

SARASOTA COUNTY SHERIFF'S OFFICE

(The following may contain unintelligible or misunderstood words due to the recording quality.)

AR: Detective Andrew Rowe#2187 *AR*

CASE #: 22-80828

PN: Penelope Nichols

DATE: 9/24/22

MN: Maida Nichols

TIME: 1014 hours

AR: Today's date is Saturday, September 24th, 2022. Time is 1014 hours. I'm

Detective Rowe, ID 2187. This is in reference to case number 22-80828.

We're presently at 1835 Pineland?

PN: Highland.

AR: Highland.

PN: Road.

AR: Okay. Highland Road. Uh, this -- present with me is Penny?

PN: Penelope.

AR: Penelope. Okay. Do you want to be called Penny or Penelope?

PN: We'll go with Penny.

AR: Okay. Penny, can you raise your right hand for me? Do you --

PN: Yes, sir.

AR: -- swear and affirm the statement you're about to give is the truth to the
best of your knowledge?

PN: Yes, I do.

AR: Okay. Go ahead and put your hand down. So, your legal first name is
Penelope?

PN: Yes.

AR: Just like it's --

PN: P-E-N-E-L-O-P-E.

AR: There's no crazy spelling to it?

PN: No.

AR: Okay. Do you --

PN: It's --

AR: -- have a middle -- do you have a middle name?

PN: I do. Ann, A-N-N.

AR: And your last name?

PN: Nichols, N-I-C-H-O-L-S.

AR: Your birthday, ma'am?

PN: Uh, 8/17/54.

AR: Do you have a contact phone number?

PN: Uh, 941 --

AR: Uh-huh.

PN: -- 894-8524.

AR: 1835 Pineland?

PN: Highland.

AR: I'm gonna screw that up.

PN: It's okay.

AR: Highland.

PN: Take the high road.

AR: Street, drive, road?

PN: Road.

AR: Is this considered Osprey still here?

PN: Yes.

AR: Okay. That's 34229?

PN: Yes.

AR: Okay. Penny, how tall are you?

PN: Five, 2.

AR: About how much do you weigh? I hate to ask. I'm sorry.

PN: One -- 113.

AR: How's 110 sound?

PN: Much better.

AR: Okay. Do you work, ma'am?

PN: No. I'm retired.

AR: Okay. Okay. So, we're here regarding this incident that occurred this morning. Um, so, we were briefly discussing prior to about everything that you may have known, um, about this. So, I'm gonna let you -- the parties involved are a David Gregory and a Steven Colon. Um, David lives at [REDACTED] and Steven lives at 1819. You're familiar with those addresses?

PN: I am.

AR: Okay. So, before we went on the record, you -- you were tellin' me you know some sort of history between David and Steven. So, if you can kinda

go into what you know, what you were told, and what you have seen and heard?

PN: Okay. We're -- we're a small community of dog owners here. So, we're all out walking our dogs. And I was coming home the back way, and Dave was out with his elder dogs, um, sitting in front of his porch. And they were doing some construction next door in the condos where -- I don't even know his name -- Colon --

AR: Steven.

PN: -- Steven lives. I've -- I've never met him. I don't even know what he looks like. Um, and he was causing problems with the construction workers. Dave was relating the story about how he wouldn't even move his car for the heavy machinery to --

AR: Do you remember when this conversation took place?

PN: Maybe five days -- five? It was last week?

MN: About a week ago.

PN: About a week ago.

MN: And, uh --

AR: Okay. All right. So, you're talkin' to Dave about a week ago about --

PN: Yep.

AR: -- Steven.

PN: About Steven causing problems over there. And then he related to me that he had an altercation at 2 a.m. where, um, he -- where Steven charged him while he was walking his elder dog.

AR: Do you know where that may have taken place at? Did he tell you that?

PN: No. He didn't tell me exactly, but it's somewhere probably in this vicinity.

AR: Does David walk far, uh, from his residence or does he kinda just --

PN: He usually goes to the corner there. Sometimes they -- they go, um, up by Park -- Park Drive, is it, the next street up.

AR: Okay.

PN: They'll walk, uh, on this main Highland Road. They have elder dogs, so they don't go very far.

MN: And they're little.

PN: Yeah.

MN: They're just little dogs.

PN: A chihuahua and a (Unintelligible).

AR: And since you're interjecting, your name? Maida?

MN: Maida, M-A-I-D-A.

AR: Your middle initial?

MN: J.

AR: Last name?

MN: Nichols.

AR: Your birthday?

MN: 9/12/1952.

AR: A good phone number for you?

MN: 941 --

AR: Uh-huh.

MN: -- 615-7946.

AR: And you live here at 1835 Highland as well?

MN: Yes, I do.

AR: Okay. And how tall are you?

MN: I'm 5, 8.

AR: About how much do you weigh?

MN: Uh, let's see. Uh --

AR: I say --

PN: You --

AR: -- 128.

PN: Oh -- she wishes.

