, I located the vehicle's license plate "COEHSP2" in some median brush.
- West of the vehicle, I saw a number of tire marks, paint transfers, and scratches along the median's concrete curb.
- The tire marks were also visible in both eastbound travel lanes.
- The tire marks appeared to originate in the eastbound, curb lane and travel in a northeasterly direction toward the point of impact.
- The marks indicate the vehicle began a counterclockwise spin prior to impacting the median curb.
- There was visible body damage to the rear of the vehicle's right front wheel well. This damage appeared to have been caused by impacting a rock in the median prior to striking the palm tree.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Investigative Action Taken:

After making my initial observations, I assisted in preserving the scene by asking CFD personnel to maintain the crime scene. I also asked them to vacate the scene once it was deemed safe.

In order to measure an accurate roadway drag factor, Officer Michael Hatch and I used a 45-pound drag sled to gather the data. I pulled the sled 10 times, and Officer Hatch recorded the weight of each pull. The 10 pulls averaged 30.5 pounds per pull.

This was calculated to determine the roadway's drag factor:

$$f = 30.5 / 45$$

$$f = 0.677$$

$$f = 0.68$$

While waiting for PCSO Forensics to finish photographing the scene, I assisted Officer Todd Turpack during his interview of Daniel Jacobs. Officer Turpack asked me to speak with Jacobs to determine if I could detect impairment and to ask him if he would consent to a voluntary blood draw.

I approached Jacobs and introduced myself. While I spoke with him, I detected no odor of an alcoholic beverage about him. When I asked if he had consumed any alcoholic beverages this date, he said he had. Jacobs continued to say he had about four beers earlier in the afternoon. When I asked Jacobs if he would consent to a voluntary blood draw, he was hesitant. I explained that the results would be used if any criminal or civil cases against him arise from this incident. I said he was not under arrest and he had the right to refuse. Although he believed his blood alcohol level was low, Jacobs said he did not want to give consent for the blood draw out of fear that recent marijuana use would show up.

Once I finished speaking with Jacobs, Officer Hatch assisted me in collecting data points to draw a scale diagram.

Once I finished gathering the data points, I secured from the scene and returned the THI bus to the District 2 station.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Nugent, David
REVIEWED BY: Harris, Richard
TEAM: THI
NARRATIVE:

STATUS: Approved
DATE: 09/21/2007
REVIEW DATE: 10/15/2007

SUPPLEMENT

Source of Activity:

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

On September 20, 2007, Officer Michael Hatch, Officer Todd Turpack, and I met with John Murdoch, the owner of John Murdoch Consulting. We discussed my measurements and calculations, and I provided him with my data for comparison, to ensure the reconstruction was done correctly.

We accompanied John Murdoch to the crash scene and to the vehicle's location, so that he could take measurements and view the evidence.

While we were viewing the vehicle, I verified the passenger's seat belt was in working order. I saw it the belt against the side pillar and pulled it across the seat to see if it would latch. The male went into the female without trouble, and it maintained a connection when I jerked on the belt. I pushed the release mechanism and the belt released. Also, I tested the catch mechanism by quickly pulling on the belt, and it seemed to work properly. When I quickly pulled the belt, the mechanism caught and prevented the belt from extending. I conducted all of these tests a few times to make sure the results remained consistent.

I returned to the District 2 station and completed my speed calculations.

My calculations were completed in Microsoft Word format, due to my use of screen shots for the crush calculations. The original printout was placed into property as evidence and a copy was added to the case file.

My calculations revealed a range for the Toyota's minimum speed at the onset of the tire marks. The speed range is 61 to 66 miles per hour, in a 40 mph speed zone. These calculations did not take into account the vehicle's energy loss from jumping the median's curb, traveling up the roadway's grade, or the tree's damage.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	10/04/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/07/2007
TEAM:	THI		

NARRATIVE:

Supplemental report.

Investigative Action Taken:

On 10/04/07, I received a magazine from Officer Richardson entitled Super Street. The magazine was dated December 2005, and contained an article on the Toyota Supra. The magazine was placed into property, while a copy was forwarded to records.

No further action taken.

Investigative cost:

\$25.00 Hour @ 1/2 Hour = \$12.50.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

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NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	10/05/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	10/10/2007
TEAM:	THI		

NARRATIVE:

Supplemental report.

Investigative Action Taken:

On 10/05/07, I responded to the Albertson's grocery store, located at 1295 South Missouri Avenue, in order to obtain a copy of the receipt outlining the purchases made by Terri Bollea on 08/26/07. The items purchased at 1414 Hours were:

1. Two cases of Miller Lite beer for \$11.99 each.
2. Two cases of Corona Extra for \$13.99 each
3. One case of Miller Chill Beer for \$10.99.
4. Five bags of ice for \$1.99 each.

I obtained a print out of the receipt which was placed into property as evidence. A copy of the receipt was forwarded to records. The video tape previously provided to the location was returned to management. The manager who provided the receipt was Charlie Magaraci.

No further action taken.

Investigative cost:

\$25.00 Hour @ 1/2 Hour = \$12.50.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Hatch, Michael	DATE:	10/08/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/09/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT

Investigative Action Taken:

On September 8th & 9th, Officer Dave Nugent and I met with Chet Tomlinson, a trainer employed by Visual Statement. He assisted us in using a Nikon NPL-332 and downloading it to our agency's Vista FX3 software.

The measurements were taken to verify our original data points and to obtain elevations for a 3D diagram.

We also used the Nikon and a reflector pole to measure the vehicle's post-crash dimensions.

Upon returning to the station, Chet Tomlinson ensured the data was properly downloaded and interpreted

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

for the diagram.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Hatch, Michael	DATE:	10/08/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/15/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENTAL INFORMATION

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Subsequent to the initial investigation on 08/27/2007, I conducted interviews with several different witnesses regarding the crash and their observations. Over the course of several days, I spoke with several different witnesses. The dates, times, locations, and a summary of their statements are listed as follows:

08/28/2007 FRANCES VITALIS
(PHONE INTERVIEW)

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On this date, I spoke with Frances Vitalis via telephone. Ms. Vitalis had repeatedly been on several media outlets (radio), detailing her observations of this crash and the events leading up to the crash.

Ms. Vitalis explained that she was riding on a motorcycle with a friend, returning from Clearwater Beach. The roads were still wet from a light rain. She recalls seeing a yellow Toyota Supra (V1) and another vehicle, possibly a silver Dodge Viper, on Chestnut St. She believed that the the Toyota was in front of her and the silver viper was next to the Toyota. She then recalls the vehicles revving their motors and then "both go flying down the street".

Vitalis stated that the vehicles were "obviously going fast". She remembers thinking that after witnessing the actions of the two vehicles, that "this was not good". She further recalls that she saw the yellow car (V1) going "really fast." She saw the silver viper pass the yellow car and the yellow car started fishtailing and lost control, spinning and slammed into the palm tree.

When asked, Vitalis stated that it was clear that the vehicles were racing. When asked what her definition of racing was, she defined it as one trying to outdo the other. In her opinion, this was what the two vehicles were doing. She stated it was like "hot dogging".

After the crash, she and her friend stopped the motorcycle and attempted to render aid. She ran to the driver's side of the Toyota and tried to open the door, which would not budge. She then tried to open the passenger side door, also stuck. It was around this time that an officer arrived on scene. Vitalis identified herself as a nurse practitioner and she could not get the doors open. The arriving officer asked her to step back as emergency personnel was arriving on scene. She did just that and awaited further instruction, as she had witnessed the crash.

Vitalis stated that after a short time waiting, another officer approached a group of people who had accumulated. The officer asked if anyone had seen anything. Vitalis attempted to approach the officer, but

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

was overwhelmed by the other people. She felt that there were enough witnesses and that her assistance was no longer needed, so she left the scene without passing any information to the officers. She elected to call the radio station and "vent" about her being ignored after claims of her attempting to contact the police at a later date went unanswered.

I made an appointment to speak with Vitalis face to face and obtain a written statement of her recollections.

08/28/2007 LARRY DEAN JOHNSON
(PHONE INTERVIEW)

I spoke with Larry Dean Johnson via phone. He stated he was in a vehicle stopped at Rita's Ice at the corner of Court St and S. Myrtle Ave. He was in the drive thru of the restaurant and heard what he defined as a "turbo spooling up." This sound was quickly followed by two vehicles, a yellow Toyota Supra and a Silver Dodge Viper speeding by their location. He stated he couldn't tell if the vehicles were racing or "haulin' ass". Johnson, who has extensive knowledge of street racing and high performance vehicles, clearly defined what he saw as two vehicles racing.

