

SARASOTA COUNTY SHERIFF'S OFFICE
INVESTIGATIVE REPORT

VICTIM:	David Ross Gregory W/M DOB [REDACTED] 6'0 165 lbs., Gray/Blue [REDACTED]	CASE #:	22-80828
OFFENSE:	Battery	DATE TYPED:	10/03/22
STATUS:	C-3 Death of Offender		

PERIOD COVERED UNDER INVESTIGATION: 09/24/22 - Present

DET:	N. King #2399	SUPV:	J. Friday #2488
	Kj #2725		

COPY TO: State Attorney's Office (Craig Shaeffer)

RELATED CASE (S): N/A

INDEX

<u>DATE/TIME OF OFFENSE:</u>	09/24/22 0717 Hours:
<u>LOCATION OF OFFENSE:</u>	1800 blk Highland Road Osprey, Florida 34229 Zone 014 / Grid 315
<u>COMPLAINANT:</u>	Dayna Marie Purcell W/F DOB 08/24/74 6'0 160 lbs., Blonde/Blue 1855 Highland Road Osprey, Florida 34229 (508) 479-3966
<u>VICTIM:</u>	David Ross Gregory W/M DOB [REDACTED] 6'0 165 lbs., Gray/Blue

<u>WITNESS/OTHER:</u>	<p>Amy Margaret Sims-Gregory W/F DOB 10/06/65 5'7 155 lbs., Brown/Blue [REDACTED]</p> <p>Dayna Marie Purcell W/F DOB 08/24/74 6'0, 160 lbs., Blonde/Blue 1855 Highland Road Osprey, Florida 34229 (508) 479-3966</p> <p>Gary Paul Osgood W/M DOB 05/02/60 5'10 185 lbs., Brown/Blue 1801 Highland Road Osprey, Florida 34229 (941) 549-5689</p> <p>Sherry Lee Pazzanese W/F DOB 07/29/59 5'03 135 lbs., Brown/Brown 1815 Highland Road Osprey, Florida 34229 (941) 780-3866</p> <p>Kelsie Eden Lloyd W/F DOB 11/14/89 5'2, 140 lbs., Blonde/Blue 1845 Highland Road Osprey, Florida 34229 (336) 793-7076</p> <p>Melania Binder H/F DOB 05/4/1968 5'6" 145 lbs., Brown/Brown</p>

	<p>1823 Highland Road Osprey, Florida 34229 (941) 405-2242</p> <p>Robin S. Henry W/F DOB 08/10/1958 5'5" 105 lbs., Brown/Brown 1827 Highland Road Osprey, Florida 34229 (941) 685-6343</p> <p>Richard A. Henry W/M DOB 09/22/1959 5'8" 150 lbs., Brown/Hazel 1827 Highland Road Osprey, Florida 34229 (941) 685-5743</p> <p>Penelope A. Nichols W/F DOB 08/17/1954 5'2" 110 lbs., Salt and Pepper/Brown 1835 Highland Road Osprey, Florida 34229 (941) 894-8524</p> <p>Maida J. Nichols W/F DOB 09/12/1952 5'8" 115 lbs., Brown/Brown 1835 Highland Road Osprey, Florida 34229 (941) 615-7946</p> <p>Beth S. Johnston W/F DOB 01/28/1975 5'7" 135 lbs., Black/Hazel 1799 Highland Road Osprey, Florida 34229 (717) 887-5924</p> <p>Tobin M. Johnston W/M DOB 05/31/1967 6'2" 245 lbs., Bald/Hazel</p>
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1799 Highland Road
Osprey, Florida 34229
(717) 424-8447

Colleen T. Donlevy-Burns
W/F DOB 04/29/1954
5'2" 110 lbs., Brown/Brown
1825 Highland Road
Osprey, Florida 34229
(407) 325-2873

SCFD Paramedic/Firefighter
Tyler A. Lyke ID# 812951
W/M DOB 06/05/96
6'0 200 lbs., Brown/Brown
1660 Ringling Blvd.
Sarasota, Florida 34236
(941) 861-5000

SCFD Paramedic/Firefighter
Matthew C. Russell ID# 110433
W/M DOB 12/17/72
6'02 200 lbs., Brown/Brown
1660 Ringling Blvd.
Sarasota, Florida 34236
(941) 861-5000

SCFD Paramedic/Firefighter
Christopher M. Catarzi ID# 109579
W/M DOB 10/24/87
6'0 190 lbs., Brown/Brown
1660 Ringling Blvd.
Sarasota, Florida 34236
(941) 861-5000

Steven Colon (N.O.K)
W/M DOB 04/14/69
6'01 210 lbs., Brown/Brown
[REDACTED]
Sarasota, Florida 34236
[REDACTED]

Paola Ann Colon (N.O.K)
W/F DOB 05/11/70
5'05 165 lbs., Black/Brown
515 Bayside Way
Nokomis, Florida 34275
(941) 441-8229

Eraldo Sartini
W/M 07/27/41
5'10 190 lbs., Gray/Brown
[REDACTED]
Osprey, Florida 34229
(585) 355-4159

Palma Sartini
W/F 08/22/1945
5'0 155 lbs., Gray/Brown
[REDACTED]
Osprey, Florida 34229
(585) 355-4159

Isabella Rose Colon
W/F DOB 08/30/01
5'03 155 lbs., Brown/Brown
515 Bayside Way
Nokomis, Florida 34275
(941) 441-8229

Juliet Iva Colon (Juvenile)
W/F DOB 02/09/06
5'02 130 lbs., Brown/ Brown
515 Bayside Way
Nokomis, Florida 34275
(941) 441-8229

Erica E. Galland
W/F DOB 03/19/99
113 Van Dyck Drive
Nokomis, Florida 34275
(941) 879-8885

<u>SUSPECT / DECEASED:</u>	Steven Paul Colon W/M DOB 12/03/99 6'01 200 lbs., Brown/Brown [REDACTED]
<u>VEHICLE USED IN CRIME:</u>	N/A
<u>EVIDENCE STATUS:</u>	Refer to Property Receipts Refer to Crime Scene Unit Reports
<u>STOLEN/DAMAGED PROPERTY:</u>	N/A
<u>RECOVERED PROPERTY:</u>	N/A
<u>ATTACHMENTS TO REPORT:</u>	Refer to case file for multiple attachments

SYNOPSIS

On 09/24/22 at approximately 0716 Hours:, the Sarasota County Sheriff's Office Emergency Operation Center received three 911 calls in reference to a shooting on the 1800 block of Highland Road in Osprey. One caller, Amy Sims-Gregory reported her husband, David Gregory, was aggressively attacked by a subject (Steven Colon) in the neighborhood while they were walking their dogs. During the altercation, Colon allegedly grabbed David Gregory's shirt and punched him in the chest. Gregory became afraid he would be seriously hurt or killed and produced a small caliber pistol. Gregory shot Colon in the torso, ending the altercation. David and Amy Gregory retreated back to their residence at [REDACTED] and awaited the arrival of the deputies.

SSO Patrol deputies responded to Highland Road and located an injured subject in a drainage ditch at the intersection of Highland Road and Westview Drive. The Sarasota County Fire EMS arrived on scene and later transported the injured subject (Steven Paul Colon 12/03/99) to Sarasota Memorial Hospital. The subject was medically treated for a single gunshot wound to the abdomen. While at the hospital, Steven Paul Colon had succumbed to his injury and was pronounced deceased at 0826 Hours:.

The Patrol deputies made contact with both David Gregory and Amy Sims-Gregory at [REDACTED] after calling 911 dispatch. Both subjects were taken into custody and transported to the Sarasota County Sheriff's Office for further questioning.

INVESTIGATION**09/24/22 0855 Hours:**

I was requested by Sgt. B. Tuck to respond to the incident location to conduct an investigation into a shooting that occurred between two neighbors.

09/24/22 0955 Hours:

Upon my arrival, the SSO Crime Scene Unit was processing the scene on Highland Road.

I spoke with Detective Vinopal who provided an update on the initial investigation. Det. Vinopal informed me that Steven Paul Colon was transported to the Sarasota Memorial Hospital after he was shot in the abdomen by David Gregory. Steven Colon was pronounced deceased at 0826 Hours: by Dr. Briceno. The altercation occurred between the two parties on the roadway in the area of 1855 Highland Road. Steven Colon's body was found lying in a ditch near the corner of Highland Road and Westview Drive.

