



Citizen Review Board
City of Key West Florida
Executive Director's Memo

TO: Board Members

FROM: Stephen Muffler, Esquire

DATE: 11/21/08

RE: Michael Rosenstein CRB Case #08-005
CRB Investigation Activity/Report

On November 11, 2008 the Board Directed a limited investigation into the existence of the audio and visual materials relative to this file referenced in this file's the police reports and general letters.

Member Mark Kielsingard volunteered to research the existence of these items by contacting the public defender's office. Mr. Kielsingard will report his efforts/results to the Board directly at the next meeting.

I placed a public records request upon Chief Donnie Lee for these items, if they existed. That public records request is attached hereto. I contacted the Clerk of Court for the 16th Judicial Circuit and arranged to examine the courthouse file. Therein I noted that the State Attorneys Office (SAO) filed a response to a request for discovery listing audio/visual materials available to defense counsel for review and/or copying. Attached is that court filing. I drafted a letter request to review the SAO file and held two conference calls with BJ Fray who then reported that the items were not in the file. She drafted the response letter stating such which is attached hereto.

On November 20, 2008 late in the afternoon Lt. Smith produced a tape, video and multiple pictures relative to this file which were referenced in the police reports. I have received and started to review these on this date but will not be able to reproduce/copy them before the meeting due to their formatting and recent delivery. I will however have all of these media types at the meeting and will play them (they are very short and can be reviewed by the board in under a total of 10 minutes).

Transmission Report

Date/Time 11-12-2008
Local ID 1 3052939827
Local ID 2

02:43:40 p.m.

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Local Name 2

This document : Confirmed
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City of Key West Citizen Review Board
(305) 809-3887 Fax: (305) 293-9827

To: Chief Donald Lee & Lt. David Smith
From: Stephen C. Muffler, Executive Director

Fax: 809-1064 or 1088 Pages: 9

Phone: Date: 11/12/08

Re: CC:

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

Pursuant to Chapter 119, Florida Statutes, I request complete copies of the audio and visual evidence that was referenced in the attached Case Number 05-12380 reports. The Citizen Review Board Members have requested that these items be presented for their review. They are specifically interested in the tapped telephone call to number (410) 263-4737 & the video recording of the controlled purchase and arrest of Mr. Rosenstein and Mr. Mitchell as itemized in the attached documents. However, if there are additional audio/visual items relative to this arrest and report, please also include them for the Board's review.

If you intend to deny this request in whole or in part, I request that you advise me in writing, as required by Chapter 119, of the particular statutory exemption on which you are relying and your reasons for doing so. In addition, if the asserted exemption applies to only a portion of the record, I request that you delete the portion that you claim is exempt and release the remainder as required by law.

Please call me when these items are available so that I may retrieve them from your location.

Thank you for your assistance.

Stephen C. Muffler, Esquire



PO Box 1946, Key West, FL 33041

Total Pages Scanned : 9

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No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	546	305 293 8371	02:40:43 p.m. 11-12-2008	00:02:20	9/9	1	EC	HS	CP26400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

City of Key West Citizen Review Board
(305) 809-3887 Fax: (305) 293-9827

To: Chief Donald Lee &

From: Stephen C. Muffler, Executive Director

Lt. David Smith

Fax: 809-1064 or 1068

Pages: 9

Phone:

Date: 11/12/08

Re:

CC:

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

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Please call me when these items are available so that I may retrieve them from your location.

Thank you for your assistance.

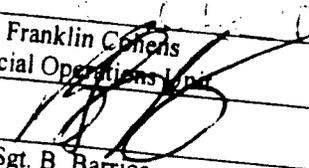
Stephen C. Muffler, Esquire



**Key West Police Department
Special Operations Unit
Investigative Supplemental Report**

Case #: 05-12380
Victim: State of Florida
Offense: Trafficking Morphine
Suspect: Michael Rosenstien, John Mitchell
Incident location: 2200 N. Roosevelt
Date of incident: 12/28/05
Date of report: 12/28/05