MN: No.

PN: She probably weighs --

MN: I weigh --

PN: -- less than I do.

MN: -- 120.

AR: Hundred and 20?

MN: Yeah.

AR: All right.

MN: I -- but actually, it's 115, but I say 120.

PN: That makes --

AR: I'll do --

PN: -- you look --

AR: -- 115.

PN: -- better. Yeah.

AR: Uh, hair color, eye color, ma'am?

MN: Brown and brown.

AR: Do you work?

MN: Retired.

PN: See? You had to open your mouth. Do you need a tissue, Andrew? I can --

AR: No, ma'am. Thank you.

PN: Okay.

AR: Okay. So, David has older dogs, smaller dogs.

PN: Yes. Older, smaller dogs. Yes.

AR: He normally walks around the neighborhood.

PN: One dog has diabetes. It has to go out quite frequently. So --

AR: Okay.

PN: -- he and his wife usually go out many times during the day, and sometimes
he goes out late at night with -- with the elder dog.

AR: Not uncommon --

PN: Not --

AR: -- for them to --

PN: -- uncommon at all.

AR: The -- do they ever normally walk together?

PN: Sometimes they walk together. Sometimes --

AR: Okay.

PN: -- uh, he walks alone, the dogs.

MN: Uh-huh.

PN: Sometime -- yeah.

AR: Okay. And his -- he lives, basically, behind you.

PN: Exactly behind me.

AR: Uh, if we're -- if we're talkin' -- because they're not gonna be able to see
what we're talking about --

PN: Right.

AR: -- in this residence, if you go directly to the east and a little bit to the south
is where David's residence is.

PN: Yeah. Yes.

MN: He walks --

PN: His unit --

MN: -- straight through here.

PN: Yeah.

AR: He normally --

PN: They always walk through.

AR: He walks through your yard --

PN: Yes.

AR: -- on a normal occasion?

PN: Uh, everybody does. Yeah.

AR: Okay. Uh, just to get back there?

PN: Just to but get back there, come to get their mail, or to walk their dogs.

Next to Dave is a lady, Linda, who has, um, a medium size dog, so they're --
they go cut through.

AR: Okay. So --

PN: Uh --

AR: -- they don't normally just go out that little back street there?

PN: Sometimes they might.

AR: Okay. It's -- just --

PN: Just -- but just often we see them going back and --

AR: Okay.

PN: -- forth.

MN: Uh-huh.

PN: That's --

AR: Okay.

MN: Uh-huh.

PN: If that's --

AR: So, David told you that the kid or gentleman at 1819 was causing issues
with -- a --

PN: He didn't give me an address, no. But he spoke of the -- how many times
the sheriffs have been here for -- because he's disturbing the peace. Late at
night, he works out. Dave was telling me he's throwin' his weights around,
um, he's very uncooperative. And he said, you know, he goes -- when he
goes off his meds, he's a nut case.

AR: Okay. Um, so, you said Steven confronted him, David, one night about --

PN: He said he charged him. But he --

AR: Charged him.

PN: Charged him. And he said --

AR: And that was about 2 in the morning, you said?

PN: Yes. That's what he told me.

AR: And what was his statement about that incident?

PN: He said, um -- I'm trying to recall exactly what he said, which my recall isn't that great, but generally, he said, "If I had had my gun on me, I would have shot him."

AR: Okay.

PN: And he may have filed a -- a complaint because, you know, I think he mentioned something that the -- the cops had come there, uh, the sheriff's department had come there --

MN: I thought --

PN: -- often.

MN: I thought you mentioned that, um, that he said something of that nature and that also the cops, when they were called again, had said that they've been there a number of times.

PN: And there's nothing they could do to --

MN: We've watched them --

PN: Yeah.

MN: -- a number of times show up over here. And yeah. It's been a number of times. So, they have to have a record of showing up at that --

AR: We do have a --

MN: -- address.

AR: -- record of going to the address.

PN: Uh-huh.

AR: Uh --

MN: Uh-huh.

AR: -- like I told you earlier, most of it is, uh, family fights and welfare checks --

PN: Uh-huh.

MN: Yeah.

AR: -- uh, for his mother, from Steven's mother and father.

MN: Yeah.

AR: Um, but --

PN: They live in Sarasota. This is the grandparents.

AR: Yes. Yes.

PN: Yeah.

MN: Yeah.

AR: Um --

MN: So --

AR: So, we are going to research that when I get back to the --

PN: Yeah.

AR: -- office, um, through everything with that. So, let's go on to David a little bit.

PN: Okay.

AR: Uh --

PN: Very nice guy, well, very -- very cordial. He loves all the dogs in the neighborhood. Everybody knows him. He's a great --

MN: Yeah.

PN: -- guy. He's a very nice guy.

MN: Is David part of the HOA?

PN: I -- you mean, part of the --

MN: Like a board member or anything like that?

PN: We don't --

MN: No. We --

PN: -- have a board.

