

EXHIBIT 1

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

IN RE: THE MATTER OF:

ASHLEY CHRISTINA BENEFIELD,

Petitioner,

and

CASE NO.: 2018-DR-01823

DOUGLAS GLASS BENEFIELD,

Respondent.

DEPOSITION OF: DOUGLAS GLASS BENEFIELD

TAKEN BY: Petitioner Herein

BEFORE: MELISSA GROMKO
Notary Public
State of Florida

DATE: July 17, 2018
Commencing at 10:03 a.m.

PLACE: Vincent Lucente & Associates
526 12th Street West
Bradenton, Florida

1 Q. I'm not asking what Ashley did. What
2 happens with the gun?

3 A. After a few maybe -- maybe another minute to
4 two minutes, I couldn't tell you the exact time.

5 Q. Of Ashley talking about Eva?

6 A. Of Ashley talking, and I am begging her to
7 stop talking and to please stop.

8 Q. And your head's on the counter?

9 A. My head's on the counter.

10 Q. What happens with the gun?

11 A. She wouldn't stop, just completely would not
12 stop, and so out of complete and utter frustration,
13 no anger whatsoever, I don't remember feeling a
14 single iota of anger, it was purely utter
15 frustration, and so --

16 Q. What happened?

17 A. I -- literally the gun's sitting in front of
18 me and I pull it out of the sleeve and I shot at the
19 ceiling.

20 Q. Did you say anything before you did it?

21 A. Did I saying anything?

22 Q. Yeah.

23 A. About -- I said nothing except for I was, up
24 to that point, asking her to please stop talking and
25 please give it a rest.

1 somebody to do something stupid, which was
2 represented by her standing there with black eyes and
3 her arms crossed as if mission accomplished, that
4 tells me something.

5 Q. Okay. Did she somehow egg you on with the
6 gun at any point in time? I didn't hear anything
7 about that.

8 A. She egged me on in the argument, not
9 stopping.

10 Q. She didn't bring the gun into the house, you
11 did, right?

12 A. No.

13 Q. You were the one that threw the gun against
14 the wall, correct?

15 A. Absolutely, and I admitted to that.

16 Q. You were the one that pulled the gun out of
17 the sleeve and discharged it?

18 A. Absolutely, and I admitted it.

19 Q. But you think that was her fault?

20 A. Absolutely. There's two parties. She had
21 the ability to stop arguing.

22 Q. And she should have stopped when you told
23 her to, correct?

24 A. Any one of the hundred times I asked her to.

25 Q. All right.

1 A. There's that (indicating), and then.

2 Q. So --

3 A. That shows where we're sitting.

4 Q. All right. The box that has Ashley's
5 photograph with the teddy bear is where she was
6 sitting? Even though there's not a seat there,
7 that's where she was sitting?

8 A. The picture covers the seat up.

9 Q. 3 is where your head was?

10 A. Yes, 3's where I set the gun and laid my
11 head. Here's the shadowbox (indicating).

12 Q. Hold on a second.

13 A. Okay.

14 Q. When you threw the gun the effort was to
15 make her shut up?

16 A. No, that's not what was going on in my head.
17 My head was pure expression of frustration.

18 Q. Do you see where it says right here in your
19 own document that's now part of Exhibit 3, I threw it
20 to make her shut up; do you see you wrote that?

21 A. Yes.

22 Q. This is your writing?

23 A. Uh-huh.

24 Q. Yes?

25 A. Yes.

1 Q. When you shot, it was to make her stop
2 fussing again?

3 A. I'd say that was the result, but I wouldn't
4 say that, thinking back.

5 Q. I'm asking what you said here. I picked it
6 up and I just shot it to make her stop fussing.

7 A. Yeah, that's what I said there.

8 Q. When did you write this?

9 A. Back when the first -- the beginning of the
10 injunction case, when I started putting all the stuff
11 together for it.

12 Q. Do you think you have an accident -- I mean
13 an anger problem?

14 A. No. Absolutely not.

15 Q. Have you ever attended an anger class?

16 A. I've never had an anger issue to attend an
17 anger class.

18 Q. Sully's the dog?

19 A. Yes.

20 Q. That's the dog that's in the picture in
21 Exhibit 3, first page?

22 A. Yes.

23 Q. You hit Sully that day?

24 A. Sully is protective. He was under the
25 table.

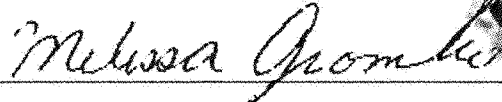
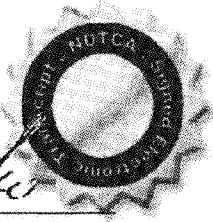
CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF MANATEE)

I, the undersigned authority, certify that the witness in this matter personally appeared before me and was duly sworn on the 17th day of July, 2018.

WITNESS my hand and official seal this 26th day of July, 2018.

Melissa Gromko, Court Reporter

Notary Public

State of Florida at Large

My Commission Number: GG 051632

Expires: March 15, 2021

CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF MANATEE)

I, Melissa Gromko, certify that I was authorized to and did stenographically report the deposition; that a review of the transcript was requested; and that the foregoing pages are a true and complete record of my stenographic notes taken during said deposition.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 26th day of July, 2018.



Melissa Gromko, Court Reporter
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EXHIBIT 2

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21 A. Yes.

22 Q. This is your writing?

23 A. Uh-huh.

24 Q. Yes?

25 A. Yes.

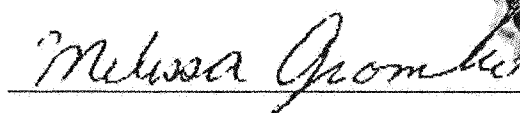
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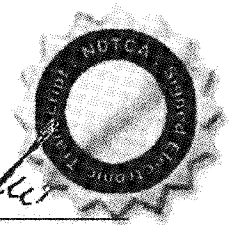
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EXHIBIT 3

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1 Q. My question is did you hit Sully? Not why.

2 Did you hit Sully?

3 A. You could call it hit, yes.

4 Q. You called it hit?

5 A. Yeah.

6 Q. He sprung up into it, I guess your lap, and
7 I reacted and hit him.

8 A. Yeah.

9 Q. So when you say you could call it, you
10 called it hit, correct?

11 A. Yes. For lack of better words, yes. The
12 dog sprung up on my lap, all instantaneously, trying
13 to crawl on my lap, sharp claws, I've got on shorts,
14 and --

15 Q. How did you hit him?

16 A. I honestly --

17 Q. You don't remember?

18 A. I don't remember exactly. This is -- again,
19 our dog is like, you know, family, and I just wanted
20 everything to stop and I wanted him to stop and he
21 wouldn't. He would not stay under the table and he
22 kept --

23 Q. He wouldn't stop either so you hit him,
24 correct?

25 A. Yes, I hit, my dog.

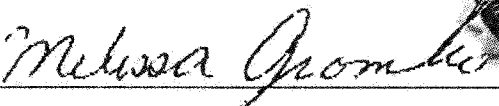
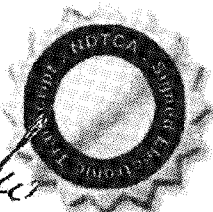
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