Upon the Patrol deputies' arrival on scene, they made immediate contact with David Gregory and Amy Sims-Gregory at their residence located at [REDACTED]. The firearm used in the incident was unloaded and left on the front porch by David Gregory. Both subjects were transported to the Sarasota County Sheriff's Office Headquarters for further questioning.

I was informed there were three (3) separate 911 calls regarding the incident. The initial 911 call was reported by Dayna Purcell (08/24/74) of 1855 Highland Road. A second 911 call was received by Gary Osgood (05/03/60) of 1801 Highland Road. The last 911 call was received by Amy Sims-Gregory (10/06/65), the wife of David Gregory, [REDACTED].

Det. Vinopal informed me that Dayna Purcell (911 caller) was unavailable at the time for an interview.

Det. Vinopal reported she had conducted an audio recorded interview with Gary Osgood on 09/24/22 at approximately 0851 Hours. The following is a synopsis of the interview conducted by Det. Vinopal.

Gary Osgood stated that while walking his dog on Highland Road he observed David and Amy Gregory walking their dogs on Highland Road up towards the Bentley Hotel about 10 – 15 minutes before he called 911. Gary stated he went the opposite direction on Highland Road because their dogs don't get along with each other.

Gary stated while walking back to his house, he heard two gunshots and someone say, "mother fucker". Gary stated he believed it to be approximately 400-500 feet away from gunshots while walking towards Highland Road. After he heard the gunshots, he observed Steven Colon stumble and fall into a ditch on the roadway. Gary stated he called 911 and reported what he saw. Gary immediately placed his dog back at this house and went to assist Steven. Gary stated he did not see David or Amy in the area.

Gary stated he is the president of the HOA in the community where Steven Colon resides with his grandparents. Gary stated Steven has caused a lot of problems for the homeowner's association. Gary described Steven to have a mental illness and usually doesn't talk to anyone. He stated Steven has lived in the community for about two years and rarely leaves the house. Steven was known to walk around late at night.

Gary described an altercation Steven had with his mother, Paola Colon the week prior. The HOA required the residents to remove their vehicles off the driveways for re-grading. He stated he tried to get Steven to move his vehicle, but Steven refused to comply. Gary stated he called Steven's family for help. Paola arrived and tried to get Steven to move this vehicle. He saw Steven shove his mother after she took his keys to the car. He stated after the shove, Paola got in the car and drove off. Steven ran after his mother as she drove away. Gary stated he later heard Steven ended up pulling his mother out of the car when she drove off.

Gary also stated the house where Steven resides is owned by Steven's grandparents who are seasonal residents. He stated after Steven's mother kicked him out of her house he moved in with his grandparents. Gary stated he was recently inside the grandparents' house with Steven's mother. Gary described seeing a lot of pill bottles and a tray with something (unknown object) in it, possibly to smoke with. He described seeing a spoon with powder in it, laying on the countertop.

Gary stated he knows of Steven's mental illness because Steven's grandfather told him that Steven broke his grandfather's arm last summer and nearly killed him.

Gary stated he's been told by other residents that Steven stays up all night lifting weights. Steven slams the weights and screams while working out late at night.

Gary spoke of other confrontations that Steven has had with other neighbors in the past. He stated David and Amy Gregory had been spit on by Steven in the past. Steven has also taken a fighting stance to David and wanted to box with him. He stated he knows that David always carries a firearm while he walks his dogs after Steven assaulted them. Gary stated he knows of two separate confrontations that David has had with Steven in the neighborhood.

Gary stated another neighbor, "Toby", (Tobin Johnston) was taking out the trash and Steven called him a "pussy". After "Toby" confronted Steven about what he said Steven ran off.

(See Investigative Supplemental Report by Det. Vinopal and CD Audio Interview with Gary Osgood for details)

Det. Vinopal, Det. Rowe, and Det. Bassett completed a thorough canvass of the neighborhood.

A Ring camera was observed at 1845 Highland Road. The owner of the residence, Kelsie Lloyd was not home at the time. Contact information for the owner was provided by a family member.

(See Det. Vinopal's Investigative Supplemental Report for documented canvass contacts)

During my initial response on scene, I completed a walkthrough of the crime scene between 1855 Highland Road to the corner of Westview Drive and Highland Road with Sgt. B. Tuck. I observed a small caliber casing on the roadway in front of 1851 Highland Road. As I walked up the roadway towards Westview Drive, starting in front of 1855 Highland Road, I observed several blood drops on the road, and a white baseball laying in the road near the ditch where Steven Colon was found.

09/24/22 1014 Hours:

Det. Rowe conducted a sworn recorded interview with both Penelope Nichols (08/17/54) and Maida Nichols (09/12/52) at 1835 Highland Road in Osprey. Penelope reported she recently spoke to David Gregory about an altercation he had with Steven Colon.

David reported to her that Steven had confronted him late one night while he was out walking his dogs. David told her that Steven "charged at him." David expressed his fears of what Steven may do to him. David told her he did not have his firearm with him that night. David stated if Steven came at him again like that, he would have his firearm on his person to defend himself.

Both Penelope and Maida stated they had little knowledge of Steven, only that they knew law enforcement had been to his house in the past. Their description of David was he was a nice guy who was always walking his dogs in the neighborhood, and he was never known to cause any issues with anyone.

(See CD Audio Interview, Transcription of Penelope and Maida Nichols and Investigative Supplemental Report by Det. Rowe for details)

Det. Vinopal provided me with the (3) 911 audio recordings obtained from dispatch. I reviewed the (3) 911 audio recordings from Dayna Purcell, Gary Osgood, and Amy Sims-Gregory.

1st Caller: Dayna Purcell, 09/24/22, 0716 Hours: from (508) 479-3966.

- The caller reported that while inside her residence located at 1855 Highland Road in Osprey, she heard a gunshot outside her house.
- She reported her neighbor, "Dave", W/M, 60yo, thin, LSW gray shirt, dark shorts, was walking down the street with his dog and told her to call the police.
- Purcell stated she heard the gunshot approximately two minutes earlier.

2nd Caller: Gary Osgood, 09/24/22, 0718 Hours: from (941) 549-5689.

- The caller reported he thinks he heard two gunshots and then heard somebody say, "You motherfucker", near the corner of Highland Road and Westview Road in Osprey.

3rd Caller: Amy Sims-Gregory, 09/24/22, 0720 Hours: from [REDACTED]

- The caller requested the police respond to her residence located at [REDACTED] in Osprey.
- The caller explained "there's this crazy guy in the neighborhood" that they called on before who attacks everybody and has attacked them twice.
- The caller reported that her, and her husband (David Gregory) was walking their dogs when the subject started pacing around them. At one point it was believed he was leaving the area.
- They began to walk in the opposite direction down the street.
- The subject came back their way, "gets right at us, spits at us, turns around, and then goes at my husband and asked what the fuck he wants?" "We're doing nothing but walking our dogs, he went at my husband to attack him. My husband did shoot him in self-defense."
- The caller stated the subject has come at them several times before.
- Another person (David Gregory) who is heard in the background and with the caller stated, "Tell them to send an ambulance".
- The caller stated, "I thought he was gonna kill my husband".
- The caller stated they don't know the status of the subject because they went back to their house to get their phone. The caller did not know the whereabouts of the subject.
- The caller stated she was not going to look for him because "he's dangerous. He's crazy".

- The caller and her husband (David) reported the type of gun used was “a .380 handgun” and was currently “on the counter with the clip out, unloaded.”
- The caller stated she believed the subject lived in the condo next to them. “He’s always been trouble; I don’t know what happened to him. We got out of there because we were scared”.
- The caller stated “He scared me to death. He scared me to death. He was gonna kill my husband.”
- The caller described the subject as “a young kid that lives in his grandmother’s, uh, condo over here” and “He’s always, always fucking with people all the time”.
- The caller stated “He has fucked with us three times at night when we’re walking our dogs, coming at us like he’s gonna attack us. We’ve called the police on him before”.
- The caller reported her husband’s name is “David”.
- David Gregory stated in the background to the caller, “Calm down”.
- The caller stated to her husband, “David, he was going to kill you. He was freaking attacking you. The third fucking time”.
- David Gregory is heard in the background, “Goddammit. Goddammit. Goddammit”.
- The caller reported her husband was not hurt.
- The caller reported they were outside on the porch.
- The caller stated “yeah, oh God. Uh, you can tell he (Steven Colon) came out looking for trouble this morning. You could just tell. Oh”.
- The 911 operator asked if the subject was on any drugs, the caller responded “No. He does that to everybody. He tries to intimidate everybody. He’ll come outside, call all of his neighbors. “Pussy.” Oh. What?” (Deputies arrived to caller’s residence, call ended)

09/24/22 1045 Hours:

I arrived at the Sarasota County Sheriff’s Office Headquarters and provided Det. Ojeda with an update on the investigation.