On 12/28/05, Detectives from the Key West Police Department Special Operations Unit conducted an investigation focusing on the sale of morphine. A KWPD documented confidential informant told me that a white male only identified as "Mike" had a quantity of morphine for sale. To corroborate the information a monitored/recorded phone call was made to (410) 263-4737. I talked to ROSENSTIEN and he told me that he had 100 ml of morphine in a liquid form with the seal still intact on the bottle. I asked ROSENSTIEN what he was asking for the morphine and answered "make me an offer". I offered to purchase the morphine for \$200.00 and ROSENSTIEN agreed to meet with me at Captain Bob's restaurant. Surveillance/ arrest teams positioned themselves in the area of the transaction and once they were in place I walked over to ROSENSTIEN's blue mini van that had been identified earlier by surveillance units. I approached the passenger side of the van and the door was open. ROSENSTIEN was sitting in the drivers' seat and MITCHELL was seated in the passengers' seat. Next to ROSENSTIEN's right thigh was a small white bottle. ROSENSTIEN showed me the bottle to prove the seal was still intact, and read the label to prove that the bottle did contain morphine. I showed ROSENSTIEN the \$200.00 of KWPD pre-recorded currency and he handed the morphine bottle to MITCHELL. I gave MITCHELL the \$200.00 which he handed to ROSENSTIEN and received the morphine simultaneously. As I was looking at the morphine MITCHELL asked me to keep it so we did not attract attention. MITCHELL facilitated the transaction by assisting ROSENSTIEN and had knowledge of the illegal activity by statements during the transaction. As I was walking away and clear of the van I gave a pre-arranged visual signal and arrest teams initiated contact with ROSENSTIEN and MITCHELL.

Det Franklin Conens Special Operations Unit 	Case Status: Cleared by Arrest
Det. Sgt. B. Barrios Supervisor	Investigative Time: 5.0 hrs

YES NO X
YES X NO

ARRESTING AGENCY: K.W.

CASE NO.: 05-12380

IN BOOK: _____

Name: Mitchell
Last, (First)

Name: John
Last, (First) Middle: Mark
Local Address: None

Date of Birth: 11 July 1959

Address: 714 NW 82nd St; Miami, FL 33127

Scars/Tattoos: None no

Race: W

Sex: M

Phone: None

Occ: none

Date: 28 December 2005
Day Month Year

Time: 1239hrs

Eyes: Brn Hair: Red Ht: 602 Wt: _____

Name: Rosenstein
Last, (First) Middle: Michael

Location: 2200 N. Roosevelt Blvd
(Place of Arrest)

Taken To County Station: Monroe County Jail

Capias No. _____

Other: _____

OFFENSES CHARGED

Trafficking in illegal drugs

In Viol. Of F.S.

893.135(1)(c)

Ordinance of Monroe Co., Sec. _____

HOLD FOR FIRST APPEARANCE HEARING - DO NOT BOND OUT (complete reverse sides of white and pink copies for additional witnesses)

PRELIMINARY HEARING:

WITNESSES AGAINST DEFENDANT:

- | | | |
|---------------------|----------------------|-----------------|
| 1. Name: <u>SCU</u> | Location: _____ | Date Set: _____ |
| 2. Name: _____ | Address: <u>KWPD</u> | Phone: _____ |
| 3. Victim: _____ | Address: _____ | Phone: _____ |
| | Address: _____ | Phone: _____ |

Physical Evidence against Defendant: One (1) bottle morphine (120ml/120.9grams); video tape; audio tape of controlled phone call

Arresting Officers: Det. T. Stevens Ct. ID # 2609 Dept.: KWPD

Transporting Officers: Ofc. H. Arroyo/Det. T. Stevens Ct. ID # 2297/2609 Dept.: KWPD

I, the undersigned, certifies and swears that he/she has just and reasonable grounds to believe, and does believe that:
On the 28th day of December, 2005 at 2200 N. Roosevelt
Mitchell John M
(Last Name) (First Name) (Initial)

Violated the following violation of law: See attached narrative.
(Narrative: Be specific, sworn to and subscribed before me, the undersigned authority, this

I swear the above statement is correct and true to the best of my knowledge and belief.

Signature of Officer or Complainant: Det. T. Stevens
Dept.: KWPD Ct. ID Number: 2609

Signature: [Signature] 2485
Judge Clerk Notary Public (EO)

COMPLAINT AFFIDAVIT

JUDICIAL CIRCUIT IN AND FOR THE COUNTY OF MONROE
RESIDENT OF MONROE COUNTY
RESIDENT OF FLORIDA

ARREST FOR X

ARRESTING AGENCY: KW

YES NO X
YES X NO

CASE NO.: 05-12380

IN BOOK: _____
Date of Birth: 11 July 1959

Name: Mitchell John Mark
(Last) (First) (Middle)

