

SARASOTA COUNTY SHERIFF'S OFFICE
INVESTIGATIVE SUPPLEMENT

VICTIM(S):	David Ross Gregory W/M [REDACTED] 6'0" 165 lbs., Gry/Blue [REDACTED]	CASE #:	22-80828
OFFENSE:	Battery	DATE TYPED:	10/06/2022
STATUS:	Supplement		

PERIOD COVERED UNDER INVESTIGATION: 009/24/22 – 10/06/2022

Det:	Andrew Rowe #2187	Supv:	Sgt. J. Friday #2488 
Kj #2725			

Copy to: State Attorney's Office

Witness: Melania Binder
H/F 5/4/1968
5'6" 145 lbs., Brown/Brown
1823 Highland Road
Osprey, FL 34229
(941) 405-2242

Robin S. Henry
W/F 8/10/1958
5'5" 105 lbs., Brown/Brown
1827 Highland Road
Osprey, FL 34229
(941) 685-6343

Richard A. Henry
W/M 09/22/1959
5'8" 150 lbs., Brown/Hazel
1827 Highland Road
Osprey, FL 34229
(941) 685-5743

Case #: 22-80828

Other: Penelope A. Nichols
W/F 8/17/1954
5'2" 110 lbs., Salt and Pepper/Brown
1835 Highland Road
Osprey, FL 34229
(941)894-8524

Maida J. Nichols
W/F 09/12/1952
5'8" 115 lbs., Brown/Brown
1835 Highland Road
Osprey, FL 34229
(941)615-7946

Beth S. Johnston
W/F 1/28/1975
5'7" 135 lbs., Black/Hazel
1799 Highland Road
Osprey, FL 34229
(717)887-5924

Tobin M. Johnston
W/M 5/31/1967
6'2" 245 lbs., Bald/Hazel
1799 Highland Road
Osprey, FL 34229
(717)424-8447

Colleen T. Donlevy-Burns
W/F 4/209/1954
5'2" 110 lbs., Brown/Brown
1825 Highland Road
Osprey, FL 34229
(407)325-2873

INVESTIGATION**09/24/2022 0815 Hours:**

Sgt. Friday reached me via text message and asked if I could respond to assist with this investigation.

09/24/2022 0905 Hours:

I arrived at the incident location and was briefed by Dep. Patella and Sgt. Friday. Upon the completion of the briefing, Sgt. Friday directed me to ascertain case numbers on file pertaining to Colon.

09/24/2022 1000 Hours:

I had completed my inquiry into Colon and provided the information to Sgt. Friday. I then began the task of canvassing the neighborhood. I started at 1835 Highland Road and spoke with Penelope and Maida Nichols. The following is a summary of the recorded interview.

I swore in Penelope and Maida and then asked them about the involved parties regarding this case. Penelope told me she had recently had a conversation with David about an altercation he had with Steven. David told her Steven confronted him late one night while he was walking his dogs. David told her Steven "charged" at him and he was in fear of what he might do.

David further stated to Penelope that he has a concealed carry permit but wasn't carrying a firearm that night. David said if Steven came at him again like that, he would have his firearm on his person and defend himself.

Penelope and Maida said they had little knowledge of Steven, only that they know 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.

09/24/2022 1050 Hours:

I made contact with the resident at 1823 Highland Road, Melania Binder. Binder told me she "witnessed" some of the altercation and agreed to speak with me.

I swore in Binder and asked what she observed. Binder said she awoke at about 0700 hours. She was walking towards her living room when she heard what she described as a "firework sound". Binder said she looked from her front door and observed a younger male running from the area and an older male yelling very loudly and angrily.

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

Binder said she knew David because he was always walking his dogs in the neighborhood. Binder didn't know too much about Steven.

09/24/2022 1108 Hours:

I made contact with Richard and Robin Henry at 1827 Highland Road. Both parties agreed to speak to me in a recorded interview.

I swore both parties in and then asked them about today's incident. Robin stated she heard what she thought was a gunshot sometime around 0715 hours that morning. She was unsure if it was a gunshot because her residence butts up to US 41.

Robin and Richard both said Steven has been causing concern in the neighborhood with his actions and they had heard through the community that Steven may have spit on David sometime in the past. This was just unconfirmed rumor, and they had no evidence to back this up.

Robin and Richard said they are aware of David as he normally walks his dogs all the time and they have never had an unpleasant encounter with him.

09/24/2022 1125 Hours:

I went to 1825 Highland Road and no contact was made with the resident there. I left my business card in the door.

09/24/2022 1128 Hours:

I made contact with Tobin Johnston at 1799 Highland Road. Tobin agreed to speak to me inside his residence with his wife, Beth Johnston.

I swore both parties in and did a recorded interview. Tobin stated he was friends with Steven's grandfather 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 were 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. Tobin turned around to confront Steven about what he had 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.

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

09/24/2022 1205 Hours:

I made contact with the resident at 1825 Highland Road, Colleen Donlevy-Burns. Donlevy-Burns agreed to speak to me at her residence.

I swore Donlevy-Burns in and performed a recorded interview. Donlevy-Burns stated she knew of both parties and was neighbors with Steven. Donlevy-Burns stated David was always walking his dogs in the neighborhood and never had a bad encounter with him.

Donlevy-Burns 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 he "spit" in her direction on the ground then went back into his residence.

Case #: 22-80828

Donlevy-Burns 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.

09/24/2022 1230 Hours:

I concluded my canvass of the neighborhood and returned to HQ to see if I could help with any other part of the investigation.

I was tasked with compiling any suspicious persons or incidents calls from that grid for the past 12 months. I called the communications supervisor and relayed the request but was told it would take some time to compile that information.

09/26/2022 1030 Hours:

I attended the autopsy of Steven Colon. Dr. Atley was the Medical Examiner who performed the autopsy.

I 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 told me the projectile had punctured the liver and pancreas of Colon and caused major internal bleeding.

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

10/05/2022 1135 Hours:

Communications provided me a list of the suspicious persons and incidents calls for Grid 315 from September of 2021 until September 24th of 2022. I forwarded the list to Det. King for his review.

This concludes my involvement in this case at this time.