09/24/22 1050 Hours:

Det. Rowe conducted a sworn recorded interview with Melania Binder (05/04/68) at 1823 Highland Road in Osprey. Mrs. Binder stated she had witnessed some of the altercation after she heard the gunshots. Mrs. Binder stated after she awoke at about 0700 Hours, she heard what she described as a “firework sound”. Mrs. Binder stated she looked from her front door and observed a younger male running from the area and an older male yelling very loudly and angrily. She heard someone yell “I’m pissed!”.

Mrs. Binder thought it was an altercation between a father and a son and then went back to bed.

Mrs. Binder stated she knows of David because he always walks his dogs in the neighborhood. Mrs. Binder stated she didn't know too much about Steven.

(See CD Audio Interview, Transcription of Melania Binder and Investigative Supplemental Report by Det. Rowe for details)

09/24/22 1103 Hours:

Det. Ojeda and I conducted a recorded interview with Amy Sims-Gregory (10/06/65) at the Sarasota County Sheriff's Office Criminal Investigation Section. Victim Advocate, Amber Haller, was present during the interview.

Post-Miranda, Amy stated around 0630 Hours: (09/24/22) her and her husband David (Gregory) took their dogs for a walk. She stated they began their normal walk on Highland Road with their dogs. They are always nervous going for a walk because of "that kid" (Steven Colon) who lives in the condos. Amy stated she didn't know Steven's name but had several encounters while they were walking their dogs. They knew that Steven was always looking for trouble. When they got near a driveway just past Westview Drive, they noticed another neighbor (Gary Osgood) who was walking a dog. About a minute later they saw Steven walk down the driveway from the same direction the neighbor just came from. She stated it appeared as if Steven was walking after the neighbor because Steven followed the neighbor down Westview Drive.

Amy stated after walking back home south on Highland Road near Westview Drive, they saw Steven walking towards them on Westview Drive. They became very nervous, so they just continued to walk their dogs down Highland Road. Steven continued to walk past them as they were stopped in the road. As he continued to pass them, they continued to watch him because "we know how crazy he is". She stated he then turned around and walked towards them. Once he got in between them on the street, Steven spit in their direction as he passed. Steven continued to circle them, walking past them and turning around several times. Amy described Steven's behavior as "a buzzard circling" and "he bowed himself out". She stated each passing, gets shorter and closer. Steven stared at David the whole time as he passed them. Each time Steven circled back he went back by David, staring at him.

Amy stated she heard Steven say, "What the fuck?". She heard David say something like "back the fuck off". She stated she was standing several feet away from David and could see Steven's face as he approached David, face to face. She stated Steven pushed David. It appeared as if Steven tried to put his arm around David's neck, almost

like Steven tried to pull him down and that's when she heard the gunshot. After the gunshot, she saw Steven back off and say "Okay, dude". Steven then walked the other way up Highland Road towards Westview Drive. Amy stated she didn't even know at the time if Steven had been shot. She asked David, and he stated, "I think I shot him", "I shot him". Amy asked David if he shot Steven or did he just shoot the ground because Steven was walking away from them. She stated Steven was seen falling into the ditch. She stated David picked up their dog, Chewy, and said "Let's get home. We gotta call the police". Amy stated David later stated to her, "He was coming right at me. I shot him". As they walked away, she seen a neighbor (Dayna Purcell) come out of her house (1855 Highland Road). She stated she looked at her and told her to call the police.

Amy stated Steven has demonstrated the same type of behavior towards them on several occasions while walking their dogs. Amy described Steven's behavior as intimidation, like to say, "I'm here". Amy stated she had called the police on Steven before. Amy stated they'd known of Steven for about a year and half.

Their first incident with Steven was about a year ago, when he demonstrated the same aggressive behavior. Steven even tried to call their dogs to him, and David asked him not to do that. Amy stated Steven "bowed up at David" and even bowed at her while asking her if she wanted a piece of him. Amy stated they had become fearful of Steven and that's why she went home after that and called the police.

Amy stated her and David began to hear all the stories in the neighborhood about the things Steven as done and the terror he had become to the neighborhood. Amy stated that's when David began to carry a gun more frequently for protection just in case Steven tries to do something to her. Amy stated David carried a small gun in his waist. Amy stated before their first encounter with Steven, David only carried something during their walks in case they ran into coyotes.

Amy stated she feels when she sees Steven outside it's a given, he's going to mess with somebody. She stated, "If you see him outside, you need to be afraid". She knows of one time; Steven had pushed his grandmother down the staircase and pulled a knife on his grandfather. Amy stated this incident today was about the fourth time he tried to intimate them as they walked their dogs. Steven always walks fast at you and when he gets close, he'll quickly move away. And then he'll spit towards them. Amy also stated each time, Steven will mumble something at them. They aren't able to make out what he is saying to them. Amy stated the only difference between the other encounters and today's incident was that Steven actually put his hands on David.

Amy stated she doesn't feel has if Steven is only targeting them but stated he targets a lot of people in the neighborhood. She stated the police have been called on him numerous times. Amy stated her and David have been scared of Steven because they

are 60 years old and he is 20 years old and when he comes up to them, they don't know what he's going to do to them. She stated Steven wasn't stable and shouldn't be in the neighborhood. They are constantly fearful while walking their dogs in the neighborhood. She stated David is just as fearful of Steven. She stated David has said to her, "I'm a 61-year-old man with a bad neck and arthritis. That kid will kill me", "If he hits me, he'll kill me".

(See DVD Audio, Transcription of Amy Sims-Gregory interview for details)

09/24/22 1058 Hours:

Det. Ojeda and I initially made contact with David Gregory in the interview room and asked David for consent onto his property, to process his firearm (.380 handgun) that was used during the incident in which we were investigating. David Gregory gave verbal consent to process his firearm.

(See Property Receipt for details of the .380 firearm)

09/24/22 1101 Hours:

Sgt. Friday made contact with David Gregory in the interview room after deputies who transported David told Sgt. Friday that David had some neck and back issues. David was offered a different chair, but he declined. David stated he had discectomy and then fused his neck. He stated his discs, "2 through 6 is gone". David complained of the shooting pain he was feeling. David was asked if he needed an ambulance, he stated he was good. David stated, "I live like this, dude", "I'm numb all the way down, but it's because of my pinching nerve".

(See DVD interview David Gregory for details)

09/24/22 1108 Hours:

Det. Rowe conducted sworn recorded interview with Richard Henry (09/22/59) and Robin Henry (08/10/58) at 1827 Highland Road in Osprey. Robin Henry stated she heard what she thought was a gunshot sometime around 0715 Hours:. She was unsure if it was a gunshot because her residence backs up to US 41.

Both Robin and Richard stated Steven has caused concern in the neighborhood with his recent behavior. They had heard through the neighborhood that Steven had spit on David sometime in the past.

Robin and Richard stated they know David as he normally walks his dogs all the time and they have never had an unpleasant encounter with him.

(See CD Audio Interview, Transcription of Richard and Robin Henry and Investigative Supplemental Report by Det. Rowe for details)

09/24/22 1128 Hours:

Det. Rowe conducted a sworn recorded interview with Tobin Johnston (05/31/67) and Beth Johnston (01/28/75) at 1799 Highland Road in Osprey. Tobin stated he was a friend to Stephen's grandfather (Eraldo Sartini) who owns the unit Steven was living in. Tobin said Steven has been acting erratically since he moved into the unit and his behavior was escalating rapidly over the past few months.

Tobin stated he did not witness or hear the incident this morning but did state he doesn't allow his wife to walk their dog at night anymore because Steven's actions was concerning to him.

Tobin stated recently he was bringing his trash cans in from the roadway when Steven yelled at him in a threatening manner, "You fucking pussy!". Tobin turned around to confront Steven about what he said, and Steven ran into his residence.