On the above date, the Key West Police Special Operations- Narcotics Unit conducted an operation targeting street level narcotics sales. A Confidential Informant (CI) who has proven reliable in past investigations that have resulted in numerous arrests and convictions told us that a white male whom he knows as Michael ROSENSTEIN had approached him. ROSENSTEIN had told the CI that he had a large quantity of morphine that he wanted to sell on the street. We placed a controlled, audiotaped phone call to ROSENSTEIN and the CI introduced Det. Cohens who was acting in an undercover capacity. He told Det. Cohens that he had 100ml of morphine in a plastic bottle with the manufacturers seal still intact. Det. Cohens asked him how much he would be willing to sell it for and ROSENSTEIN told him to make him an offer. Det. Cohens said that he would give him \$200 for it and he agreed. They also agreed to meet in the parking lot of Captain Bob's Grill to make the deal.

Det. Sgt. Barrios gave Det. Cohens \$200 of KWPD pre-recorded currency and Det. Cohens wore an audio transmitting device. With Det. Barlow videotaping and me audiotaping, both from a concealed location, members of the Key West Police Special Operations- Narcotics Unit monitored the transaction. The CI and Det. Cohens approached the van, which the CI had already identified as being the one commonly driven by ROSENSTEIN. They approached the van from the passenger side, which was occupied by a white male (later identified as MITCHELL). Det. Cohens later reported to me that he showed the two men the \$200 of KWPD pre-recorded currency. The driver, ROSENSTEIN, had a bottle under his right leg, which he handed to MITCHELL. MITCHELL then gave the money to ROSENSTEIN. When Det. Cohens and the CI walked away, Det. Cohens gave a pre-determined signal that the transaction was complete and we may affect an arrest on the two subjects.

Upon approaching the van, members of the Key West Police Special Operations- Narcotics Unit ordered the men out of the vehicle. Det. Zamora detained ROSENSTEIN on the drivers' side of the van because of a disability that made it difficult to exit. After identifying myself as law enforcement, I ordered MITCHELL out of the van and he complied. I handcuffed him and put him in the back of Ofc. Arroyos' marked police car. Det. Zamora reported to me that he recovered the \$200 of KWPD pre-recorded currency, which was clenched in ROSENSTEIN's left hand. Both subjects were placed under arrest.

At the police station, Det. Zamora reported to me that the substance field-tested positive for morphine. Det. Sgt. Barrios also reported that the weight of the morphine was 120.9grams.

I have read and subscribed before me, _____
in and to the undersigned authority, this

_____ day of December, 2005
Det. J. Barrios
Judge, Clerk - Notary Public - T.200

I swear the above statement is correct and true to the best of my knowledge and belief.

Det. T. Stevens
Signature of Officer or Complainant
Dept. KWPD
CI ID Number 2609

COURT COPY STATE ATTORNEY'S COPY ID NO.: T52 P.S.D. RECORD'S COPY OFFICER'S COPY DEFENDANT'S COPY

YES NO X
YES NO X

CASE NO.: 05-12380

IN BOOK: _____
Date of Birth: 9 January, 1950

Name: Rosenstein Michael Phillip
Address: Brooklyn, NY
Local Address: None
1054 Eaglewood Rd, Apt PB, Annapolis AA MD, 21403

Scars/Tattoos: None not
Occ: none
Phone: None
Eyes: Brn Hair: Gray Ht: u/k Wt: 1

Race: W Sex: M
Time: 1239hrs

Date: 28 December 2005
Day, Month, Year

Location: 2200 N. Roosevelt Blvd
(Place of Arrest)
Taken To County Station: Monroe County Jail

Arrested by: Mitchell John Mark
(First) (Middle)

Capias No.: _____ Other: _____

OFFENSES CHARGED

No.	In Viol. OF F.S.	Ordinance of Monroe Co., Sec.
1	<u>Trafficking in illegal drugs</u>	
2	<u>893.135(1)(c)</u>	
3		
4		

HOLD FOR FIRST APPEARANCE HEARING - DO NOT BOND OUT (complete reverse sides of white and pink copies for additional witnesses)

PRELIMINARY HEARING:

WITNESSES AGAINST DEFENDANT:

Name	Address	Phone	Location	Date Set
1. Name: <u>SCU</u>				
2. Name: _____	<u>KWPD</u>			
3. Victim: _____				

Physical Evidence against Defendant: One (1) bottle morphine (120ml/120.9grams)); video tape; audio tape of controlled phone call

Arresting Officers: Det. T. Stevens Ct. ID # 2609 Dept.: KWPD
Transporting Officers: Ofc. H. Arroyo/Det. T. Stevens Ct. ID # 2297/2609 Dept.: KWPD

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that:
On the 28th day of December, 2005 at 2200 N. Roosevelt
Rosenstein (Last Name), Michael (First Name), (Initial) _____
committed the following violation of law: See attached narrative.