I made an appointment to meet Johnson in order to obtain a written statement.

08/29/2007 ERIC SHERMAN

On this date, at approximately 1600 hours, I met with Eric Sherman, a witness to events on 08/26/2007, at his home, located at 2407 Pinecrest Dr, Lutz, FL. Mr. Sherman provided me with an oral statement as to his observations that evening, which was recorded. A hard copy of the recording was transferred to CD and submitted into evidence, with distribution made accordingly.

The following is written documentation of that oral testimony:

DET. HATCH: This is Officer Hatch, Clearwater Police Department. Uh, date is August 29th at 4:00. With me is Eric Sherman, a witness to Traffic Homicide investigation number 07-20815. Today following is, uh, an interview we conducted at his home. Again, the time is 4:00. All right. Let me do this. This actually -- I -- a little bit -- here. All this is is just a little microphone, and if you wanna hold it or I can (unintelligible) for you. Just leave it, but you don't have to start -- just keep it right there and talk to me. Okay?

E. SHERMAN: Yes.

DET. HATCH: All right, Mr. Sherman. Can you tell me what happened on this past Sunday?

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

E. SHERMAN: My wife and I were sitting in a -- a van, coming back from Clearwater Beach, attempting to make a left on, I believe it was Court Street. Is -- is that where she --

DET. HATCH: Pushed on -- on Fort Harrison.

E. SHERMAN: Fort -- on -- yeah -- on -- I'm sorry. Can we stop this and redo this?

DET. HATCH: No. Don't -- don't worry about it.

E. SHERMAN: Yeah. I'm sorry. Um --

DET. HATCH: Do the best you can.

E. SHERMAN: -- yes. Okay. We were trying to make a left onto Fort Harrison, and, um, I heard skid mark -- skidding, and I looked up to my right and I saw a yellow, um, import car trying to, um, lock the brakes up for the red light, and then also, I believe it was a silver or blackish-colored car right behind him. Um, we, um, were sitting at the red light, and the next thing you know the yellow car pulls out and the black car pulled alongside of it as if they were, uh, appearing to want to drag race. They made some kind of communication gesture, and, uh, just took off like a bat out of hell.

I made my left-hand turn; went down to, um, look at the boat ramp that I was going to look at, and came back a few minutes later and saw police officers and stuff, and, uh -- and I kind of went around back to see, and I was able to see him in a -- in an accident, so it was definitely the same car that I saw and, you know -- and it was a little ordeal.

DET. HATCH: Okay. All right, Mr. Sherman. You said you believe that they were racing?

E. SHERMAN: Yes, sir. They were definitely racing. When they came up to the stop, they looked like they were either going too fast to even stop. They had to actually skid to a stop, um, and then when they got on the main road there, um, they definitely signaled each other, and they definitely took off and took off at a high rate of speed.

DET. HATCH: Okay. When they -- they approached that stoplight, you said they -- did they lock up the tires skidding the car? You heard the --

E. SHERMAN: Yes. Yes.

DET. HATCH: -- noise?

E. SHERMAN: That's what had got my attention was the -- the -- the -- the braking. They were definitely braking hard enough to make the tires lock up enough to skid. I realized the car didn't have anti-lock brakes, and they won't lock up and skid, but you can definitely tell a car making that chirping skid marks like a --

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

DET. HATCH: Okay.

E. SHERMAN: -- from -- from the ABS brakes going in and out.

DET. HATCH: Okay. All right. Did you recognize the -- the yellow car --

E. SHERMAN: I would --

DET. HATCH: -- as somebody you might know?

E. SHERMAN: Yes, and then -- and that's when my wife said, "Hey, that's, um, Hulk Hogan's son," and he had a smile on his face like, uh, him and -- they were, like -- they were just laughing, having a good old time.

DET. HATCH: Okay. And you recognized them. They were in the -- in the yellow car and --

E. SHERMAN: Yes.

DET. HATCH: -- Hulk Hogan's son was driving?

E. SHERMAN: Yes, definitely.

DET. HATCH: Okay. Uh, do you remember anything about the -- the other car?

E. SHERMAN: But it is very strange is I do not remember a passenger in his car --

DET. HATCH: Okay.

E. SHERMAN: -- but I -- I have no idea why; maybe they were bending over or what -- whatever; and the secondary car, I -- I -- I was paying much of the attention to Hulk -- Hulk's son, so the other car, I had a hard time remembering if it was silver or black, but it was definitely, I think, appeared to be a Viper.

DET. HATCH: Okay. All right. Not a problem.

E. SHERMAN: And his was a Supra for sure.

DET. HATCH: Okay. All right. And you are familiar with the vehicle and the performance-type vehicles and things like that. Right?

E. SHERMAN: Yes. Yes.

DET. HATCH: Okay. And --

E. SHERMAN: I drag race pretty much all -- every week of my life for the last 20, 25 years.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

DET. HATCH: Okay. And you do have extensive knowledge, and just the mechanics of vehicles; that way you can recognize it as -- as a high performance vehicle. Correct?

E. SHERMAN: Sir, yes; that's what I do for a living.

DET. HATCH: Okay. All right. Um, back to -- let's see. You -- do you remember which lane was in which once they made that right turn and stopped?

E. SHERMAN: No, sir.

DET. HATCH: Okay. You don't -- does -- you don't know if the silver car was on the left or the yellow car was on the right?

E. SHERMAN: No. I don't remember.

DET. HATCH: Okay. But you did note they were -- they -- were they both lined up together and had stopped and then took off.

E. SHERMAN: Yes. Yes, sir.

DET. HATCH: Okay.

E. SHERMAN: And it appeared to be, uh, like more of a rolling start. What that -- what that means is that when you're going a mile or two, uh, um, and you, um, communicate with the other driver by nodding your head, that's what they call a rolling start, and that's what it appeared to be.

DET. HATCH: Okay. And you saw -- you did see this gesture exchanged between the --

E. SHERMAN: Somewhat, yes.

DET. HATCH: -- two drivers?

E. SHERMAN: Yes.

DET. HATCH: Okay. Did they -- they just nodded their head or did they wave their hands up?

E. SHERMAN: Uh, from -- from what I can remember, I think -- I think it -- it was just a nod of the head; I believe so.

DET. HATCH: Okay. Okay. Not a problem. Not a problem. Is there anything else that you can tell me about this?

E. SHERMAN: Uh, no.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

DET. HATCH: Okay. All right.

E. SHERMAN: I think we got it covered.

DET. HATCH: I'll take that, and this concludes the interview of Mr. Sherman. Time now is 4:05.

(CONCLUSION OF INTERVIEW)

At the conclusion of the interview, Mr. Sherman signed an oath form attesting to the truth of his statement to the best of his knowledge. The original of this form was submitted into evidence.

08/29/2007 LARRY DEAN JOHNSON
(LIVE INTERVIEW)

=====

On this date, at approximately 2035 hours, I met with Larry Dean Johnson, a witness to events occurring on 08/26/2007, at the Clearwater Police Department main station. He provided a written statement at to these events and signed an oath form. The originals were submitted into evidence with copies distributed accordingly.

On this date, Johnson was again interviewed as to the events of the evening. Johnson was traveling in a vehicle which had stopped at Rita's Ice on Martin Luther King Ave and Chestnut Street. He was with three friends Shayne Yerby, Eric McNulty and Rabih Chealb. The three were in the right drive thru of the establishment when he heard the sound of "a turbo spooling up". Johnson has a hobby of building, racing, and tuning cars for street racing. He has been doing this for years and has extensive knowledge of the sport and types of vehicles involved.

Johnson recalls hearing the turbo "spool" and seeing the two vehicles, a silver Dodge Viper and a Yellow Toyota Supra, traveling east on Chestnut Street at a high rate of speed. He stated that the Supra was in the left lane (median lane) and the Viper was in the right lane (curb lane). He saw the viper in the lead and then the Supra speed up and pass the Viper. It did not take long for the vehicles to pass their location as they were traveling at a very high rate of speed. Johnson estimates the speed of the Viper at least 60 MPH and at most 120.

Approximately three minutes after the cars had passed them, emergency vehicles passed the same location. Johnson said that curiosity got the best of them, as they though there had been a robbery or a murder or something, and they wanted to go the direction of the police. They arrived near the intersection of Chestnut St and S. Missouri Ave. They saw the roads blocked off, so they parked at a nearby apartment complex and walked towards the scene. Johnson saw the Supra he had just seen racing crashed into the tree. One of his friends knew that Nick Bollea owned the car and that a friend of theirs may have been in the vehicle.