Tobin and Beth both stated they believed Steven was progressing into becoming a menace in the neighborhood and worried if he had firearms in his possession what he might do with them. They spoke to Sherry (Pazzanese), who lives in the unit in front of Steven. Sherry told them that Steven was up all-night last night slamming weights and outside pacing up and down the street until early this morning (09/24/22).

Tobin stated he was aware of David and never had an unpleasant encounter with him.

(See CD Audio Interview, Transcription of Tobin and Beth Johnston and Investigative Supplemental Report by Det. Rowe for details)

09/24/22 1146 Hours:

Det. Ojeda and I conducted recorded interview with David Gregory [REDACTED] at the Sarasota County Sheriff's Office Criminal Investigation Section. Post-Miranda, David Gregory stated he didn't know the person's name (Steven Colon) in whom he had encountered today and the during the other previous encounters within the neighborhood. David stated he knows of Steven and where he lives in the neighborhood. David described Steven Colon as wearing wire framed glasses, a dark

hoodie with a baseball hat, gym shorts and tennis shoes. David stated Steven was about "6'2, 215 lbs.", "lifts weights, big boy" and "muscular".

David stated early this morning (09/24/22) he and his wife, Amy was walking their dogs on Highland Road. Once they got past the second block, they saw another neighbor walking their dog. He saw Steven come out to the street, walking after the neighbor. They continued away from him because they didn't want another run-in with him. On their way back down the street, they saw Steven walking back down Westview Drive. Steven walked back past them on Highland Road, which was out of his way. David said he was standing while his dog was in the grass. David stated Steven walked past them again and spit at him twice but didn't hit him. Steven walked past them again and turned around multiple times.

David stated he didn't say anything to him. Steven then yelled something but he didn't know what he yelled. David stated whatever it was got his chihuahua to move towards him. David stated he grabbed his dog because the dog was freaking out "cause I was in trouble". David stated when Steven got in his face he told him, "Dude, get away from me". Steven got close to him and grabbed him by the shirt and punched him in the chest.

David stated Steven grabbed his shirt with one hand and hit him with his right hand in the chest. David stated the punch by Steven was hard enough to notice he had punched him. David said after Steven punched him, he stepped back and pushed him away. David stated he told Steven to "stop" but he was still really aggressive, so he pulled out his firearm and shot him. David stated he fired one time. David stated all he wanted to do was to go home.

David stated after he fired his gun, Steven said "Oh man" while Steven grabbed his arm. David stated he grabbed his dog and told his wife to call the police and call an ambulance. David stated they walked back to his house and waited for the police. He stated he sat the pistol on the table, after he took "the clip out, emptied the chamber".

David described his firearm as a small .380, Diamond Back, green and black in color. David stated he mailed away for his concealed carry permit but never got it back.

David stated on the first encounter with Steven was approximately six to eight months ago. They were walking their dog at night and saw Steven with a flashlight on doing something with his phone. David stated to his wife to keep moving because Steven must be filming something. Steven turned off his phone and got in front of him, started swinging, saying "You wanna fucking do something about it, buddy?" David stated he replied back "no, I sure don't dude". David stated he said to his wife, "Come on, baby. Let's go". David stated they went home quickly. David stated the next time we saw him,

which was their second encounter, Steven had spit on him after he walked past them and turned around multiple times. David stated he told Amy to get the dogs and let's go home. David told Steven "You know, we don't want no trouble, dude". David stated he got home and called the police on that one. David stated the police said there was nothing they could do.

During the interview, David stated his chest didn't hurt, but his shoulder is killing him. David stated when he pushed Steven away, he was scared to "fucking death". David stated he was scared because he's "61 years-old and crippled", "a 10-year-old can whip my ass". David stated Steven is big and strong. David stated he knew Steven had problems with other neighbors and has pulled a knife out on his grandfather. David stated he didn't want any problems, he just wanted to walk his dogs. He stated he was scared of being hurt and being crippled. He stated, "I can't carry a gallon of milk, man" and "if somebody hits me, I'm done, dude. I'm scared of people". David stated he doesn't drive a car very often because he's so scared of getting in a car wreck. He stated, "If my neck snaps, I'm done".

David stated he started carrying a gun during the dogs walks because he lives across the street from Oscar Scherer. He stated there's coyotes and bobcats around. David stated he carries his gun with one in the chamber.

David stated the police have been out to Steven's house because everybody's had encounters with him. David stated last week he saw Steven yell at two neighbors calling one of them "a fat fucking bastard" and saying "I'm gonna kill you. You fat bastard".

(See DVD Audio, Transcription of David Gregory interview for details)

09/24/22 1205 Hours:

Det. Rowe conducted a sworn recorded interview with Colleen Donlevy-Burns (04/29/54) at 1825 Highland Road in Osprey. Colleen stated she knew of both parties (David Gregory and Steven Colon) and was neighbors with Steven. Colleen stated David was always walking his dogs in the neighborhood and never had a bad encounter with him.

Colleen stated Steven had erratic behavior and was not very friendly with her. One day she found coffee spilled on her steps to her front door. While outside she observed Steven out there and asked if he knew anything about the coffee being spilled. She said Steven "spit" in her direction on the ground then went back into his residence.

Colleen stated she leaves her residence for work for weeks at a time but had been leaving the lights on inside the residence, so it gave the appearance she was home to prevent any future issues.

(See CD Audio Interview, Transcription of Colleen Donlevy-Burns and Investigative Supplemental Report by Det. Rowe for details)

09/24/22 1307 Hours:

Det. Ojeda and I spoke with Steven Colon's family at the Sarasota County Sheriff's Office Headquarters. Steven Colon's father, Steven Colon, mother, Paola Colon, Steven's sibling's Isabella and Juliet Colon were present during the interview.

The family described Steven's mental health issues to include being diagnosed with Asperger syndrome and his issues in social settings. They stated Steven went to therapy most of his life but recently decided to include a more holistic approach on his own (self-medicate with THC). Steven resided with his grandparents and had recent issues with the neighbors about Steven working out and his loud noises late at night. Steven is known to spit at neighbors and cause problems in the neighborhood. Steven has been living with his grandparents for about a year in half. Paola Colon stated Steven moved in with his grandparents after he began to get physical with her, shoving and pushing her around. The family stated Steven's behavior has become more erratic. They stated he is not aggressive towards others unless he was provoked. Steven was increasingly becoming more paranoid.

Steven Colon (father), and (mother) Paola Colon provided doctors that Steven was seeing for his mental health issues. The following were named, Dr. Richard Schulman and Dr. Mark Sylvester.

(See Det. Ojeda's Investigative Supplemental Report for details of the conversation with the Colon Family) (See partial recorded CD Audio)

Det. M. Vinopal placed Steven Colon's cellular phone (Item #001 iPhone in grey/blue case) in the Digital Forensic Lab for data phone extraction. A request was sent to DFL for further analysis.

(See Property Receipt dated 09/24/22)

CSA A. Walls #3075 submitted into Property the clothing and paper used to photograph clothing items of Steven Colon collected at the Sarasota Memorial Hospital (Items #031 - #037).

(See Property Receipts dated 09/24/22 for details of clothing collected and submitted)

09/26/22 1030 Hours:

Det. Rowe attended the autopsy of Stephen Colon. Dr. Atley was the Medical Examiner who performed the autopsy.

Det. Rowe observed one "entrance wound" on the front abdomen of Colon. Dr. Atley recovered an intact projectile from the left hip area of Colon. The projectile had some fabric still attached to it and it was preserved by Investigator Rogers from the Medical Examiner's office.

After the autopsy was complete, Dr. Atley explained to Det. Rowe the projectile had punctured the liver and pancreas of Colon and caused major internal bleeding.

For complete findings refer to Dr. Atley's Medical Examiner's final report when it is issued.

09/26/22 1325 Hours:

Det. Ojeda and I canvassed the neighborhood on Highland Road in Osprey. I left a business card at the door of 1810 Highland Road.

09/26/22 1335 Hours:

Det. Ojeda and I made contact with the grandfather of Steven Colon, Eraldo "Aldo" Sartini at [REDACTED]. I asked if he would be willing to speak to us regarding Steven, his grandson. Mr. Sartini stated he didn't want to talk to us. I asked Mr. Sartini for consent to look around Steven's room. Mr. Sartini stated he would not give consent for a search. Mr. Sartini spoke to us briefly about his grandson's death.