I, _____
Judge/Clerk/Notary Public (LEO)

I swear the above statement is correct and true to the best of my knowledge and belief.
Det. T. Stevens
Signature of Officer or Complainant
Dept.: KWPD Ct. ID Number 2609

ARRESTING AGENCY: KWPD

DEPARTMENT OF MONROE COUNTY,
PRESIDENT OF FLORIDA

YES NO X
YES NO X

CASE NO.: 05-12380

IN BOOK: _____

Rosenstein

Michael

Phillip

Date of Birth: 9 January, 1950

On the above date, the Key West Police Special Operations- Narcotics Unit conducted an operation targeting street level narcotics sales. A Confidential Informant (CI) who has proven reliable in past investigations that have resulted in numerous arrests and convictions told us that a white male whom he knows as Michael ROSENSTEIN had approached him. ROSENSTEIN had told the CI that he had a large quantity of morphine that he wanted to sell on the street. We placed a controlled, audiotaped phone call to ROSENSTEIN and the CI introduced Det. Cohens who was acting in an undercover capacity. He told Det. Cohens that he had 100ml of morphine in a plastic bottle with the manufacturers seal still intact. Det. Cohens asked him how much he would be willing to sell it for and ROSENSTEIN told him to make him an offer. Det. Cohens said that he would give him \$200 for it and he agreed. They also agreed to meet in the parking lot of Captain Bob's Grill to make the deal.

Det. Sgt. Barrios gave Det. Cohens \$200 of KWPD pre-recorded currency and Det. Cohens wore an audio transmitting device. With Det. Barlow videotaping and me audiotaping, both from a concealed location, members of the Key West Police Special Operations- Narcotics Unit monitored the transaction. The CI and Det. Cohens approached the van, which the CI had already identified as being the one commonly driven by ROSENSTEIN. They approached the van from the passenger side, which was occupied by a white male (later identified as MITCHELL). Det. Cohens later reported to me that he showed the two men the \$200 of KWPD pre-recorded currency. The driver, ROSENSTEIN, had a bottle under his right leg, which he handed to MITCHELL. MITCHELL then gave this to Det. Cohens who then handed the money to MITCHELL. MITCHELL then gave the money to ROSENSTEIN. When Det. Cohens and the CI walked away, Det. Cohens gave a pre-determined signal that the transaction was complete and we may affect an arrest on the two subjects.

Upon approaching the van, members of the Key West Police Special Operations- Narcotics Unit ordered the men out of the vehicle. Det. Zamora detained ROSENSTEIN on the drivers' side of the van because of a disability that made it difficult to exit. After identifying myself as law enforcement, I ordered MITCHELL out of the van and he complied. I handcuffed him and put him in the back of Ofc. Arroyos' marked police car. Det. Zamora reported to me that he recovered the \$200 of KWPD pre-recorded currency, which was clenched in ROSENSTEIN's left hand. Both subjects were placed under arrest.

At the police station, Det. Zamora reported to me that the substance field-tested positive for morphine. Det. Sgt. Barrios also reported that the weight of the morphine was 120.9grams.

Subscribed and sworn to before me,
by the undersigned authority, this

day of December, 2008
[Signature]
Judge, Clerk, Notary Public - LEO

I swear the above statement is correct and true to the best of my knowledge and belief.

Det. T. Stevens
Signature of Officer or Complainant
Dept. KWPD Ct. ID Number 2609

ID NO.: T52

COURT COPY STATE ATTORNEY'S COPY P.S.D. RECORD'S COPY OFFICER'S COPY DEFENDANT'S COPY

PRESIDENT OF MONROE COUNTY
PRESIDENT OF FLORIDA

YES NO X
YES NO X

ARREST FORM A

ARRESTING AGENCY: K.W.P.D

CASE NO.: 05-12380

IN BOOK: _____
Date of Birth: 9 January, 1950

Name: Rosenstein Michael Phillip
Last (First) (Middle)
Address: Brooklyn, NY Local Address: None