When asked, Johnson stated that the vehicles didn't look like they were drag racing, but rather racing top end. Johnson defines this not as off the line racing, but who can go the fastest at top end speed, a style consistent with street racing, acts with which Johnson is very familiar. As previously stated, Johnson has extensive knowledge of the intricacies of street racing through his own experiences and knowledge of the

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

sport and having built several street racing vehicles himself.

As stated a written statement was completed as well as an oath form. The originals were submitted into evidence with copies distributed accordingly.

08/30/2007 STACEY AURIEMMA
(LIVE INTERVIEW)

=====

At approximately 1200 hrs on this date, I interviewed Stacey Auriemma, another witness. I conducted this interview at her place of business located at 14100 US 19 N, Suite 105.

In addition to an oral interview, Ms. Auriemma completed a written statement. It was submitted into evidence with copies distributed accordingly.

On the date of incident, Ms. Auriemma and her 2 children (17 YOA Jessica Auriemma and 10 YOA Shianne Auriemma) were in their vehicle. Ms. Auriemma was traveling south on S. Myrtle Ave. She was stopped at the red light on S. Myrtle Ave, waiting to turn left onto Chestnut St. as her light had just turned red. She recalled seeing a yellow Supra and a silver Viper side by side on Chestnut. The vehicles were revving their engines and she turned to her 17 year old daughter and said, "Watch, these two cars are gonna take off and race." Auriemma recalls that there had just been a rail shower and the roads were still wet.

As their light turned green, the Viper took off first. It appeared to be in total control. She remembers seeing the yellow Supra have a bit of difficulty launching. It appeared "he was not the best at taking off." She remembers seeing the Supra fishtail slightly, then it caught traction after a short time and took off. When her light turned green, Auriemma completed her left turn and proceeded towards S. Missouri Ave. Upon her approach, she discovered the crash scene and the emergency vehicles. She immediately turned to her oldest daughter and said, "I guarantee you it was those two cars that were racing." She was correct in her assumption upon seeing the yellow Supra.

Auriemma stated she thought the driver of the Supra looked familiar, but could not place him until she heard it in the crowd. After stopping at the scene, she saw the passenger of the viper, identified only as a blond haired kid, drive the Viper from the scene with the dark haired kid, who was originally driving the Viper and appeared visibly shaken, from the scene to go get Nick's father Terry. They later returned to the scene with Terry Bollea

As far as location of the vehicles prior to the crash, Auriemma recalls the Viper was in the inside lane and the Supra was occupying the outside lane (curb lane). Also she recalls the two vehicles were revving their engines as they were waiting to take off. It was her opinion that Bollea (D1) was still in the learning phase of taking off and he really wasn't very good at it, but by their actions of revving their engines, and the manner in which they took off at the light change, the two vehicles were definitely racing.

it is Auriemma's opinion that if the Viper had not been there, or not took off the way he did, Nick (Bollea,

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

D1) may not have done what he did.

08/30/2007 FRANCES VITALIS
(LIVE INTERVIEW)

On this date, at approximately 1637 hours, I met with Ms. Francis Vitalis at the Clearwater Police Department main station. Ms. Vitalis provided a written as well as an oral account of her observances. The following is transcription of that oral interview:

NARRATIVE:

OFC. HATCH: This is Officer Hatch, Clearwater Police Department. Date is August 30, 2007. Time is approximately 4:37. With me is Francis Vitalis, a witness to the crash occurring August 26, 2007, case number 07-20815. Interview is being conducted at the Clearwater Police Department interview room, first floor. All right. All right. Um, from the 26th -- the night of the 26th, where -- which is the Sunday night at the crash -- all right, uh, where -- where were you originally? Say you were -- were you on Chestnut, Court Street or --

F. VITALIS: We were on Court Street.

OFC. HATCH: On Court Street?

F. VITALIS: Uh-huh.

OFC. HATCH: Okay. All right. And it was you and your date, Scott, correct?

F. VITALIS: Yes.

OFC. HATCH: You were on a motorcycle?

F. VITALIS: Yes.

OFC. HATCH: Okay. All right. And where on Court -- do you remember what lane on Chestnut -- or actually, if you were coming -- which way were you going? Do you remember?

F. VITALIS: We were heading east.

OFC. HATCH: Heading east?

F. VITALIS: Yeah, to go back over to the Tampa side.

OFC. HATCH: Okay. All right. So you were -- when you first saw these vehicles, where were you?

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: On the back of the motorcycle.

OFC. HATCH: On the back of the motorcycle? Okay. Where were you at? Were you -- were you at the intersection or --

F. VITALIS: Well, yeah, well, when we pulled up to the -- the red light.

OFC. HATCH: Okay. And that red light being at the -- was it, like, at a Hess station?

F. VITALIS: It wasn't that -- paying -- I wasn't really paying attention as to --

OFC. HATCH: Right.

F. VITALIS: -- really where we were. I knew that we were on Court Street when we were heading back.

OFC. HATCH: Okay.

F. VITALIS: I don't -- I'm pretty sure it hadn't turned to Gulf-to-Bay yet --

OFC. HATCH: Okay.

F. VITALIS: -- or from -- at least it was close to that area.

OFC. HATCH: Okay. Okay. Um, do you remember which -- do you remember seeing these vehicles --

F. VITALIS: Uh-huh.

OFC. HATCH: -- at all?

F. VITALIS: Yes.

OFC. HATCH: Okay. What do you remember?

F. VITALIS: Um, I remember that there was a silver Dodge Viper that was ahead of us on the left --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and the yellow Toyota ahead of the bike.

OFC. HATCH: Okay. Ahead of the bike being ahead of you all?

F. VITALIS: Yes.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Right in front of you?

F. VITALIS: Yes.

OFC. HATCH: Okay. Okay. And from there, what else do you remember?

F. VITALIS: Well, when the light turned, um, the -- the yellow car sped off and the other one, you know, went with, you know --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and, um, they were going, you know, very fast.

OFC. HATCH: Okay.

F. VITALIS: Um, trying to think of -- and we all met up again at the next light.

OFC. HATCH: Okay.

F. VITALIS: And -- and the -- that light turned red -- or turned green, then the yellow car started off and just kind of was flying down. And the silver car, um, you know, was, like, keeping up with it, you know? And then it kind of went behind it and then to the left side and then it -- and then it didn't go in front of it. It just stayed at the left side, but it clearly would've passed it, you know, like -- like, he blew his doors away --

OFC. HATCH: Right.

F. VITALIS: -- you know?

OFC. HATCH: Right.

F. VITALIS: It's a Viper. Hey, zoom, zoom. Um, so we -- wait a minute. There was that light and then the -- the next light -- trying to think if there was two or three lights and I think it was -- it was the -- that second light where we were kind of really wondering if the yellow car -- at that time, the yellow car was ahead --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and we were wondering if it was gonna stop in time for the red light --

OFC. HATCH: Okay.

F. VITALIS: -- and it did. And then that's the time when we caught -- all caught up. And then directly after that is when they both took off. And the -- the silver car, you know, went a lot faster than the -- the yellow car.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Uh-huh.

F. VITALIS: I mean, the yellow car was really going fast, but when -- when the silver car had, like, really kind of gone past him --

OFC. HATCH: Uh-huh.

F. VITALIS: -- that's when the -- the yellow car, you know, kind of shortly thereafter lost control and started -- like, started fishtailing and then lost control and then slammed into the tree.

OFC. HATCH: Okay.

F. VITALIS: So I'm thinking we -- at the first light and the yellow car sped off, that's the -- the second light is the one -- the light that we thought that he wasn't gonna be able to stop at, but he did stop at. And then after that second light -- between that second light and the third light is when that accident occurred.

OFC. HATCH: Okay.

F. VITALIS: Okay.

OFC. HATCH: All right.

F. VITALIS: I mean, it sounds like there was too many lights in there. Like, we met the first light; the yellow car went really fast, when -- and, you know, we had wondered if he was gonna stop and he did make it in time. And then when we all caught up, then during that next interval -- light interval is when, um, the accident occurred.

OFC. HATCH: Okay.

F. VITALIS: (Unintelligible).

OFC. HATCH: Okay. All right. Um, so you were behind them, right?

F. VITALIS: Yes.

OFC. HATCH: All right. So do you remember -- and say if you're coming off the -- you're -- (unintelligible) -- you're coming off the beach.

F. VITALIS: Uh-huh.

OFC. HATCH: Okay? This is -- there's a -- a Hess gas station right here on the right.

F. VITALIS: On the right?

OFC. HATCH: Uh-huh. And then there's this road here --

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: Uh-huh.