09/26/22 1350 Hours:

I attempted to make with Colleen Donlevy-Burns at 1825 Highland Road. Det. Rowe had interviewed her on the day of the incident. I left a business card at her door.

09/26/22 1356 Hours:

I attempted to make contact with Tobin and Beth Johnston at 1799 Highland Road. There was no answer at the door. I called and left a voice message with Tobin and Beth Johnston.

09/26/22 1410 Hours:

Det. Ojeda and I spoke with Robin Henry at 1827 Highland Road. She stated she had no further information to add since she spoke with Det. Rowe on 09/24/22.

(See Det. Rowe's Investigative Supplemental Report and Transcription for details)

09/26/22 1416 Hours:

There was no answer at the door of 1801 Highland Road. A business card was left at the front door.

09/26/22 1426 Hours:

Det. Ojeda and I spoke with Melania Binder at 1823 Highland Road. She stated she had no further information to add since she spoke with Det. Rowe on 09/24/22.

(See Det. Rowe's Investigative Supplemental Report and Transcription for details)

09/26/22 1436 Hours:

I received a call back from Tobin and Beth Johnston who stated they had just returned home at 1799 Highland Road.

09/26/22 1440 Hours:

Det. Ojeda and I conducted a sworn recorded interview with Sherry Pazzanese (07/29/59) located at 1815 Highland Road in Osprey. Sherry Pazzanese condominium faces west towards Highland Road. The 2nd floor lanai faces south, looking southbound on Highland Road. Sherry stated when she got up this morning, she went to her lanai and heard what sounded like to her was two "cap guns going off". She looked up (southbound on Highland Road) and saw two guys standing in the street. She watched one individual, wearing a baseball cap, stumble and fall on his knee. She then lost sight of him behind a group bush. She stated she later went downstairs and watched as the police took the individual out of the ditch. She stated she never heard any altercation before or after the shots. She stated saw the two guys together, and then right away the one went to his knee.

Sherry stated the person who went to his knee was Steven who lived behind her. She stated she knows of Steven pretty well because she was close to his grandparents, "Aldo and Palma". She stated Friday night (09/23/22) Steven was up all night. She has

complained on him numerous times. She stated Steven lifts weights in the garage and drops the weights on the ground while her whole unit shakes. She stated her dogs "freaks out", thinking it's thunder. Sherry stated she got no sleep last night because of Steven lifting weights and slamming them down. She heard Steven dropping weights in the garage at 12:30 am, 2:00 am, and 5:00 am this morning (09/24/22).

Sherry stated on early Friday evening (09/23/22) she saw Steven out walking. She was standing outside with two other friends. She stated Steven walked right between us and didn't say a word. Steven was wearing a hoodie and earphones.

Sherry stated she witnessed Steven pushing his mother (Paola Colon) around last week when he refused to move his car. She saw Steven push his mother when she took his car keys. Sherry stated that wasn't the first time this had happened. She stated there's always a fight with Steven when his father and mother are at the grandparents' house. She stated the grandfather, Aldo told her several times before that they can't handle him. Steven is left alone at the grandparents' house when they are away for the summer. Sherry stated she has talked with the grandparents about Steven banging weights all night. She stated that the grandmother (Palma) stated "ooh, I'm not going to say anything to him", "I'm afraid he might burn my house down".

Sherry stated prior to the shooting, David Gregory has told her about when Steven spit at his face when he was walking his dog. She stated she didn't witness that but was told to her by David. David told her that he can't do anything about Steven because he had neck problems and that he was an old man. David told her that he couldn't get into a fight with him.

Sherry stated Toby (Tobin Johnston) called her and asked if she heard any of the incident that he had with Steven. She told him she did hear anything. Toby told her Steven called him a name and Toby confronted him. He told her that Steven ran into his house, but he didn't want to approach the front door because he didn't know if Steven had gun. Sherry stated the whole neighborhood is afraid of Steven.

(See CD Audio, Transcription of Sherry Pazzanese interview for details)

09/26/22 1505 Hours:

Det. Ojeda and I made contact with Tobin and Beth Johnston at 1799 Highland Road. We spoke to them regarding both Steven Colon and David Colon. Both Tobin and Beth Johnston provided the same information provided to Det. Rowe on 09/24/22 during the interview.

Tobin stated that Steven's grandfather told him that he believed Steven would burn the house down. Tobin stated about six months ago, the grandfather had a broken arm. He didn't know if Steven was responsible for that injury. Both stated that the neighborhood was being held hostage by Steven.

Both Tobin and Beth reiterated what they stated to Det. Rowe during their initial interview on 09/24/22.

(See Det. Rowe's Investigative Supplemental Report and Transcription for details)

09/26/22 1508 Hours:

SSO Inv. Aide S. Book #2658 sent a preservation letter via email to Ring.com/Ring LLC regarding the Ring doorbell located at 1845 Highland Road which was registered to Kelsie Lloyd from 09/23/22 0000 Hours: EST thru 09/25/22 2359 Hours.

10/04/22 1018 Hours:

Det. Vinopal submitted a subpoena to the Sarasota County School for Steven Colon's school records. The subpoena was sent by Inv. Aide S. Book.

(See School Board Subpoena and Letter dated 10/003/22)

10/04/22 1138 Hours:

SSO Inv. Aide S. Book #2658 sent a subpoena via email to Ring.com/Ring LLC regarding the Ring doorbell located at 1845 Highland Road which was registered to Kelsie Lloyd from 09/23/22 0000 Hours: EST thru 09/25/22 2359 Hours.

10/05/22

Crime Scene Analyst L. Wafer #3126 processed David Gregory's firearm magazine (item #041) for latent prints. The latent print card was submitted (Item# 1.1 "One lift card from "side of magazine") to the Forensic Identification Unit for further processing.

On 10/18/22, the SSO Latent Print Examiner M. Waldon #3050 completed the analysis of the latent print card 1.1. The result of the examination was "No latent prints of value were observed on item 1.1.

(See FIU Report dated 10/18/22 for further details)

10/05/22 1440 Hours:

A subpoena response from Ring.com/Ring LLC to Inv. Aide S. Book reported that Ring was unable to provide the content information requested pursuant to a subpoena. The response required a search warrant to be submitted first.

Ring also reported that Ring only stores videos if the user subscribes to a Ring Protect Plan and Ring's storage generally retains videos for up to 60 days. Ring provided the documented account details of Kelsie Lloyd's account.

(See Ring response/account document and email dated 10/05/22 for details)

The subscriber Kelsie Lloyd reported during a sworn recorded interview on 10/27/22 that she was not a paid subscriber to Ring. Kelsie stated she installed the camera in June of 2022. Kelsie stated her Ring camera at her front door was only 30-day or 90-day trial and the trial had expired. She could only view the camera as a live view.

10/07/22 1555 Hours:

A Notice of the State's Intent to Subpoena Defendant's Medical Records was sent to the parents of Steven Paul Colon;

Father- Steven Colon, [REDACTED] and Mother- Paola Colon – 515 Bayside Way, Nokomis, Florida 34275.

1. Sarasota Memorial Hospital 1700 S. Tamiami Trl, Sarasota, Florida 34239
2. Dr. Richard Schulman, PHD. 630 S. Orange Ave, Sarasota, Florida 34236
3. Dr. Mark Sylvester, MD 8788 State Road 70 E., Suite 101, Bradenton, Florida 34202

(See Notice of the State's Intent to Subpoena Defendant's Medical Records)

10/11/22 0910 Hours:

Det. Ojeda conducted a sworn recorded interview with SCFD Paramedic/Firefighter Tyler Lyke. Lyke stated upon arrival they found a male face up wearing a hoodie. There was one visible entrance wound and no exit. Lyke stated the male was transported to SMH by an ambulance. He stated all protocols were followed.

(See CD Audio, Transcription, and Det. Ojeda's Investigative Supplemental Report for details)

10/11/22 1333 Hours:

I received David Gregory's firearm and ammunition (Items #040 DB .380 firearm s/n ZE9645 with magazine and #041 (3) Sig .380 cartridge rounds from CSA L. Wafer #3126.

I placed the items into the SSO Property Unit for safekeeping.

