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2 STATE ATTORNEY'S INVESTIGATION
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8 SWORN
9 STATEMENT OF: RITA DOROTTYA NORDMARK.

10 TAKEN BY: State.

11 BEFORE: Robin S. McCormick, RPR,
12 Deputy Official Court Reporter,
13 Notary Public,
14 State of Florida at large.

15 DATE: February 8, 2002.

16 PLACE: State Attorney's Office,
17 Criminal Justice Center,
18 Room 1100,
19 14250 49th Street North,
20 Clearwater, Florida 34620.

21 APPEARANCE: Mr. Bruce Bartlett,
22 Assistant State Attorney,
23 Attorney for State of Florida.

24 ALSO PRESENT: Mr. Steve Porter,
25 State Attorney Investigator.

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1 got in the car. I pulled up to the parking lot, and he
2 got in the front seat, and then Shawn got in the back
3 seat, and that is when Danny said, you know, "I just
4 wanted you to know I have my gun on me," and he had it
5 in his pocket.

6
7 "There were some people that were following
8 us outside into the parking lot, and I just wanted to
9 make sure everything was fine, and when I got my gun
10 out of the car, that is when I locked my keys in
11 there."

12 Q. So Dan then had the gun tucked in his
13 waistband?

14 A. He had in his pocket.

15 Q. In his back pocket?

16 A. His left pocket, yeah.

17 Q. Could you actually see the gun?

18 A. Huh-uh.

19 Q. Or just kind of pointed to where it was?

20 A. He just kind of showed it to me.

21 Q. Right.

22 A. Like you could tell it was in his pocket.

23 Q. Okay. What is Shawn saying about that,
24 anything?

25 A. Nothing, really.

Q. Everybody getting along okay?

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1 A. Everything was fine.

2 Q. Okay.

3 A. They had a great time at the Palms. They
4 were singing karaoke. They were up there, Shawn and
5 Danny together, and they were -- they had a good time.

6 Q. Okay. And then you leave and you go back to
7 the pub?

8 A. And then we went back to the pub, and I
9 pulled into the parking lot, and Jennifer was already
10 there with Bernie, and then I went inside. I went
11 inside the pub. It was about two o'clock at that time.
12 We were closing, and we were all out of there. So I
13 just wanted to go inside and check and make sure
14 everything was done.

15 Q. Okay.

16 A. Liz, she was closing that evening, and make
17 sure everything was fine with her.

18 Q. Okay. And do you know what is going on
19 outside?

20 A. No.

21 Q. Did --

22 A. Go ahead.

23 Q. Did you see Dan give Shawn the gun?

24 A. No, huh-huh. I didn't even -- we just --
25 when we pulled up into the parking lot, Jennifer was

1 already there, and then we all got out of the car, and
2 I remember Shawn gave Jennifer a big hug, and he kind
3 of like picked her up. They were just greeting each
4 other, and Jennifer was just saying, you know, "What
5 are you doing here? You know, what are you doing
6 hanging out with -- you know, with these people?"

7 Q. Okay.

8 A. It was just -- I'm just like I'm just going
9 inside and checking to make sure everything is done for
10 the evening.

11 Q. Okay.

12 A. So I left them in the parking lot.

13 Q. Okay. Anybody having any problem with
14 anybody at all?

15 A. No.

16 Q. Okay. What happens next that draws your
17 attention to anything that is going on outside?

18 A. I heard a loud noise coming from outside. It
19 was a loud noise, which was the gun was fired.

20 Q. Okay.

21 A. Which I didn't know what happened until --
22 Jennifer was kind of like in the bathroom, and she's
23 walking outside, and I said, you know, "There was just
24 a loud noise."

25 So she goes outside, and then I followed her

1 out there. And just like, you know, "What happened?"

2 And she told me that Bernie fired the gun,
3 that he has never fired a gun before, and he just
4 wanted to see how it felt like. And I thought that was
5 very stupid.

6 Q. Uh-huh.

7 A. So I told -- and then when I went outside,
8 Danny had the gun in his hand, and he was -- he was
9 showing me that the safety was on it. And I said, you
10 know, "That was really stupid of you guys to fire the
11 gun in the parking lot." And he was just -- he was
12 pointing it at the ground with the laser. He said,
13 "Don't worry. The safety is on it and everything is
14 cool."