Address: 1054 Eaglewood Rd, Apt PB, Annapolis AA MD, 21403
Phone: None Scars/Tattoos: None noted

Race: W Sex: M Eyes: Brn Hair: Gray Ht: u/k Wt: 140
Time: 1239hrs Location: _____

Defendant's Name: Mitchell John Mark
Last (First) (Middle)
Taken To County Station: 2200 N. Roosevelt Blvd
(Place of Arrest)

Arrest No: _____ Capias No: _____ Other: _____

OFFENSES CHARGED

	In Viol. Of F.S.	Ordinance of Monroe Co., Sec.
1. <u>Trafficking in illegal drugs</u>	<u>893.135(1)(c)</u>	
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

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WITNESSES AGAINST DEFENDANT:

Name	Address	Phone	Location	Date Set
1. Name: <u>SCU</u>	<u>KWPD</u>			
2. Name: _____	_____	_____	_____	_____
3. Victim: _____	_____	_____	_____	_____

Physical Evidence against Defendant: phone call
One (1) bottle morphine (120ml/120.9grams); video tape; audio tape of controlled

Arresting Officers: Det. T. Stevens Ct. ID # 2609 Dept.: KWPD

Transporting Officers: Ofc. H. Arroyo/Det. T. Stevens Ct. ID # 2297/2609 Dept.: KWPD

I, the undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that:
On the 28th day of December, 2005 at 2200 N. Roosevelt
Rosenstein Michael
(Last Name) (First Name) (Initial)

committed the following violation of law: See attached narrative.
Sworn to and subscribed before me, _____
undersigned authority, this _____

day of December, 2006

[Signature]
Judge - Clerk - Notary Public (J.E.O.)

I swear the above statement is correct and true to the best of my knowledge and belief.
Det. T. Stevens
Signature of Officer or Complainant
Dept.: KWPD Ct. ID Number 2609

COURT COPY STATE ATTORNEY'S COPY ID NO.: T52 P.S.D. RECORD'S COPY OFFICER'S COPY DEFENDANT'S COPY

YES NO X
YES NO X

CASE NO.: 05-12380 IN BOOK: _____
Date of Birth: 9 January, 1950

Rosenstein Michael Philip
First Middle

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I have read and subscribed before me,
the undersigned authority, this

____ day of December, 2005
Det. J. W. Barrios
Clerk Notary Public - LEO

I swear the above statement is correct and true to the best of my knowledge and belief.

Det. T. Stevens
Signature of Officer or Complainant
Dept. KWPD Ct. ID Number 2609

ID NO.: T52

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA

LOWER KEYS CRIMINAL DIVISION

STATE OF FLORIDA,
Plaintiff,

vs.

Case Number 2006-CF-01324-A-K

MICHAEL PHILIP ROSENSTEIN,
Defendant.

STATE'S RESPONSE TO NOTICE OF DISCOVERY

The State of Florida, by the undersigned Assistant State Attorney, pursuant to the Defendant's notice of participating in discovery and pursuant to Florida Rule of Criminal Procedure 3.220, submits the following information.

1. The names and addresses of all persons known to the prosecutor to have information which may be relevant to the offense charged, and to any defense with respect thereto, are contained in the Witness List which is attached hereto.

2. The following items are in the State's possession or control. These items are available for your inspection at the office of the State Attorney at the address listed below between 8:30 a.m. and 5:00 p.m. any regular business day. If you desire to copy and/or photograph the items a copier will be provided at a reasonable cost. The name(s) of confidential informant(s) will not be supplied unless the State intends to use them as witness(es) at the trial or unless required by Court Order. **Please advise Assistant State Attorney Mark Wilson at least 48 hours (excluding weekends and Holidays) in writing of the time you will appear for the inspection.**

- a. See Witness List
- b. Written, recorded and/or oral statements of persons listed in the Witness list.
- c. Written, recorded and/or oral statements of accused.
- d. Written, recorded and/or oral statements of co-defendants.
- e. Tangible papers or objects obtained from or belonging to the accused.
- f. Material or information provided by confidential informant(s).
- g. Electronic surveillance of premises of accused or conversations to which the accused was a party.
- h. Reports or statements of experts.
- i. Ballistic, firearms identification, fingerprints, blood, photographs, line-up reports, et cetera.
- j. Tangible papers or objects not obtained from, or belonging to the accused which the state intends to use at hearing or trial.
- k. Arrest report, police reports, record of accused.