OFC. HATCH: -- and you've got a stoplight 'cause you've got three lanes --

F. VITALIS: Yes.

OFC. HATCH: -- here.

F. VITALIS: We were in the middle.

OFC. HATCH: Okay.

F. VITALIS: 'Cause there was another motorcycle and a gal behind us in the right lane.

OFC. HATCH: Okay.

F. VITALIS: And we kind of, like, looked over at each other, like, you know, oh, boy --

OFC. HATCH: Right.

F. VITALIS: -- kind of thing.

OFC. HATCH: Okay. So you remember being in the center lane at the intersection at the Hess station?

F. VITALIS: Yeah. Yeah --

OFC. HATCH: Okay. All right.

F. VITALIS: -- but the yellow car was ahead us and the silver car was over here.

OFC. HATCH: Okay. All right. So you think they were directly in front of where you were? So you're sure you were on Chestnut? This is Chestnut Street.

F. VITALIS: Oh, no, we were on Court.

OFC. HATCH: Okay. Okay. Well, when you -- when you come across the bridge --

F. VITALIS: Uh, from the bridge.

OFC. HATCH: -- from the bridge, actually Court Street is a one-way going west.

F. VITALIS: Oh, okay.

OFC. HATCH: Chestnut's a one-way going east.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: Okay. Then it must've been Chestnut.

OFC. HATCH: Okay.

F. VITALIS: I'm sorry.

OFC. HATCH: No. No. No, uh, that -- that's fine.

F. VITALIS: I live in -- (unintelligible).

OFC. HATCH: I -- I understand. It's -- it's not a problem. I mean, trust me, uh, you're not the -- the first one or the last one to have problems with the street names. It's not a big deal. Okay? So this Hess station is here, right?

F. VITALIS: Okay.

OFC. HATCH: Okay. And then the -- you have the next intersection is -- what's after that? Think it's, uh, Myrtle. That's the next stoplight. Okay? And then you have another stoplight up here. Uh, you know, I can't remember all the lights myself. All right. Um, basically, if this is -- this is to the beach.

F. VITALIS: Yes.

OFC. HATCH: Okay. When you were riding, you came over the bridge and you stopped here at the first -- at the first stoplight next to the gas station?

F. VITALIS: I -- I don't know if it was the first light after the bridge or if it was the second light after the bridge.

OFC. HATCH: Okay. Okay.

F. VITALIS: I honestly wasn't really paying attention to the streets --

OFC. HATCH: I can understand.

F. VITALIS: -- you know?

OFC. HATCH: Yeah, that's not a problem.

F. VITALIS: Okay.

OFC. HATCH: That's not a problem. All right. But, you know, the -- you said you were in the center lane --

F. VITALIS: Yeah.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: -- right? And what car was directly in front of you?

F. VITALIS: I think the yellow car.

OFC. HATCH: Okay. Okay.

F. VITALIS: Because there was somebody to the side of us, but I didn't really paid attention to them 'cause I seen the silver Viper that was, like, you know, right at the, you know -- the first one at the light, you know?

OFC. HATCH: Uh-huh. Okay. Okay. So the -- the Viper was the first one at the light?

F. VITALIS: Yeah, like, they were both side by side, almost ahead of us and then the Viper was sitting next to that guy.

OFC. HATCH: Okay. And you said that, uh, the Toyota -- which one was directly in front of you?

F. VITALIS: The yellow car.

OFC. HATCH: Okay. I'm just trying to get my notes right.

F. VITALIS: No.

OFC. HATCH: Okay. All right. Do you remember anything remarkable about what they were doing? Or were they just sitting there or -- or anything like that? Revving engines or anything? Were they doing anything that -- that would draw your attention to them?

F. VITALIS: I think they were a little bit, but, you know, it wasn't, like, a (sound effect), you know, kind of a thing. No, it was -- 'cause -- but I didn't -- I didn't know at that time that they even knew each other. I mean, it just seemed like, you know, a yellow car next to a silver car.

OFC. HATCH: Uh-huh.

F. VITALIS: And then it was, like --

OFC. HATCH: Okay.

F. VITALIS: But I did notice -- and this is -- probably means absolutely nothing to anybody, that the guys in the silver car were drinking water --

OFC. HATCH: Okay.

F. VITALIS: -- what looked like water.

OFC. HATCH: Okay. Okay. All right.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: It was hot.

OFC. HATCH: Oh, yeah. Oh, yeah, definitely. Definitely. I just wanna (unintelligible). Um, all right. So your light was -- was red?

F. VITALIS: Yeah, we were sitting -- we were all sitting at the red light.

OFC. HATCH: Okay. All right. And then from that point, the light turns green? Then what happens?

F. VITALIS: Well, then the yellow car, um -- well, they both take off, but the yellow car is, like, really zoom, zoom and they're, like --

OFC. HATCH: Okay.

F. VITALIS: -- going. And, um, surprisingly, I don't remember seeing a lot of cars on the road, you know, along with him; you know what I'm saying --

OFC. HATCH: Uh-huh.

F. VITALIS: -- as far -- I mean, I'm -- it was good that it was a clear, you know -- that he had a clear -- clear path to have a --

OFC. HATCH: Right.

F. VITALIS: -- you know?

OFC. HATCH: Right.

F. VITALIS: And he was going really fast. And we -- and we seen that light starting to turn and he's heading toward that light. And, you know, we were saying, "Shit, you know, I hope he can -- I hope he can stop and turn."

OFC. HATCH: Uh-huh.

F. VITALIS: And then by the time that we all caught up, you know, it -- it was, you know -- we were, like, Hmm.

OFC. HATCH: Okay. So they stopped at that next light?

F. VITALIS: Uh-huh. Uh-huh. Uh-huh.

OFC. HATCH: And did -- was there anything -- what -- by the time you caught up, was there anything remarkable that they were doing or anything like that that you remember?

F. VITALIS: No, not really.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Okay.

F. VITALIS: No, I kind of just felt that they were a couple of, you know -- just people -- you know, on beautiful sunny day, kind of hot dogging a bit --

OFC. HATCH: Okay.

F. VITALIS: -- showing each other their stuff, you know, kind of thing.

OFC. HATCH: Right.

F. VITALIS: You know, but really, the road was wet and, you know, it was kind of, like, hmm, you know?

OFC. HATCH: Uh-huh. Okay. All right. Going back a little bit, you were saying they were kind of hot dogging. By that, what do you mean?

F. VITALIS: Well, you know, I could tell that when the yellow car took off and then the silver car took off, too, I mean, it was kind of, like, you know -- like, one was trying to outdo the other kind of --

OFC. HATCH: Okay.

F. VITALIS: -- you know? And then we're thinking, you know -- we're thinking, like, man, that viper's got that kid, you know --

OFC. HATCH: Uh-huh. Okay.

F. VITALIS: -- just because of the kind of car it is. I mean, I don't know what's under anybody's hood, you know?

OFC. HATCH: Right. Right. All right. Um, by, you know -- by trying to -- would you say just based as -- as a layman, just -- you know, 'cause I know we talked before and you said you really don't call it a race or anything like that.

F. VITALIS: No. Uh-uh.

OFC. HATCH: By what they were doing, would you consider it racing or -- or not?

F. VITALIS: Because of my ignorance, that's the first thing that popped into my head. It -- I don't -- I didn't really -- I knew that they were kind of, you know -- each other was, like I said, like, you know, trying to outdo the one the -- to the other. And if that -- if you call that racing, then maybe in my book it was racing --

OFC. HATCH: Okay.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: -- but it wasn't a -- like, a -- I mean, there was no flag or anybody standing there --

OFC. HATCH: Right.

F. VITALIS: -- saying, Go, or anything, you know? It was just --

OFC. HATCH: Right.

F. VITALIS: -- you know --

OFC. HATCH: Okay. Well --

F. VITALIS: -- like, my car can beat your car kind of thing. That's how I was looking at it.

OFC. HATCH: Okay.

F. VITALIS: And that's why we were thinking, you know, that -- that Viper's got that yellow car. There was, like, no contest there --

OFC. HATCH: Right.

F. VITALIS: -- you know?

OFC. HATCH: Right. Right. Okay. All right. And then after they took off that second time --

F. VITALIS: The second time.

OFC. HATCH: Uh-huh. Then --

F. VITALIS: First time we all came. And then next time, then he goes up and we didn't think he would make the light, but he did. Then we all catch up. And then that second time when they take off --

OFC. HATCH: Uh-huh.

F. VITALIS: -- the yellow car did take off first, but then the -- the silver car got, you know -- caught up real fast and went behind him, I believe, if I remember correctly. I -- it looked to me, you know -- I'm in the back of this motorcycle --

OFC. HATCH: Right.