15 So I went back inside. I went back into the
16 pub.

17 Q. And who had the gun then?

18 A. When I left, Danny had the gun in his hand,
19 because he was pointing at it. But the guys that were
20 there -- they were just fascinated by it, the three
21 guys. I mean, they were just -- it's a gun -- I mean,
22 not the three, not -- not Danny, but Shawn and Bernie.

23 Q. And how did Shawn get the gun back, do you
24 know?

25 A. I don't know. I don't know how that

1 happened.

2 Q. Okay.

3 A. I don't remember -- really, what I remember
4 specifically, seeing it in Danny's hand, and he knew I
5 was upset about them firing a gun. And he was just
6 saying, you know,

7
8 Q. Okay. You go back inside?

9 A. Uh-huh.

10 Q. And at some point in time you see them again
11 outside?

12 A. And a few minutes later, it was time to
13 leave.

14 Q. What time are we talking about now?

15 A. This is now close to about two o'clock. It
16 was probably after two. It was about two o'clock.
17 Probably maybe a little bit after two.

18 Q. Okay.

19 A. And it was time to leave. So I came back
20 outside, and when I came back out, I saw Shawn by the
21 car, and he had the gun in his pocket, in his right
22 pocket, and he was just -- he wanted to hold on to it.
23 It was kind of just -- kind of fascinated by it. You
24 know, "Let me hold on to it. Let me hold on to it, you
25 know."

1 And then I just asked Shawn, I said, "You have
2 just got to tell me where -- where are we going, you
3 know, where do you live, to give me directions?"

4 Q. Uh-huh.

5 A. And then I just put the music on. We had the
6 music going, you know.

7 Q. Then what happens?

8 A. I took off, and I was driving down on
9 Klosterman to Alternate 19, and Danny and I -- I don't
10 know. We said something about the music. We talked a
11 little bit about the music that was on. I mean,
12 nothing -- nothing -- no serious conversation that was
13 going on.

14 Q. Okay.

15 A. And then I took a right on to -- on to
16 Alternate 19. As we were going down, we were getting
17 close to the hospital, Helen Ellis Hospital, and then
18 Danny kind of like turned his back and turned his head
19 and said, you know, "Let me have my gun back," because
20 we were getting close to his -- not his house, but
21 where I needed to turn.

22 Q. Right.

23 A. So he just turned and said, you know, "Let me
24 have my gun back," and then the next thing you know, a
25 few seconds later, the gun went off.

1 Q. Did he ever reach back, like that?

2 A. No.

3 Q. Did you ever tell anybody that he reached
4 back for the gun or anything like that?

5 A. No. Well, he kind of -- I mean, he didn't --
6 he didn't reach back. It was just like of like, you
7 know, and then he just
8 turned back around.

9 Q. Is there any conversation between Shawn and
10 Dan --

11 A. No.

12 Q. -- or you and Shawn --

13 A. No.

14 Q. -- and Dan --

15 A. No.

16 Q. -- prior to the shot being fired?

17 A. No.

18 Q. So then he says,
19 and then the next thing is --

20 A. The next thing I know, a few seconds later,
21 the gun goes off --

22 Q. Then what happens?

23 A. -- inside the car.

24 Q. Then what happens?

25 A. Just the thing -- you know, you hear the gun

1 go off, and the first thing that goes through my head
2 is, Am I dead? Where is the gun? Is it going to go
3 off again?

4 And as I look over to Danny, he already
5 looked back, and he's like, "The dude just shot
6 himself. Turn around. Turn around. Go to the
7 emergency room."

8 And we were right in front of the hospital.
9 So I just -- I looked back and I saw Shawn. I mean, it
10 was like a light switch. He didn't make any noise. I
11 did not hear anything. The only thing I heard was the
12 gun going off. And when I turned back around, just to
13 look and see what was going on back there, he was -- I
14 could just see his mid section. His head was behind my
15 -- my seat, and I saw his mid section, and he had, you
16 know, just bloody spots all over his pants, his jeans.
17 And at that time what I'm thinking is the gun went off
18 in his pocket.

