

Affidavit

STATE OF FLORIDA

COUNTY OF Pinellas

BEFORE ME, the undersigned authority personally appeared William Tidwell, who, upon being sworn, deposes and says that:

- 1.) Affiant has personal knowledge of the facts herein.
- 2.) Affiant was retained by Mr. Esdale to examine and retrieve the 911 call made on 1/13/03 from the Freedom Dictaphone hard drive, which was in use on 1/13/03.
- 3.) Affiant was the certified Dictaphone computer expert who maintained the system in question for the Sarasota Emergency Call Center during this time period of 1/13/03.
- 4.) Affiant reviewed the hard drive on two separate occasions. The first time was for sixteen (16) hours, the second time eight (8) hours.
- 5.) Affiant has examined the Dictaphone Freedom hard drives (5), which were in operation on 1/13/03, and discovered that the 911 calls from the main recorder have been deleted, and the auxiliary back up recorder was not recorded or backed up onto the server.
- 6.) Affiant has discovered that 911 calls are intact for part of 2002 and 2003.
- 7.) Affiant discovered 911 calls made on 1/12/03 are intact, and calls made on 1/14/03 are intact.
- 8.) Every day in January 2003 is intact, except for 1/13/03.
- 9.) The calls deleted on 1/13/03 are not due to overwriting. Affiant believes the only reasonable conclusion is that they were purposely deleted.

AND FURTHER AFFIANT SAYETH NAUGHT.



Affiant