F. VITALIS: -- it looked like he went behind him and then back over into his own lane and then passed him -- and he -- and he had gone past him. And then after he had gone past him --

OFC. HATCH: Uh-huh.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: -- is when the yellow car driver started to kind of fishtail a little bit. And then it looked like he was correcting okay and then he fishtailed again and then it went sideways and slammed into the tree.

OFC. HATCH: Okay.

F. VITALIS: So he went, like, left, right, a little bit left and then right and then ditch.

OFC. HATCH: Okay. Okay. All right. Um, so you -- but you saw everything from being right behind it, right?

F. VITALIS: Yeah. Well -- and when that -- and as soon as the -- he -- the impact was there --

OFC. HATCH: Uh-huh.

F. VITALIS: -- there -- there was a -- a black truck that was on -- had pulled up to the right and -- when we pulled the bike over.

OFC. HATCH: Uh-huh.

F. VITALIS: And then, um, I seen the guy get out of the car and I was kind of hearing the sirens at that point. And then I told the guy, which probably -- he probably thought I was an idiot and I said, you know, "Call 911." He said, "Well, they're -- it sounds like they're on their way." And I said, "Well, then call the paramedics."

OFC. HATCH: Uh-huh.

F. VITALIS: And then -- and that's when I went across the -- the road and tried to open up the driver's door.

OFC. HATCH: Uh-huh.

F. VITALIS: And I didn't see the driver at that point. I just seen metal and -- and car inside the car, you know?

OFC. HATCH: Uh-huh.

F. VITALIS: It was, uh, you know -- I don't know if he was underneath something or behind or laying back. I -- I didn't see him, but Scott said that he had seen him, that he had looked right at him --

OFC. HATCH: Uh-huh.

F. VITALIS: -- but I didn't see him. I couldn't get the door open. And -- and I said, "Scott, help me," and Scott couldn't -- both of us couldn't get the door open. So I went over to the passenger side

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

--

OFC. HATCH: Uh-huh.

F. VITALIS: -- to see if I could get the door open and I couldn't get the door open.

OFC. HATCH: Okay.

F. VITALIS: And -- and by that time, an officer had come up and, you know -- and I said, you know, "I'm Frances Vitalis. I'm a nurse practitioner."

OFC. HATCH: Uh-huh.

F. VITALIS: Um, "I can't get either of these doors open. I really can't get to anybody. I can't to the victims, but, you know, uh, I'm here if you need me."

OFC. HATCH: Right.

F. VITALIS: And then, you know, kind of during that time, you know, were -- officers were arriving and -- and people were coming.

OFC. HATCH: Uh-huh.

F. VITALIS: And then I kind of heard the EMS and the -- the sirens and stuff. And so, um -- and then I didn't see the Viper turn around, but I was later to understand, you know --

OFC. HATCH: Uh-huh.

F. VITALIS: -- talking with Scott because he, you know, had, you know -- was telling me what he had seen and --

OFC. HATCH: Right.

F. VITALIS: -- and so I was just assuming that what -- whatever. The two other people -- or there were two young men that came up and said who they were and who was in the yellow car. And they were crying and they were saying, "Oh, my God," you know? They were just devastated and distraught. And, um, you know, they were -- the one was, um, with the passenger and, you know, just saying, you know, "Hold on. Everything's gonna be okay," and, you know --

OFC. HATCH: Uh-huh.

F. VITALIS: And, um, you know -- and -- and then by that time, even more, you know, officers and EMS and stuff started to arrive. And, you know, I'm still standing there, you know?

OFC. HATCH: Right.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: And then, you know, the other officers are, like, you know, kind of, you know, Get back. Get back. And so I even -- and I got back and I still stood there just in case somebody wanted to ask me, you know, or needed me for something (unintelligible) --

OFC. HATCH: Right.

F. VITALIS: -- probably best to get out of the way at that point, you know?

OFC. HATCH: Right.

F. VITALIS: And then I just, you know, stood there for a little bit. And then probably about a total of maybe 10, 15 minutes for the whole thing, you know, um, when they were, you know -- when people were getting out there and stuff

--

OFC. HATCH: Right.

F. VITALIS: -- and the EMS and everything. And -- and then I, um, went back across the street to it -- over by the bike --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and, um, kind of stood around there. And then I noticed there was an officer that was, you know, walking around saying, "Did anybody see what happened?" Well, I start walking up to the officer and then there was a big throng of, um, people coming from a side street and they started telling him and he started taking their statements. And then I started going a little bit closer and then, you know, even more people started coming. And I'm thinking -- and then I stood there for a little bit and I'm like, "Well, you know, I guess -- I guess he's getting what he needs," you know?

OFC. HATCH: Uh-huh.

F. VITALIS: And -- and then, you know, Scott had come back over to the bike and then we stood there a little bit longer, you know? And then we just kind of looked at each other. It's like, Well, you know, there's nothing we can do for these kids --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and it looks like, you know, there's enough people, you know. Let's just go --

OFC. HATCH: Okay.

F. VITALIS: -- you know? I probably -- I guess we probably should've -- I should've grabbed somebody's shirt and said, "Listen to me. We seen the whole thing," but --

OFC. HATCH: Right. Right.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: -- you know, we were just, you know -- you know, why -- why stand in the middle of the confusion at that point --

OFC. HATCH: Oh, I understand.

F. VITALIS: -- you know?

OFC. HATCH: I understand. Yeah. And, I mean, it's -- it's kind of one of those things it would've been great if --

F. VITALIS: We should'a --

OFC. HATCH: -- you just said, Hey, I saw this, too. Let's hear -- no, I got some -- some other stuff to tell you, 'cause when scenes are kind of chaotic like that, you know, you can't always catch everybody.

F. VITALIS: Yeah.

OFC. HATCH: You know what I mean? So -- but that's all right. That's all right. At least we got ahold to you now.

F. VITALIS: Yeah.

OFC. HATCH: Okay? All right. So before the crash, you know, do you -- could you -- did you see the drivers of the vehicles?

F. VITALIS: Well, I -- yeah, I seen the -- I seen more of the driver, uh, in the, um -- in the silver car.

OFC. HATCH: Uh-huh.

F. VITALIS: I couldn't really see his passenger. I knew that he had a passenger --

OFC. HATCH: Uh-huh.

F. VITALIS: -- um, but I only seen, like, you know, like, the back kind of side of his face.

OFC. HATCH: Right.

F. VITALIS: Um, I didn't see anybody -- anybody's face in the yellow car. I'm -- I'm not --

OFC. HATCH: Okay.

F. VITALIS: -- I'm not even sure if -- I think it had a top on it; it wasn't a hard top. I don't know.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Okay.

F. VITALIS: I don't remember seeing -- I don't remember.

OFC. HATCH: Okay. That's fine.

F. VITALIS: The -- well -- and besides, Scott was ahead of me and, you know, the handlebars --

OFC. HATCH: Right.

F. VITALIS: -- and the shield and -- you know?

OFC. HATCH: Right.

F. VITALIS: So --

OFC. HATCH: Okay. Well, I mean, there -- trust me, there's -- there's no shame in saying you don't know. If you don't know, you don't know. If you don't remember, you don't remember. That's fine, too. Okay? 'Cause in this there's -- there's no wrong answers.

F. VITALIS: I know.

OFC. HATCH: Okay? So we'll get it -- we'll get this. So, all right. So you don't really -- you remembered seeing who was in the Viper that did this?

F. VITALIS: Yeah, I knew there was a couple of guys in the Viper --

OFC. HATCH: Okay.

F. VITALIS: -- but I can't, you know -- I -- I don't know that I could even -- if I'd seen them, I -- I'm not --

OFC. HATCH: Uh-huh.

F. VITALIS: -- well, I might be able to. If they truly were the same guys that came up to the car --

OFC. HATCH: Right.

F. VITALIS: -- and were devastated and said, you know, That's, you know --

OFC. HATCH: Right.

F. VITALIS: -- this is Hulk Hogan's son --

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Right.

F. VITALIS: -- whatever, it -- it -- I -- I probably would be able to say, Oh, yeah, that was him --

OFC. HATCH: Okay.

F. VITALIS: -- you know --

OFC. HATCH: Okay.

F. VITALIS: -- but --

OFC. HATCH: Well, all right. So when you went into -- went to the car, right, you said you could not see the driver --

F. VITALIS: I couldn't see the driver.

OFC. HATCH: -- of the yellow car, right?

F. VITALIS: Right.

OFC. HATCH: Um, but you -- did you get a look at the passenger?