19 So I went up -- I pulled up to the hospital
20 emergency room. And when I got out, that is when I
21 looked back to see where he was or how he looked like,
22 and he had -- I mean, he just had blood all over his
23 face.

24 So I ran into -- I ran into the emergency
25 room, and I told them that, you know, that we need

1 looked back and I saw bloody spots on his pants.

2 Q. How did you know it was in his pocket?

3 A. Because I saw that when I walked out of
4 the -- when I walked out of the pub, when we were ready
5 to leave, he had it in his pocket. He wanted to hold
6 on it. He was kind of like, "Let me have it. Let me
7 keep it. Let me hold it in my pocket."

8 Q. Who is he saying that to?

9 A. Just saying it to -- I guess Danny was asking
10 as he's walking to go in the
11 bushes to go pee.

12 Q. Uh-huh.

13 A. He was like, "Let me hold on to it. Let me
14 hold on to it."

15 Q. Okay.

16 A. So that is what I thought, and that was my
17 first thought, that it went off in his pocket, that he
18 was trying to reach for it, and it went off in his
19 pocket.

20 Q. There has been some information about some
21 blood appearing on your driveway, underneath your car
22 or something.

23 A. Uh-huh.

24 Q. Do you know how that happened?

25 A. There was so much blood in my car. First of

1 all, they gave me my car back that morning, Sunday
2 morning, and I'm like, "Who is supposed to clean this
3 up?"

4 And he said, "Well, it's you. You have to
5 clean it. It's your responsibility."

6 So the police gives me my car back, and there
7 is a tremendous amount of blood in the back seat. So
8 the nurse helped me that evening to clean up most of
9 it, so it wouldn't stain the back seat of the car, and
10 then my father-in-law drove the car home. I couldn't
11 get back into it.

12 And the next morning -- the next day my
13 mother-in-law came over with some Oxi-Clean, and we
14 basically -- we took the hose and just put the hose --
15 like you know how the back seat is -- you know,
16 underneath the back and the seat?

17 Q. Uh-huh.

18 A. We put the hose down there, and then we were
19 just flushing it through. There was blood coming out
20 from underneath the car.

21 Q. How is it draining out of the car?

22 A. Through the bottom. It was just draining
23 through the bottom, and there was just -- I mean, as it
24 was flushing it through, because we were just spraying
25 Oxi-Clean on there. We put it in a bottle and we put

1 Oxi-Clean on there, and then we had the hose. We were,
2 you know, hosing it down and scrubbing it, and as the
3 water was going down the driveway -- I mean, it was --
4 it was disgusting. It was absolutely disgusting, you
5 know.

6 Q. I mean, you have those -- the floorboard has
7 dips in there. How did you get the water out of there?

8 A. I don't know. I just wanted the spots out.
9 I mean, I just wanted it out of my car. I said -- you
10 know, we put the hose down, and it was coming through.
11 Water was coming through. I don't know how it was. It
12 was coming through the car. It was flushing it through
13 somewhere.

14 Q. Did you guys ever go to the Shades Bar that
15 night?

16 A. No.

17 Q. Where is the Shades Bar?

18 A. Shades is on Alternate 19 and Alderman. The
19 Palms is at 19 and Alderman. So I don't know why
20 Tarpon Springs Police wrote down Shades.

21 Q. Have you heard that, that there was an issue
22 about Shades?

23 A. No. I saw it in the paper. When -- the
24 first time they ran a story in the paper, it said,
25 Shades.

1 coke.

2 Q. Anything harder than that, any LSD, acid, any
3 of that kind of stuff?

4 A. You would have to ask him. I don't -- I have
5 not -- the only thing I have seen him is I have seen
6 him smoke pot.

7 Q. Anything that night to suggest that he was
8 doing acid? Did he make a statement at the Palms
9 saying that he was on acid or anything like that?

10 A. Huh-uh, no.

11 Q. Any suggestion or indication that either Dan,
12 Bernie or Shawn were doing anything else besides
13 drinking, any other kind of narcotics or drugs?

14 A. I did not see them smoke pot that evening. I
15 didn't see any.

16 Q. And understand, I'm not here to try to make a
17 charge on them.

18 A. I know.

19 Q. I just want to know what happened.

20 A. I know that Bernie had -- Bernie had some
21 Xanax in his car. Now, if they had taken that or what
22 happened, I don't know. I did not see any of them take
23 any -- I didn't see Danny or Shawn take any of those
24 pills. So I don't know.