(See Property Receipt dated 10/11/22)

10/12/22 0854 Hours:

Det. Ojeda conducted a sworn recorded interview with SCFD Paramedic/Firefighter Matthew Russell. Russell stated as they arrived on scene, they could see deputies doing chest compressions on a male on the ground. When the ambulance crew began providing care to the male there was no pulse and no breathing. The male was transported to SMH by ambulance. Russell was the head of the rescue team and oversaw care for the patient. Russell confirmed standard protocols were followed and confirmed the patient was pronounced deceased at the hospital.

(See CD Audio, Transcription, and Det. Ojeda's Investigative Supplemental Report for details)

10/12/22 0917 Hours:

Det. Ojeda conducted a sworn recorded interview with SCFD Paramedic/Firefighter Joaquin Diaz. Diaz stated he was working in the ambulance/rescue crew of the second unit that arrived on scene to assist. He stated the patient was transported to SMH main campus where he was pronounced deceased. Diaz concluded by saying all protocols were followed and he had a limited assist role in the incident.

(See CD Audio, Transcription, and Det. Ojeda's Investigative Supplemental Report for details)

10/14/22 0914 Hours:

Det. Ojeda conducted a sworn recorded interview with SCFD Paramedic/Firefighter Christopher Catarzi. Catarzi was assigned to ambulance/rescue 29 on the day of the incident and responded to Highland Rd Nokomis for a reported gunshot wound. He stated when his rescue vehicle pulled up to the scene, the first rescue crew was already

with the patient taking him out of the ditch area. He stated he assisted with medical treatment in the back of the rescue that transported the patient to SMH main campus. Catarzi stated standard protocols of care were followed while on scene and during transport.

(See CD Audio, Transcription, and Det. Ojeda's Investigative Supplemental Report for details)

10/17/22

Crime Scene Analyst Adrienne Walls #3075 completed a Crime Scene Report documenting her involvement and observations during the investigation to include photographing the body of Steven Colon while at the Sarasota Memorial Hospital, the collecting of evidence (Colon's clothing), and processing of evidentiary items.

(See Crime Scene Report and Transfer Receipt completed by CSA Walls)

10/19/22 1056 Hours:

Inv. Aide T. Gilleo prepared and sent out (3) subpoenas for all records of Steven Paul Colon (12/03/99);
Sarasota Memorial Hospital 1700 S. Tamiami Trl, Sarasota, Florida 34239
Dr. Richard Schulman, PHD. 630 S. Orange Ave, Sarasota, Florida 34236
Dr. Mark Sylvester, MD 8788 State Road 70 E., Suite 101, Bradenton, Florida 34202

10/19/22 1310 Hours:

Det. Ojeda and I conducted a sworn recorded audio interview with David Gregory (11/20/61) at the Sarasota County Sheriff's Office. David stated he didn't know Steven's name but had multiple encounters with him in the past. David said his knowledge of Steven was that he had broken his grandfather's arm and had pushed his grandmother down the stairs. David stated he's never spoke to Steven's grandparents. Neighbors had told him that the grandparents took the blame for it and never said that he did it. David knew that Steven had stabbed the tires of the grandparent's car. He stated he witnessed Steven threaten and berated another neighbor by calling him, "You fucking fat faggot pussy motherfucker".

David stated on the day of the incident (09/24/22) with Steven he felt "just terror", "I'm a grown ass man, 61 years old, and I have never frozen up from anybody in my life. I've never been in a fight, guys". David stated he didn't know what to do. He stood there, scared out of "my fucking mind for me and my wife and those dogs". David stated it is

"the most helpless feeling on our fucking planet", "I'm tired. I'm hurt. To be helpless is terrible". He stated he felt the same feeling with the other past encounters. David stated the last encounter with Steven, he was mean, and angry. Steven kept saying something to him. David stated he just wanted to get his dog. He could see the hate in him (Steven), and his black eyes, and the grunting (sound effect) Steven made. David stated fear had come over him and the feeling of worthlessness. He stated he couldn't do anything about it.

David stated the reason he was unable to do anything about it was that he was "frozen in fear", "I would still be frozen in fear if he had never touched me". David stated the moment Steven laid his hands on him; it scared him to death. He stated "I didn't know what to do. I can't get away". David stated, I don't know what a crazy man is gonna do to me. I can't defend myself. David spoke about the tumor and cyst he has in his jaw and other ailments. He stated if Steven was to hit him, he would be "toast" (dead).

David stated he didn't smell any alcohol or drugs on Steven. David stated but he was told by Tobin (Johnston) that the day Steven's mother came to the house after Steven wouldn't move the car, Steven's mother came out of the house saying, "God damn, there's white powder, spoons, and needles everywhere".

David stated he didn't know if Steven was carrying any knives or guns in his hoodie because he heard about Steven cutting the grandfather's tires with a butcher knife.

On a previous encounter with Steven while he was walking his dog, Steven got into a fighter's stance in front of him and started throwing punches. Steven stated, "You want to do something about it, motherfucker?" David stated he was carrying his firearm at the time of the past encounters with Steven. David stated he now carries a firearm because of Steven and has been carrying one for years. David stated before this, he carried it while walking his dog because of the coyotes.

David spoke about his disabilities with his jaw, neck, back and pain. David stated he needs neck and spinal surgery but doesn't have the money for the operation.

David provided information regarding his doctors and signed a consent for Authorization to Release Patient Information. David provided the doctors who he had visited regarding his physical diagnosis.

Dr. Michael A. King (NeuroSpinal Associates PA),
Dr. Brian Schofield, MD (Schofield, Hand & Bright Orthopaedics, PLLC),
Dr. Scott Middleton, DMD, MD (Middleton Oral Surgery).

(See CD Audio, Transcription, for David Gregory interview and Authorization to Release Patient Information forms)

10/19/22 0900 Hours:

I received a copy of the contamination sheet for the crime scene completed by the Patrol deputies on 09/24/22. The contamination sheet listed all SSO personnel and SCFD/Nokomis Fire personnel who entered the crime scene.

(See Contamination Sheet C#22-80828 for details)

I also received the Law Enforcement Officer's Report to the Medical Examiner C#22-80828 completed by Deputy VanCamp #3239.

The report listed Steven Colon's injury was to his right abdomen resulted from a gunshot wound on 09/24/22. The report indicated Colon was wearing gray shorts, gray sweatshirt with yellow stripes, and black/white slides as footwear.

(See the Law Enforcement Officer's Report to the Medical Examiner C#22-80828 for details)

10/21/22

Inv. Aide T. Gilleo prepared subpoenas for the medical records of David Gregory. Subpoenas were sent to the medical doctors provided by David Gregory on 10/19/22.

Dr. Michael A. King (NeuroSpinal Associates PA),
Dr. Brian Schofield, MD (Schofield, Hand & Bright Orthopaedics, PLLC),
Dr. Scott Middleton, DMD, MD (Middleton Oral Surgery).

10/27/22 1309 Hours:

I conducted a sworn recorded interview with Kelsie Lloyd (11/14/89) at 1845 Highland Road. Kelsie Lloyd had a Ring Doorbell camera near her exterior door, facing Highland Road.

Kelsie stated on 09/24/22 she was not home during the shooting incident. Kelsie stated she received a text message from Dayna Purcell, her neighbor at 1855 Highland Road. Dayna informed her of the incident. Kelsie stated she immediately checked her Ring camera, but found she only had a live view and no recordings due to the fact she was not a paid subscriber.

Kelsie stated Dayna Purcell told her that Dave had killed Steven. Kelsie stated she became concerned because a week earlier when the police were in the neighborhood with Steven, David had made a statement to her concerning Steven. Kelsie stated David stated said to her "that kids got one time with me and I'll put a bullet in him". She stated she called Steven's cousin, Erica Galland (03/19/99), who is a client of hers. She told Erica what David had said about Steven. Kelsie stated it seemed like David was looking for reason and that she had a really bad feeling. She stated she didn't know of any interaction between David and Steven. She stated if David would have mentioned his past encounters with Steven, she would have warned Erica that Steven was messing with the wrong person.

Kelsie stated she was neighbors with David and Amy Gregory for about a year. They've walked her dog for her when she would be gone. They had a "neighborly" relationship. She stated David would get worked up about things in the neighborhood and makes it his business. She stated it seemed like David made it his business to watch "this kid" (Steven). Kelsie stated she does not know of any confrontation that he had with Steven. They had been on walks with David, and he never mentioned the encounters he had with him. David has made it known to her that he carries a weapon and he's ready if anyone tries anything with him. David was very vocal about his politics and gun rights. David was not afraid to tell you he's not afraid to use it.