F. VITALIS: Well, I was kind of fixated on trying to get the door open.

OFC. HATCH: Hmm.

F. VITALIS: And I think that he was slumped over. Um, I know I didn't see his face. I didn't see his face until, I think, either one of the friends or an officer -- somebody else kind of had -- had, like, pulled him up or pushed him up --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and that was before the door, obviously, even was open. I mean --

OFC. HATCH: Uh-huh.

F. VITALIS: -- and pushed him off and I did -- I did notice that, you know, he was, like, um, you know -- looked all -- and, uh -- he was -- he was hemorrhaging from his nose.

OFC. HATCH: Okay.

F. VITALIS: Um, just by the way that his body performed during that maneuver --

OFC. HATCH: Uh-huh.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

F. VITALIS: -- I real -- I thought that he was dead. I really did.

OFC. HATCH: Okay.

F. VITALIS: I thought, Oh, man, you know, this -- this is not a good thing.

OFC. HATCH: Okay.

F. VITALIS: And, um -- and then I thought, Gee, you know, even if I could've gotten the car doors open, you know, do you -- do you actually pull somebody out, you know? Even as I'm -- I'm a nurse practitioner. I've never been a first responder to anything --

OFC. HATCH: Right.

F. VITALIS: -- you know?

OFC. HATCH: Right.

F. VITALIS: So, you know --

OFC. HATCH: (Unintelligible).

F. VITALIS: -- it was, like -- yeah, would I -- would I -- would I break his neck if it wasn't already broken, you know? I mean --

OFC. HATCH: Right. Absolutely.

F. VITALIS: -- I don't know what kind of injuries he had, you know?

OFC. HATCH: Uh-huh.

F. VITALIS: I know. I felt so helpless and so, like -- I really felt invisible there, especially when I was standing in the median --

OFC. HATCH: Uh-huh.

F. VITALIS: -- you know? And then I just, you know, kind of --

OFC. HATCH: I understand. I understand. Well, in situations like this, you know, I mean, it's -- it is chaotic. We, you know -- when -- when other officers get there and -- and paramedics and first responders get there that we get focused --

F. VITALIS: I know.

OFC. HATCH: -- sometimes and a lot of times you do lose sight of everybody else around you

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

because you're so focused on that point. So --

F. VITALIS: Yeah. And I'm thinking, you know -- in hindsight, you know, I probably could've or should've said to the officer -- instead of who I was and that I couldn't get the doors open, you know, I could've said, you know, "We seen everything." But you don't think that. You're thinking --

OFC. HATCH: Absolutely.

F. VITALIS: -- that these people need help --

OFC. HATCH: Absolutely.

F. VITALIS: -- you know? I can't get the -- I can't get to them, you know, and you're kind of freaking.

OFC. HATCH: Oh, absolutely. Absolutely.

F. VITALIS: (Unintelligible).

OFC. HATCH: So is there anything else you can recall that -- that you might've left out or anything like that?

F. VITALIS: I'm thinking and I just -- I don't -- I think I told you everything --

OFC. HATCH: Okay.

F. VITALIS: -- and I think I, you know -- I -- I know that the -- the TV station that, you know, had talked to me there asking me, "Well, did you -- did you see skid marks? Did you see smoke?" And I'm like, "I don't remember seeing that, but besides that, the pavement was wet," you know?

OFC. HATCH: Uh-huh.

F. VITALIS: I mean, you don't really see a lot of smoke when the pavement's wet, do you?

OFC. HATCH: Yeah, not really. It just depends.

F. VITALIS: Yeah.

OFC. HATCH: It depends on how fast you're going.

F. VITALIS: Yeah.

OFC. HATCH: So --

F. VITALIS: And -- and, you know, the motorcycle's running and --

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

OFC. HATCH: Right.

F. VITALIS: -- you know -- I don't know.

OFC. HATCH: Okay.

F. VITALIS: I feel bad and I feel like I should try to remember more, but --

OFC. HATCH: Well, you -- you know, you -- you remember what you remember.

F. VITALIS: Yeah.

OFC. HATCH: Okay? I mean, don't try to force anything. I mean, if you don't know -- like I said, if you don't know, you know, it -- it's better just to say you don't know --

F. VITALIS: I just don't know.

OFC. HATCH: -- then try to make something up.

F. VITALIS: Yeah.

OFC. HATCH: Okay, and not be --

F. VITALIS: (Unintelligible).

OFC. HATCH: -- and not be accurate; you know what I mean?

F. VITALIS: Yeah.

OFC. HATCH: So there's no -- no shame in not knowing. Okay? You don't always remember everything 'cause it is a -- it's a chaotic scene --

F. VITALIS: Uh-huh.

OFC. HATCH: -- it's a little traumatic and things like that. So, you know, you do the best you can.

F. VITALIS: Yeah.

OFC. HATCH: Okay? All right. Well, this is gonna conclude the oral interview. Time is 5:00.

(CONCLUSION OF INTERVIEW)

At the conclusion of this interview, Ms. Vitalis completed a written statement and signed an oath form. The statement and oath form were submitted into evidence with copies distributed accordingly.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

08/31/2007 JANICE STEELE
(LIVE INTERVIEW)

On this date, at approximately 1730 hours, I met with Janice Steele at her residence, 8717 Elmwood Lane, Tampa, FL. She provided me with a written statement of her accounts that evening. She stated she, her husband, her sister and others were in their vehicle which was stopped at the red light on Chestnut St and S. Ft. Harrison Ave. when she observed a yellow in color Toyota Supra and a silver Viper approaching the intersection from the south.

The Toyota (V1) turned right onto Chestnut St and slowed to a roll. The silver Viper turned the corner and pulled alongside the Toyota. After a couple of seconds, both vehicles took off at a high rate of speed, as if drag racing. The Toyota was in the center lane and the Viper was in the right lane. At the next intersection, the Viper shot into the right lane in order to get beside the Toyota, which still occupied the center lane. Both vehicles were stopped at the light at S. Myrtle Ave. Mrs. Steele recalls commenting "look at those two assholes not getting anywhere fast!"

Upon the change of the light at S. Myrtle, both cars again took off at a high rate of speed. She recalls the tires spinning on the yellow car (V1). She saw the viper cut to the right lane from the left lane, speed up, and then cut back to the far left lane. Again the vehicles were stopped for the light at S. Missouri Ave.

When that light changed, she again could hear the tires squealing when the vehicles took off. She saw the viper leave the Toyota behind as the Toyota started to fishtail and then spin and crash into the median palm tree. They stopped their vehicle near the crash site and she and her husband exited the car in attempt to tend to the victims, being that both she and her husband are nurses.

Mrs. Steele's husband was the first to arrive alongside the vehicle. When he saw the extent of the injuries to the passenger, he directed Mrs. Steele to stay back. Mrs Steele remained near her vehicle when emergency personnel arrived on scene and tended to the victims. She recalls Mr. Steele telling her that the passenger (Graziano) was not dead, but it did not look good either. She provided her information to officers and left the scene once they were released.

A written statement and oath form were completed by Mrs. Steele and submitted into evidence with copies distributed accordingly.

08/31/2007 ROBERT STEELE
(LIVE INTERVIEW)

On this date, I interviewed Robert Steele at his home at 8717 Elmwood Lane, Tampa, FL. at 1750 hours. He provided a written statement of his observations and completed an oath form.

Mr. Steele is a respiratory therapist and nurse. On this date, he, his wife, his sister-in-law, and others were in their vehicle returning from Clearwater Beach. They were stopped at the light on Chestnut St. and S. Ft Harrison Ave. Mr. Steele was driving and his attention was drawn to two vehicles which had just turned

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

from S. Ft Harrison onto Chestnut St. The two vehicles turned from S. Ft Harrison Ave and, once they were side by side, took off racing to the next intersection. In his words, the cars were "one in front of the other, playing games." By playing games, Mr Steele defined this as one car in front of the other, cutting each other off.

Mr. Steele stated he saw the vehicles racing from the light and lost sight of them over the hump at Martin Luther King Ave. He recalls seeing the Toyota in the right lane and the viper in the middle lane. Steele stated he got caught at the light on Martin Luther King Ave, but could see the other vehicles ahead of them at the next intersection. The viper was in the inside lane and the Toyota was in the outside lane. Both vehicles were in the same lanes of travel as when he lost sight of them. He had not yet reached the intersection behind the vehicles when the light turned.

When the light turned green at S. Missouri, he saw the vehicles take off The viper was ahead of the Toyota. He stated he could not tell if the vehicles struck each other or if the Toyota struck the curb, but the Toyota started spinning, then struck the palm tree. He immediately saw the viper turn around and return to the scene of the crash.