MN: -- don't --

AR: No board?

PN: No.

AR: Okay.

MN: No.

PN: No. We're just rentals and, um --

MN: Yeah.

PN: We're all rentals here.

AR: Okay. Everybody rents?

PN: Everybody rents.

MN: Uh-huh.

AR: Okay. Is it -- what's the HOA --

PN: It's the --

AR: -- name?

PN: Uh, here is the Villas of Osprey.

AR: Okay.

PN: And the owner is Michael Giotto. He lives in, um, is it Virginia?

MN: I was gonna say -- yeah.

PN: He lives in Virginia. I can --

MN: Yeah. It was --

PN: -- give you his name and number.

MN: -- North Carolina or Virginia.

PN: No. It's --

MN: Yeah.

PN: -- Virginia.

MN: Yeah.

AR: Have you ever seen David carry a gun before?

PN: Never.

AR: Okay. Um, does David have any issues with his wife?

PN: No. They're the sweetest couple. They're very sweet.

AR: Okay. Um, so, David -- everybody kinda knows David in the --

PN: Everybody.

AR: -- neighborhood?

PN: Yeah.

AR: He's --

MN: Everybody.

PN: He's, like, the ambassador. We don't have a lot of men in this --

AR: Okay.

PN: -- in this --

MN: Yeah.

PN: So -- so, he's -- he's one of the men that we have in here.

AR: Okay.

MN: He's -- yeah. I mean --

PN: I think there's three men in -- four men in these --

MN: Yeah.

PN: -- uh, eight units.

MN: It's about -- yeah. He's very, uh, like --

PN: He's very pleasant.

MN: -- gentle with all the dogs.

PN: Yeah.

MN: Like --

PN: Yeah, he's --

MN: -- he's very friendly to everybody else's dogs.

PN: Uh-huh.

MN: Uh --

AR: Do you --

MN: -- very friendly --

PN: He's taken --

MN: -- to other people.

PN: -- care of other people's dogs --

AR: Do you --

PN: -- that are here.

AR: -- see him as a confrontational person?

PN: No. Not at all.

AR: He's never been -- confrontational with anybody?

PN: Never.

AR: Okay.

PN: But if he's -- when he told me that story and he was threatened by this kid,
uh, I saw him fur up a bit.

AR: Okay.

PN: You know, I mean, I saw him get really kinda, uh, you know, really -- he
said, "If he comes near me again --."

MN: Yeah.

AR: Okay.

PN: That was the only --

MN: Just --

PN: -- time I ever saw him --

MN: Yeah.

PN: -- be --

MN: 'Cause when --

PN: -- like --

MN: -- Penny told me, I said, "Wow." I said, uh, "It -- he must've really felt
intimidated."

PN: Or -- or threatened.

MN: Yes.

PN: Threatened --

MN: Threatened.

PN: -- by this -- by --

MN: You know, because --

PN: 'Cause he's a big kid, and he's -- I guess, he --

MN: I said --

PN: -- works out. I don't know.

MN: -- "This -- this guy must be a big guy because --."

AR: Is --

MN: You know?

AR: -- David a big guy?

PN: He's good sized. I think he's --

MN: Dave?

PN: -- 6 feet, medium build.

MN: Yeah.

AR: Okay.

PN: Everybody's taller than me, Andrew.

MN: Well --

AR: I -- I understand.

MN: But for me, I mean, he's, uh -- he's -- I think he's 6 feet.

PN: Maybe. Yeah.

AR: Okay.

MN: And -- and, you know, he's a --

PN: We don't know exactly.

MN: -- good sized guy.

AR: Yep. And what about Steven down the street? Have you had any
interactions with Steven?

PN: I -- no. I've never, ever --

MN: I don't know --

PN: I don't even --

MN: -- who he is.

PN: -- know who he is.

AR: Okay. Uh, have you personally witnessed him be, uh, an issue in the
neighborhood --

PN: I've heard --

AR: -- before?

PN: -- stories about --

AR: But you have never witnessed --

PN: No, I have --

AR: -- anything?

PN: -- not. Just --

AR: Okay.

PN: -- when the sheriffs come, but we never knew what it was about.

MN: Uh-huh.

AR: Okay. Um, I think that's about all I needed from you.

PN: Okay.

AR: Is -- is there anything that we haven't discussed that you think is pertinent to this investigation?

MN: Is Dave okay?

AR: Dave is fine.

PN: Okay.

MN: Yeah.

AR: Yep.

PN: That's what we were worried about 'cause he is --

MN: Yeah. And they -- I mean --

PN: -- part of our little community.

MN: I mean, they -- they're really close. I mean, they're a nice couple, super nice couple.

PN: Uh-huh.

MN: And we were worried about their dogs.

AR: Yeah. They'll be fine.

PN: Okay.

MN: Okay.

AR: All right. The time is 1025. That'll conclude this interview.

(Conclusion of Interview)

Transcribed by: skb/skb/ss