Kelsie stated she didn't know Steven but knew about him only through Steven's cousin, Erica Galland. She was aware that the police have been called on him and heard about him through conversations with other neighbors. She's had conversation with Sherry (Pazzanese), and Dayna (Purcell) about Steven's mental health issues. Kelsie has learned about Steven's mental health issues through Erica Galland, her client. Erica had told her about the altercations and issues Steven has had with other family members. She stated the family was "not able to control him and him being a little scary to the older family members". She also heard of an incident where Steven had spit on someone in the neighborhood.

Kelsie stated her Ring camera at her front door was only 30-day or 90-day trial and the trial had expired. She is only able to view the camera through a live view. Kelsie stated she looked in her phone and did not have any recordings on it for the day of the shooting. Kelsie had vehicles in her driveway blocking the view of where the altercation occurred between Steven and David.

(See CD Audio, Transcription, for Kelsie Lloyd interview)

10/28/22 1400 Hours:

I conducted a sworn recorded interview with Dayna Purcell (08/24/74) at 1855 Highland Road in Osprey. Dayna Purcell was first 911 caller on 09/24/22 at approximately 0716 Hours.

Dayna stated on Saturday morning (09/24/22) she had got up and was standing at the front door placing a leash on her dog when she heard two gunshots. She immediately looked out the door window and saw Dave and Amy Gregory walking towards Shoreland near the bottom of her driveway. She went outside and Dave told her to call the police as he looked over his shoulder. She stated she didn't see anyone else with them. Dave was carrying his dog in his hand. She came back into the house and called 911. Dayna stated before the gunshots she didn't hear any other arguing or saying anything.

Dayna described David Gregory as being nice. She stated she knew David carried a firearm for protection. She described Amy Gregory as being sweet, nice, and a lovely person. She didn't know of Gregory's to be involved in any altercations or confrontations with anybody in the neighborhood.

Dayna stated she did not know Steven Colon but knew of him through other neighbors. She stated she never seen him until Friday night (09/23/22) while she was out walking her dog. She stated while walking near Shoreland Park it was pitch black at about 8:30 pm. She stated they passed each other on the street. She stated Steven was wearing a gray hoodie. She said "Hi" to him but received no response from him. She stated it "sketched me out". She stated she later realized it was Steven after she seen them pulling him out of the ditch on the day of the shooting. Sherry told her that was Steven in the ditch. Dayna stated she believed he was wearing the same hoodie from the night before when they passed each other on the street.

Dayna stated Sherry Pazzanese told her about the issues she has had with Steven like dropping weights and which scares her dogs. She stated she knew the police had been at Steven's house recently.

Dayna stated after she called 911, she texted her neighbor Kelsie Lloyd at 1845 Highland Road because she knew she had a Ring camera.

(See CD Audio, Transcriptions, for Dayna Purcell's interview)

10/31/22 1353 Hours:

I received a subpoena response from Dr. Michael A. King, MD (NeuroSpinal Associates PA) of David Gregory's medical records.

(See Medical Records for David Gregory's Diagnostic Studies/Assessment/Plan by Dr. Michael A. King, MD on 01/20/15)

11/03/22 1412 Hours:

I provided phone numbers off all parties named in the investigation to the SSO Public Safety Center. I requested a search of the phone numbers called into dispatch.

Out of the (17) numbers provided, (10) of them called into the communication center between September 1st, 2020, through Sept. 24th, 2022. The following number had no results in phone system and/or CAD event history.

- [REDACTED] (David Gregory- Victim)
- (941) 405-2242 (Melania Binder)
- (941) 685-6343 (Robin Henry)
- (941) 685-5743 (Richard Henry)
- (941) 894-8524 (Penelope Nichols)
- (941) 615-7946 (Maida Nichols)
- (585) 355-4159 (Eraldo Sartini/Palma Sartini – Colon's grandparents)

The following were the remaining phone numbers and the results of the phone calls made:

- **(508) 479-3966 (Dayna Purcell)** called (4) times, (2) dispatched screens were created, 01/25/22 Animal Problem for ASO C#22-006913 and 09/24/22 Shooting C#22-080828.
- [REDACTED] **(Amy Sims-Gregory)** called (5) times, (0) screens created.
- **(941) 549-5689 (Gary Osgood)** called (6) times, (2) dispatched screens created- 09/14/22 Civil Disturbance C#22-077939 and 09/16/22 Family Disturbance/Battery Event# C2209161123 cross reference C#22-078546. Both incidents involved Steven Colon.
- **(941) 780-3866 (Sherry Pezzanese)** called (1) time, (0) dispatched screens created.
- **(336) 793-7076 (Keslie Lloyd)** called (6) times, (0) dispatched screens created.
- **(717) 887-5924 (Beth Johnston)** called (4) times, (1) dispatched screen created- 02/02/22 ASO C#22-009400 stray animal.

- **(717) 424-8447 (Tobin Johnston)** called (1) time, (1) dispatched screen created- Front Desk Event# C2205300413 parking ticket.
- **(407) 325-2873 (Colleen Donlevy-Burns)** called (1) time, (0) dispatched screens created.
- **[REDACTED] (Steven Colon- Colon's father)** called (3) times, (0) dispatched screens created.
- **(941) 441-8229 (Paola Colon- Colon's mother)** called (8) times, (2) dispatched screens created -01/02/22 Family Disturbance/Psychological C#22-000433 and 09/16/22 Family Disturbance/Battery C#22-078546. Both incidents involving Steven Colon.

(See Event Chronology for family disturbances on 01/02/22 C#22-000433 and 09/16/22 C#22-078546)

(See Incident Reports for 09/14/22 Civil Disturbance C#22-077939, 09/16/22 Family Disturbance/Battery C#22-078546, 01/02/22 Family Disturbance/Psychological C#22-000433)

Notable calls indicating suspicious activity in the area of Highland Road between over the past two years.

- **Battery C#21-24348 03/23/21 [REDACTED]**
[REDACTED] / M SCREAMING IN BACKGROUND/ VOX/ 21YO
WM BRO HAI LSW DRK GRY TSHIRT SHORTS/ X54 SG0/ UNK SG57 SG02/
X17 COLON, STEVEN/ X4 PHYSICAL/ ** Event Type changed from 22 to 48 at:
03/23/21 17:59:03/ ** >>>> by: COURTNEY STEVENSON on terminal
- **Battery C#21-24348 03/23/21 [REDACTED]**
[REDACTED] / SOMEONE YELLING DOWN A KID/ X4 PHYSICAL/
KICKING AN ELDERLY MALE/ UNK INJ/ C CANNOT SEE ANYONE/ NO
DESCRIPTIONS/ UNK SG0,2,57/ ** >>>> by: PATRYK J. ZIARNICKI on
terminal
- **Suspicious Person C#21-65970 08/06/21 [REDACTED]**
M SUBJ CAME OUT OF UNK EXACT X20 ON HIGHLAND MAKING "BOXING
MOVES" / C WILL DIRECT / X54 SG0 / X54 SG2 SG57 / X17 WM APX 25YOA

601/MED LSW GRY HOODIE/LONG PANTS / S5114 -- 1074 / Writer checked the surrounding area for the Subject with negative results.

(See "Calls Indicating Suspicious Activity in the Area" document for details)
(See "Calls for Service at 1819 Highland Road" document – Steven Colon)
(See "Calls for Service at [REDACTED] document – David Gregory)

11/03/22 1549 Hours:

I received a subpoena response from Alternative Psychiatry (Dr. Mark Sylvester) for the records of Steven Paul Colon.

There were no records found regarding Steven Paul Colon.

(See Alternative Psychiatry response dated 11/03/22)

11/07/22 1400 Hours:

A subpoena was sent to the Sarasota County Fire Department Administration Office via email (degonzalez@scgov.net) to obtain a copy of the SCFD Run Report #F22048789 and Event #C2209240280 for the date of 09/24/22.

11/07/22 1520 Hours:

I received the SCFD Run Report #F22048789 and Event #C2209240280. The SCFD run report documented the medical care and treatment of the patient Steven Colon.