25 Q. Okay.

1 A. But I know that Bernie had it in his car
2 because I was driving his car and he had it in there,
3 but if they had taken it, I don't know. I didn't see
4 them.

5 MR. PORTER: Did you ever see Shawn
6 shining the laser light around out in the parking lot
7 prior to leaving?

8 THE WITNESS: Not Shawn, huh-uh, no.

9 MR. PORTER: You are certain of that?

10 THE WITNESS: Shawn -- you mean, asking
11 me if Shawn -- if Shawn was pointing or playing with
12 the laser?

13 MR. PORTER: Yes, the little red laser
14 light on the gun in the parking lot at the pub before
15 you left?

16 THE WITNESS: I don't remember. I
17 don't remember seeing him playing with the laser. The
18 only -- really what I remember very specifically seeing
19 Danny with -- showing me that the gun had the laser on
20 it, that the safety was on it.

21 BY MR. BARTLETT:

22 Q. And we are not trying to trick you.

23 A. Okay.

24 Q. Let me just show you something. This is a
25 piece of the police report from your interview. And --

1 A. And it's so hard to remember that.

2 Q. Right there is what you said, starting where
3 my finger is. Do you see it?

4 A. Yes.

5 Q. Do you see it where it makes reference to you
6 saying he was shining the laser light around the
7 parking lot?

8 A. No, I know I did not see that gun before,
9 huh-uh. I have seen guns before, but not -- it says,
10 "Rita has seen the gun and is familiar with it from the
11 past."

12 I have seen guns before and I'm familiar with
13 them, but not that particular one. That is not
14 correct.

15 Q. Okay. So coming back here, it says here,
16 "She noted the weapon, mostly because Shawn was playing
17 with the laser light, pointing the weapon in different
18 locations, in her opinion, rather recklessly displaying
19 the weapon."

20 A. No. That was -- that was Danny that was
21 pointing the gun. That wasn't --

22 Q. It wasn't Shawn?

23 A. That wasn't Shawn. That was Danny that was
24 pointing the gun, showing me -- kind of like pointing
25 at it, you know, showing me that it was --

1 are not paying attention to so many specifics of
2 what -- who said what, what was mentioned, because
3 there were so many things that were said that night by
4 so many other -- so many different people.

5 I mean, I still remember very specific bits
6 and pieces of that night, but I don't remember
7 everything that everybody said, I just don't. I mean,
8 it's something that I have been trying to forget, and
9 what was said in the car when that whole thing
10 happened, specifically, I remember that, and I will
11 never forget. But the previous hours of what led up to
12 that, I know where we were and who was there and most
13 of the things, but it's so hard to remember everything
14 that was said, everything so specifically.

15 Q. Shawn was in the right rear passenger side of
16 the car, right?

17 A. When we were --

18 Q. Before he shot himself?

19 A. No, no, no. He was in the back seat.

20 Q. That is what I'm saying, right rear?

21 A. Yeah.

22 Q. Back seat passenger side?

23 A. Uh-huh, kind of like in the --

24 Q. Behind Dan?

25 A. Uh-huh, kind of like a little bit in the

1 middle, but kind of -- yeah, kind of back there.

2 Q. And you never saw that gun or heard any
3 clicking or any kind of --

4 A. We had -- I had the music on fairly loud in
5 the car.

6 Q. Okay.

7 A. It was like a light switch. I mean, just --

8 Q. Now, there has been a suggestion that this
9 didn't really happen in the car, that it happened
10 somewhere else, that now this is something that is
11 contrived.

12 A. Uh-huh.

13 Q. You would deny that, is that correct?

14 A. That is totally bogus.

15 Q. Have you heard that?

16 A. I have heard it.

17 Q. I think Jennifer said something, that you
18 heard about it?

19 A. I have heard a lot of things, and it's --
20 it's very upsetting because, you know, here I am. I
21 was trying to take somebody home that I'm not even
22 responsible for, and they are a bunch of drunk people,
23 and, you know, you try to help out, you try to take
24 somebody home, and I should have gone home with my
25 husband at midnight. I shouldn't have even worried