Steele pulled his vehicle to the side of the road and approached the crashed vehicle. He saw the driver with a dazed look on his face, but no obvious injuries as he could tell. He looked at the passenger, and saw "a finger sized hole in his forehead." Steele stated he never approached to less than 2 feet from the vehicle, but he stuck around to witness the extrication and saw that the driver never lost consciousness. He was just pinned in the vehicle.

Prior to the crash, Steele estimates the speed of the vehicles between 60-70 mph.

08/31/2007 SHAYNE MICHAEL YERBY
(LIVE INTERVIEW)

On this date, at approximately 1900 hours, I met Shayne Yerby at his residence, 2502 Gary Circle, Dunedin FL. He provided me with a written statement of his observations and signed an oath form attesting to the truthfulness and completeness of his statement.

On the date of incident, 08/26/2007, Yerby and his friends were in a vehicle at Rita's Ice on the corner of Martin Luther King Ave, and Chestnut St. Yerby was sitting in the back left passenger seat of the car and recalls hearing what he describes as a turbo spooling up. Within a few seconds, he saw two cars traveling east at a very high rate of speed on Chestnut Ave.

Shortly after the two cars pass, he recalls seeing police cars and other emergency vehicles pass. With curiosity getting the better of all in the vehicle, they decided to go towards the scene. That was when they saw that one of the vehicles they saw racing down the street had been involved in a crash.

I asked Yerby what he witnessed the vehicles doing. He stated that he saw the yellow car pass the viper and then the viper pass the yellow car. When asked if given the circumstances and placing himself in the

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

situation, what would he call their acts. Yerby responded that he would be racing. He added that if he would have gotten caught doing what the two cars were doing, he would have been charged with racing.

Yerby has extensive knowledge of the sport of street racing. He routinely builds, operates, and tunes cars for street racing. He is familiar with the intricacies of the sport as well as the types of vehicles routinely used in this sport. He recognizes certain sounds emanating from vehicles which have been built or modified for performance. He routinely participates in street races and is familiar with the machines used to participate.

Yerby completed a written statement and signed an oath form attesting the truthfulness of his statement. The originals were submitted into evidence with copies distributed accordingly.

08/31/2007 ERIK MCNULTY
(LIVE INTERVIEW)

=====

On this date, I made contact with Erik McNulty, a witness to the events of 08/26/2007, at his residence on Orange St, Clearwater FL.

McNulty was also in the car at Rita's Ice on MLK and Chestnut St. His recollection of the events is commensurate with the statements given by Larry Johnson and Shayne Yerby. He added that he knows Nick and Graziano from growing up and attending school with them. He stated he is also friends with Graziano's brother Michael.

McNulty's story is similar to Yerby's account in that he too heard the turbo spooling on one of the vehicles and then saw the two flying down the street. He made a comment to his friends in the car and after about three minutes, he saw emergency vehicles flying in the same direction. Again, curiosity got the better of the boys and they went to see what had happened.

Upon arrival at the crash scene, McNulty immediately identified the yellow car as belonging to Nick Bollea. He knew that John Graziano hangs out with Nick. He immediately called John's brother Mike and asked where his brother was. He then told Mike to come down to the scene. McNulty recognized Graziano in the passenger seat and Nock Bollea driving.

McNulty describes the behavior of the Viper and the Toyota as "playing cat and mouse" or racing. His description of the driving was that the Supra was "getting it" and, when asked, he said the vehicles were "definitely racing."

McNulty has a hobby of street racing and tuning cars for racing. He has no formal training, but has an extensive knowledge of the sport and the types of cars that engage in same. His explanation of what the two vehicles were doing and his definition of racing are very similar.

McNulty completed a written statement and signed an oath form. The originals were secured in evidence with copies distributed accordingly.

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

This is a comprehensive account of all interviews conducted by me. As previously stated, all originals of both the written statements and the accompanying oath forms were submitted into evidence, with copies distributed accordingly.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Hatch, Michael	DATE:	10/08/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/09/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENTAL INFORMATION

On 09/20/2007, I located and contacted Susan Gregory, the then owner of the now defunct Ride Revolution, LLC. This company, owned and operated by Ms. Gregory, and located in Johnson City, TN, did most of the fabrication and build of the 1998 Toyota Supra operated by Nick Bollea. A written request for information regarding this vehicle was faxed to Ms. Gregory.

She was able to provide me with the vehicle modifications of the Supra when it left her business and was turned over to Terry Bollea. She could not attest to any modifications after it left their care and custody, but she did provide a list of installed parts and engine modifications performed to the vehicle as best records could tell. Additionally, former employees involved in the construction and build of the vehicle documented parts and performance modifications performed by them.

It is my understanding that the vehicle was initially provided to Ride Revolution by Terry Bollea, along with a specific list of parts and modifications to be performed to the vehicle as compensation to Mr. Bollea for an appearance at the company's Grand Opening. Ms. Gregory could not confirm to the condition of the Toyota as factory standard upon their receipt, but assumes it was not, due to the presence of a front mount intercooler and piping, parts not found on factory vehicles.

The exchange was conducted on 10/30/2004. At the time, Terry Bollea, as Hulk Hogan, appeared as contracted. Bollea took possession of the 1998 Supra. At the time of completion, the Supra was tested on a Dynamometer and put out approximately 544 horsepower and 476 lb/ft of torque.

As previously stated, Ms. Gregory could not attest to any modifications to the vehicle after it left Ride Revolution. Any additional modifications to the Supra after the exchange were not conducted by Ride Revolution.

On 09/25 Ms. Gregory drafted a letter addressed to me detailing the parts and performance modifications

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

to the Supra. She sent this information via Fed Ex Priority Overnight on 09/27 and I received them on 09/28. The original letter, in it's entirety, was placed into evidence after copies were made and distributed accordingly.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	10/12/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/15/2007
TEAM:	THI		

NARRATIVE:

Supplemental report.

Investigative Action Taken:

On 10/12/07, the requested plan and profile specification for Court Street between South Missouri Avenue and Hillcrest Avenue were mailed to John Murdock. The vehicle specifications for the Toyota Supra, obtained from Ride Revolutions, the aftermarket manufacture of the vehicle, were also mailed with the plan and profile. Also included was a copy of the magazine article from Super Street, which listed various specifications on the Toyota.

No further action taken.

Investigative Costs:

\$25.00 Hour @ 1 Hour = \$25.00.
Costs of Plan and Profile obtained from FDOT: \$10.45.
Envelope and postage: \$5.00.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	10/12/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	10/15/2007
TEAM:	THI		

NARRATIVE:

Supplemental report.

Investigative Action Taken:

On 10/12/07, I, with use of Laser #20, measured the distance from each of the listed roadways below. The numbers provided are approximates.

1. South Fort Harrison to Myrtle Avenue: 1316'
2. Myrtle Avenue to South Martin Luther King Boulevard: 1413'
3. South Martin Luther King Boulevard to South Missouri Avenue: 990'

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

4. South Missouri Avenue to the crash scene: 1267'

No further action taken:

Investigative Costs:

\$25.00 Hour @ 1 Hour = \$25.00.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Turpack, Todd
REVIEWED BY: Harris, Richard
TEAM: THI

STATUS: Approved
DATE: 10/17/2007
REVIEW DATE: 11/02/2007

NARRATIVE:

Supplemental report:

Investigative Action Taken:

On 10/17/07, the analysis of the blood obtained from Nicholas Bollea the night of the traffic crash was received from the Pinellas County Forensic Laboratory. The laboratory results indicated that Nicholas Bollea did not have any narcotics in his system. The first sample received at 2150 Hours indicated that Nicholas Bollea had 0.034/0.034 g/dl of alcohol in his blood. The second sample received at 2337 Hours indicated that Nicholas Bollea had 0.010/0.010 g/dl of alcohol in his blood.

No further action at this time.

Investigative Costs:

- 1. Blood analysis: \$800.00.
2. 1 Hour @ \$25.00 Hour = \$25.00.

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Harris, Richard
REVIEWED BY: Diebel, John
TEAM: THI

STATUS: Approved
DATE: 10/24/2007
REVIEW DATE: 11/01/2007

NARRATIVE:

SUPPLEMENT:

On 10-23-07 I met with Michael P. Farewell, the owner of Thompson Auto Repair and Alignment, Inc. Michael P. Farewell is the person hired by the Clearwater Police Department, to perform an inspection of the 1998 Toyota Supra involved in this investigation.