(See SCFD Run Report for further details)

The download of Steven Colon's cellphone was reviewed. The cellphone data revealed several photographs/videos-(Colon's workouts, marijuana- DABS, marijuana paraphernalia, phone calls sent/received (09/02/22-09/23/22), Apple Notes-(Colon's personal notes), Order form for mushrooms spores, handgun safety certificate 6/22/22, Glock handgun screenshot, THC order, and photographs of an unknown white powdery substance in dishes.

Apple Notes:

Apple Notes discovered in Colon's cellphone;

1.) Apple Note:

Created: 5/8/2022 10:35:18 PM(UTC-4)

Title: "Timothy & kim"

Body:

"next door neighbor white nissan, tried to hit me on morning doing uber, pulled up on me on night blasting music, came in my house 2x, deflates tires, pulls up at 11-4am yells "toby" walking her dog from 2-4am.

Metcalfs sons and family

white ford laughing at you.

50 yo cunt w/ black/dark brown hair w dogs warching over disrespecting

Blue ford watching over disrespecting

jeep cunt in back corner put you on the spot 2x disrespecting."

2.) Apple Note:

Created: 2/25/2022 9:38:31 PM(UTC-4)

Title: "Lookouts:"

Body:

"neighbor in the mornings that wakes you up w/ their dog.

Next door neighbor that tried to hit you with their white 4seaters

Star bucks maya pelican plaza

Caroline

Mc d old bitch off clark rd next to hospital

Wendys 41 fat manager bitch

Thai spice

Timothy and kerry sarasota highschoo hospital

Officer mingz

(Restraining order)

Across from well field red Nissan that wakes you up.

Baker harris (find what they buy makem click on it snag his ip) (fake nike tee or clothes) (fake emergency alert) <~ same with cami & everyone else

Bakers parents/ family

Wilkinson & his family

Schroder

IP45YJ - Address (1040 across the wellfeild soccer feilds)

IP45YJ - red infinity (7am Friday)

IP45YJ - 3x while dad was over

IP45YJ (Red Inifinity) - 3pm

I

EYTM55 (White Lincoln)- Broke into my house

white old bitch (put cut lawn cuts on front of your house)"

3.) Apple Note:

Created: 8/18/2020 7:54:38 AM(UTC-4)

Title: *"I don't want you to think I'm bipolar. I just have been crossed on..."*

Body:

"so many levels with just about everyone I trust so it's left me with a little bit of ptsd from those situations.

I don't want you to think I'm bipolar. I just have been crossed on so many levels with just about everyone I trust so it's left me with a little bit of ptsd from those situations.

Whenever I feel like I'm being stolen from, snitched on, trying to stop me, hating on me etc, I have this very defensive survival reaction that brings up these potential past scenarios that I feel like I'm letting happen again because I get too comfortable with people & they use it against me.

I want you to know I truly am sorry for the way I reacted, I just always have this voice in the back of my head that's like. Yea right man, you're just letting these people fuck you over again. And it can be really hard at times."

Multiple other Apple Notes were found related to marijuana usage and family relationship issues.

(See Thumb Drive - download cellphone data files collected as evidence)

11/14/22 1715 Hours:

I received a subpoena response from Dr. Scott Middleton, DMD, MD (Middleton Oral Surgery of David Gregory's medical records and visits.

(See medical records for David Gregory's Diagnostic Studies/Assessment/Plan/X-Ray Images by Dr. Scott Middleton, DMD, MD (Middleton Oral Surgery) on 07/27/21)

11/16/22 1755 Hours:

I received a subpoena response from Dr. Brian Schofield, MD (Schofield, Hand & Bright Orthopedics, PLLC), of David Gregory's medical records and visits.

No records were found for the date range requested (01/01/17 to 10/20/22) on the subpoena dated 10/21/22.

11/21/22 0800 Hours:

I received a subpoena response from the Sarasota Memorial Hospital regarding the all medical records of Steven Paul Colon for the date 09/24/22 -Trauma Report.

(See SMH Trauma Report dated 09/24/22- Steven Paul Colon)

12/01/22 1434 Hours:

I received the District Twelve Medical Examiner's Report prepared by Dr. Suzanne R. Utley, M.D. and M.E. Investigator Mike Rogers. The report concluded that Steven Paul Colon cause of death was perforations of liver, duodenum, and pancreas due to a gunshot wound of the abdomen and the manner of death was homicide (shot by other person with handgun).

Steven Paul Colon's toxicology test concluded a presumptive positive result for Cannabinoids.

(See Medical Examiner Report/Report of Autopsy/Toxicology Testing Results for further details)

12/13/22 1230 Hours:

Inv. Aide T. Gilleo prepared a revised subpoena for the medical records of David Gregory to Dr. Brian Schofield, MD (Schofield, Hand & Bright Orthopedics, PLLC) for the dates between 01/01/12 to 12/12/22.

The subpoena was sent out for the medical records of David Gregory dated 12/13/22.

12/16/22 1600 Hours:

I received a subpoena response from Dr. Brian Schofield, MD (Schofield, Hand & Bright Orthopaedics, PLLC), of David Gregory's medical records and visits.

(See medical records for David Gregory's MRI 10/27/14, Dr. Brian Schofield visits on 10/24/14, 11/10/14, and 11/12/14)

01/06/23

A follow up subpoena request was conducted with Dr. Richard Schulman, PHD, Steven Colon's reported physicians, after receiving no response was received.

Further investigation in Dr. Richard Schulman practice revealed Dr. Richard Schulman was deceased and passed away on 11/04/22. The records for Dr. Schulman were being

held with Dr. Mark Sylvester, MD 8788 State Road 70 E., Suite 101, Bradenton, Florida 34202.

01/10/23

Inv. Aide T. Gilleo prepared and sent out a subpoena for all records of Steven Paul Colon (12/03/99) to Dr. Richard Schulman, PHD 8788 State Road 70 E., Suite 101 in Bradenton (The Office of Dr. Mark Sylvester).

01/23/23 1404 Hours:

I received a subpoena response from the office and records of Dr. Richard Schulman, PHD regarding Steven Colon's medical records on file. The letter response stated there was no record found for Steven Colon.

(See Subpoena Response from Dr. Richard Schulman, PHD)

CONCLUSION

I request this case be closed with the Justifiable Use of Force resulting in the Death of the Offender (Steven Paul Colon).

The investigation revealed through eyewitness testimony and forensic evidence that on the morning of September 24th, 2022, the victim, David Gregory, and his spouse, Amy Sims-Gregory were walking their dog on Highland Road when they saw Steven Paul Colon following after another person walking their dog on Westview Drive. While the victim and his spouse continued their walk back to their residence on Highland Road, Colon approached them and began to pace in front of them in an aggressive manner on the roadway. Colon spit at the victim twice as he continued to get closer to the victim. The victim and his spouse heard Colon yell unintelligible words at them. Colon stepped face to face with the victim as he told Colon to get away. Colon grabbed the victim by his shirt and struck him in the chest with a closed fist. The victim pushed away from Colon and told him to stop. Colon continued to attack the victim, as he attempted to wrap his arm around the victim's neck which was witnessed by Amy Sims-Gregory.

The victim, in fear of great bodily harm from Colon, had pulled his .380 firearm from his waistband and fired one round into Colon's abdomen causing Colon to turn away from the victim. Colon walked away and eventually stumbled into a ditch on the roadway where he died from his injuries.

The victim, who at the time had a reasonable fear of imminent harm to himself and his spouse while walking on a public right of way, used deadly force against Steven Paul Colon who had intentionally struck the victim in the chest. The victim's reasonable fear was based on the following documented factors to include:

- 1.) Prior aggressive and intimidating encounters with Steven Paul Colon while he walked his dogs in the neighborhood over the past year.
- 2.) The victim's documented neck, back, jaw, and nerve disabilities.
- 3.) Statements made by the victim to his spouse, that stated he felt if he was ever struck by Colon in a physical altercation, it would cause him to suffer permanent physical disability or even death.

The victim's reported fear of Steven Paul Colon was also based on Colon's past aggressive behavior towards Colon's own family members and neighbors. The victim reported this fear of Colon is one of the reasons he started carrying a firearm during his walks in the neighborhood as to give him the ability to defend himself in any future attacks.

Based on the investigative findings and the eyewitness testimony it was determined that Steven Paul Colon intentionally struck the victim in the chest with his fist, against the victim's will in violation of F.S.S. 784.1(a)1; Battery.

Under Justifiable Use of Force; Use or threatened use of force in defense of person; F.S.S. 776.012(2) which states "a person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another...A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.