- 1.
3. All witnesses, statements and evidence listed in police reports and disclosed during depositions.
4. All tangible objects as provided by Fla. R. Crim. P. 3.220(b)(1)(vi) and Fla.R.Crim.P. 3.220(b)(1)(xi), unless "NONE" initialed below, may be inspected, photographed and tested during the regular and ordinary business hours at the Office of the State Attorney and at the Key West Police Department.

_____ NONE

This document will serve as authorization for the defendant's attorney listed below or his designated representative to inspect any tangible objects being kept in this case by the Key West Police Department, with reference to case number 05-12380.

5. The State has attached its Witness List and expects the defense to submit its corresponding witness list within seven (7) days as provided in Fla.R.Crim.P. 3.220(d). It is requested that defense disclosures of witness statements, reports of experts and tangible papers and objects be made at the time you appear for inspection of items detailed in Paragraph 2 above, but in no case, later than fifteen (15) days from the time you inspect the State's evidence.

6. Attached are the following exhibits:

Arrest Form(2pg)

I do certify that a copy hereof has been furnished to the Defense Attorney by delivery on January 18th, 2006.

Respectfully submitted,

Mark E. Kohl, State Attorney
530 Whitehead Street, Suite 201
Key West, FL 33040
Phone: (305) 292-3400
Fax: (305) 294-7707

By: 

Mark Wilson, Assistant State Attorney
Florida Bar # 0540331



CITY OF KEY WEST
Citizen Review Board
P.O. Box 1946
Key West, FL 33041
Ph: (305) 809-3887
Fax: (305) 293-9827

November 17, 2008

Mr. Mark E. Kohl, Esquire
State Attorney-16th Judicial Circuit
Monroe County
State Attorney's Office
Whitehead Street
Key West, FL 33040

VIA HAND DELIVERY

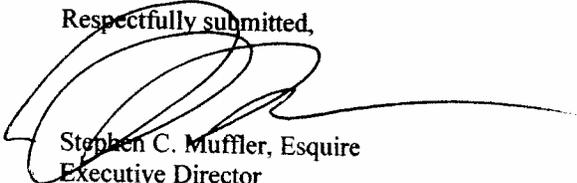
Complaint File: **CRB #08-005**
Request for Materials

Dear State Attorney Kohl:

The Citizen Review Board (CRB) is an independent board with authority to review and/or investigate complaints involving Key West police officers and forward findings and/or recommendations to City management, Chief of Police, State Attorney, other state and federal law enforcement agencies and/or grand juries. I its executive director and I have been charged with securing copies of audio/visual evidence that we believe was submitted to your office relative to case number CFK051324. The defendant in said case was Mr. Michael Rosenstein and I have enclosed the clerk's case detail information and the arrest/supplemental reports which reference the subject audio/visual evidence.

Our Board's efforts to secure the subject evidence from other sources, as of this date, have not succeeded. To further our office's investigation, could you please allow me to copy this evidence from your office's files? It would greatly facilitate resolving an issue in a file that is currently pending before our Board. Please feel free to contact me directly regarding this matter.

Respectfully submitted,


Stephen C. Muffler, Esquire
Executive Director
Attorney at Law

Encl.
cc: File



OFFICE OF THE STATE ATTORNEY
SIXTEENTH JUDICIAL CIRCUIT

Mark E. Kohl
State Attorney

Suite 201
530 Whitehead Street
Key West, Florida 33040

(305) 292-3400
Fax (305) 294-7707

FACSIMILE TRANSMITTAL SHEET

TO:

Steve Muffler

FAX #:

305 293-9827

FROM:

Bj Gray

FAX #:

PHONE#:

NUMBER OF PAGES:

2

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11/20/08

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2:30

MESSAGE (IF ANY)



OFFICE OF THE STATE ATTORNEY
SIXTEENTH JUDICIAL CIRCUIT

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November 20, 2008

Stephen Muffler, Esquire
Citizen Review Board
PO Box 1946
Key West, FL 33041

Re: Public Records Request for Case #2005-CF-1324-A-K

Dear Mr. Muffler

I am in receipt of your public records in which you requested audio/visual evidence in the above mentioned case. After review of the file and it's contents I do not show there is any audio/visual evidence in our case file.

If you have any questions please feel free to call and I will assist you in any way I can.

Thank You,

BJ Gray

Assistant to
Nancy Criswell
Executive Director