Michael P. Farewell gave me copies of his ASE Certifications (National Institute for Automotive Service Excellence) and copies of the ASE Certifications for Robert J. Bright, who is employed by Thompson Auto Repair and alignment, Inc, and assisted in the vehicle inspection that was done. The copies of the certificates were placed into evidence.

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Michael P. Farewell also gave me two copies of the report he wrote, which covered his findings when he examined the vehicle. One of the copies was placed into evidence and the second copy was placed into the case file.

COSTS:

\$780.00 - fee charged for inspecting the vehicle and documenting the findings

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Harris, Richard	DATE:	11/01/2007
REVIEWED BY:	Diebel, John	REVIEW DATE:	11/01/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT:

On 10-24-07 at 0900 hours, I met a representative of B.J.'s Towing Service at the secured storage site where the 1998 Toyota Supra is being stored. The vehicle was loaded onto a flat bed wrecker and covered. I followed the wrecker transporting the vehicle to General Services at 1900 Grand Ave, where it was to be inspected by the attorneys representing Nicholas Bolea and the Bollea family interests. When the vehicle arrived at General Services it was placed into a garage enclosure and access to the vehicle was limited to the following people.

Attorneys and crash reconstructionists representing Nicholas Bollea and the interests of the Bollea family.

- 1) Kevin Hayslett - attorney
- 2) D. Lee Fugate - attorney
- 3) Sandy Weinberger - attorney
- 4) Charles E. Benedict - reconstructionist
- 5) Patrick D. Weber - reconstructionist
- 6) James Morris Wheeler
- 7) Wayne McCracken - reconstructionist
- 8) Larry D. Horbath
- 9) Warren Joseph Puze - photographer

Law Enforcement Personnel and State Attorney's Office Personnel

- 1) Scott Rosenwasser - Assistant State Attorney
- 2) John Murdoch - reconstructionist
- 3) Lt. N. Miller
- 4) Sgt. R. Harris
- 5) Forensics Specialist Kim Millen - Pinellas County Sheriff's Office Forensics Unit

The vehicle was made available to the attorneys representing Nicholas Bollea and the interests of the Bollea family, and to the reconstructionists who have been retained by the attorneys in this case. These persons were allowed to photograph, measure and examine the vehicle. Additionally, PCSO Forensics Specialist Kim Millen took video of the vehicle and it's examination by the reconstructionists, brought in by the

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

attorneys representing Nicholas Bollea and the Bollea family.

During the course of the examination, three (3) light bulbs, one (1) light bulb filament and the front windshield frame were removed from the vehicle and placed into evidence. These items were taken into evidence by PCSO Forensics Specialist Kim Millen.

One bulbs had been loose in the interior of the vehicle and was removed from the vehicle when the damaged body parts were taken from the interior of the vehicle where they had been stored. The damaged body parts removed from the interior of the vehicle were laid on the floor and the bulb was found among these parts. The bulb and it's glass bulb enclosure were intact.

A bulb was found laying beneath the right rear tail light assembly. This bulb was not attached to a wiring harness or electrical socket, but was laying on the rear of the car beneath the tail light assembly which was on top of it. This bulb appeared to be intact as the glass bulb encapsule was intact and not broken.

Another bulb was removed from the right rear tail light assembly, from the third socket from the outside edge of the assembly. This bulb appeared to be intact with it's glass bulb encapsule intact.

A bulb was removed from the left rear tail light assembly, from the third socket from the outside edge of the assembly. This bulb was missing the glass bulb encapsule and was only a filament.

The above three described light bulbs and the bulb filament were taken into evidence by Forensics Specialist Kim Millen.

Kevin Hayslett, D. Lee Fugate and Sandy Weinberger asked that the windshield frame be secured as they believed the right side of the A pillar contained material that could possibly be utilized to extract DNA evidence. Forensics Specialist Kim Millen was called back to the scene and took possession of the windshield frame. She packaged it in paper bags so as to protect the material that had been pointed out.

At approx. 1730 hours all personnel had left the inspection site and B.J.'s Wrecker Service was called to pick up the vehicle and return it to the secure storage site. The vehicle was gain loaded onto a flat bed wrecker, covered and transported back to the secure storage site, with me following. Once at the secure storage site the vehicle was placed into storage and and the site was secured. I cleared from the storage site at 1900 hours.

COSTS:

10.0 hours X \$25.00 per hour = \$250.00

The fee for the wrecker service will be submitted once it has been received.

NFAT

LERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Milne, Thomas	DATE:	11/02/2007
REVIEWED BY:	Harris, Richard	REVIEW DATE:	11/02/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENT REPORT:

My observations of Nicholas Bollea, when I met him in the hospital were as follows:

He was strapped to the backboard and was thus immobile. He had bloodshot eyes and was quiet. When he spoke, his voice was low. He appeared to be alert and aware of his surroundings. He appeared to be uncomfortable due to soreness and the restriction of the backboard and collar.

Later, when the blood draws were done, the backboard and neck collar were removed. He was in pain from injury to his left forearm, whenever his forearm was touched.

No further information.

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Turpack, Todd	DATE:	11/07/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	11/27/2007
TEAM:	THI		

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On 11/07/07, at 1015 Hours, at 14450 46th Street North, Nicholas Bollea was arrested on a warrant issued for reckless driving with serious bodily injury. The Pinellas County warrant had a bond of \$10,000 and the warrant number was: 0724377CFANO.

Nicholas Bollea was in the company of his attorney Kevin Hayslett when contact was made with him. After Nicholas Bollea was secured, Kevin Hayslett advised me his client was still invoking his Miranda Rights. Incidentally, no questions were asked of his client pertaining to the traffic crash.

Nicholas Bollea was secured in a cruiser and transported to the Pinellas County Jail where he was booked accordingly without incident.

Nicholas Bollea was issued four citations to include:

1. Reckless Driving with Serious Bodily Injury, (8390-FDC).
2. Operating a Motor Vehicle During the Commission of a Felony, (8392-FDC).
3. .02 Violation.
4. Window Tint Violation, (8391-FDC).

Nicholas Bollea signed and accepted the citations without incident. All citation were given Call of the

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

NARRATIVE (Cont.)

Circuit Court status.

Nicholas Bollea's status within the report was changed from Driver to Arrested.

No further action taken.

Investigative Action Taken:

Sgt. Harris: 3 Hours @ \$25.00 Hours = \$75.00

Officer Turpack: 5 Hours @ \$25.00 = \$125.00

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Nugent, David	DATE:	11/15/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	11/27/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENTAL REPORT:

In reviewing the data collected from the LTI mapping, it was noted that there is no north reference entered into the data collector while mapping the scene. This results in an appearance of an error when viewing the raw data; however, when the diagram is completed using CrashZone 7.5 & Vista FX3, the diagram is correct and matches the one using data collected from the Nikon total station.

NFAT

NARRATIVE

TYPE:	Supplemental Report	STATUS:	Approved
AUTHOR:	Nugent, David	DATE:	11/15/2007
REVIEWED BY:	Miller, Nancy	REVIEW DATE:	11/27/2007
TEAM:	THI		

NARRATIVE:

SUPPLEMENTAL REPORT:

On 11/15/07, at approximately 2200 hours, CFD Engine 45 assisted me with spraying water on the eastbound curb lane of Court Street. This was done to determine if standing water could have contributed to this crash. PCSO Forensic Technicians Lisa Murphy and Anthony Anderson were on scene to document the event on video. Officer Turpack and I examined the roadway and saw the water quickly run into the curb. Several hundred gallons of water were applied to approximately 170 feet leading up to where the vehicle's tire marks started. Neither of us saw any standing water that could result in a hydroplane situation. After the initial runoff, the amount of water that remained on the road's surface was minimal.

NFAT

LEERS Case Report

REPORT NUMBER: 2007-20815 Traffic Crash

PRINTED ON: 11/27/2007 - 14:35

NARRATIVE

TYPE: Supplemental Report
AUTHOR: Turpack, Todd
REVIEWED BY: Miller, Nancy
TEAM: THI

STATUS: Approved
DATE: 11/22/2007
REVIEW DATE: 11/27/2007

NARRATIVE:

Supplemental Report.

Investigative Action Taken:

On 11/21/07, I hand delivered copies of the below listed paperwork to the Department of Highway Safety and Motor Vehicles:

1. Crash report
2. Clearwater Police Department Blood Withdrawal Form
3. State Attorney Affidavit
4. Toxicology results on Nick Bollea, obtained from Pinellas County Forensic Laboratory

No further action taken.

Investigative Costs:

\$25.00 Hours @ 1 Hours = \$25.00

