

Babiez, Amanda

From: [REDACTED]
Sent: Tuesday, October 22, 2024 9:19 AM
To: Rosenberg, Regan
Subject: RE: Case Number: 48-2024-NM-003733 Victim: Commissioner Nicholas L. Nesta, III

You don't often get email from [REDACTED]. [Learn why this is important](#)
October 22, 2024

Ms. / Mrs. Regan Rosenberg
Assistant State Attorney
Criminal Intake Division
415 North Orange Avenue
P.O. Box 1673
Orlando, Florida 32801
RRosenberg@sao9.org
Phone: 407-836-1153

Ms. / Mrs. Rosenberg:

I am reaching out to request an update and the status to date on Case Number 48-2024-NM-003733 - Defendant: Deborah Herndon Nelson referred to the Office of State Attorney Andrew Bain by the City of Apopka Police Department.

As stated in my previous email September 10, 2024, please provide an update as to the steps you have taken as well as the next steps specific to well warranted prosecution of the assailant Deborah Herndon Nelson for the self-admitted crimes she committed against me.

I continue to navigate my day to day activities as best I can in fear for myself, my family and others since this criminal act happened so brazenly and boldly as carried out by the assailant Deborah Herndon Nelson on July 10, 2024.

Lastly, again is there anything you may need to assist in your investigation, I can be available.

Please provide an update to this urgent matter by the close of business Friday, October 25, 2024.

Thank you for your assistance.

Nick Nesta
City of Apopka Commissioner - Seat 4

***P.S. - Please communicate via email at [REDACTED] ONLY** THANK YOU.

From: Rosenberg, Regan <RRosenberg@sao9.org>
Sent: Thursday, September 12, 2024 12:53 PM
To: [REDACTED]
Subject: RE: Case Number: 48-2024-NM-003733 Victim: Commissioner Nicholas L. Nesta, III

Good Afternoon,

I am in receipt of your email.



Regan Rosenberg
Assistant State Attorney
Felony Deputy Bureau Chief
Office of Andrew A. Bain
State Attorney, Ninth Judicial Circuit
415 N. Orange Avenue
Orlando, Florida 32801
407-836-1153
Email Address: rrosenberg@sao9.org

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From: [REDACTED]
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To: Rosenberg, Regan <RRosenberg@sao9.org>
Subject: Case Number: 48-2024-NM-003733 Victim: Commissioner Nicholas L. Nesta, III

SPAM You don't often get email from [REDACTED] [Learn why this is important](#)

September 10, 2024

Ms. / Mrs. Regan Rosenberg

Assistant State Attorney

Criminal Intake Division

415 North Orange Avenue

P.O. Box 1673

Orlando, Florida 32801

RRosenberg@sao9.org

Phone: 407-836-1153

Ms. / Mrs. Rosenberg:

I am in receipt of your correspondence dated August 28, 2024 and received September 4, 2024 in reference to case number 48-2024-NM-003733 - Defendant: Deborah Herndon Nelson.

The correspondence appears to be seeking a cooperative victim as well as the intention of the victim to prosecute.

I, Commissioner Nicholas L. Nesta, III, the victim, affirm that I am in agreement with the State Attorney Office under Andrew A. Bain in the Ninth Judicial Circuit for Orange and Osceola County, Florida to expeditiously move forward specific to this very important urgent matter in that I am a cooperative victim and it is my intent to prosecute, my assailant, Deborah Herndon Nelson.

When acting in my official capacity as a duly elected official as a City of Apopka City Commissioner (Seat 4), I was approached at a ribbon cutting event by someone who is undeniably one of my political opponents in the person of the assailant Deborah Herndon Nelson, spouse of current censured Mayor of Apopka Bryan Nelson.

On August 2, 2023, Bryan Nelson was censured for lying to the City Commissioners, the city of Apopka, the residents, etc., about the true employment status of fired City of Apopka attorney Michael Rodriguez.

(SEE ATTACHED)

At the ribbon cutting ceremony, my Assailant, the Defendant Deborah Herndon Nelson, requested that I step to the side at the event and then she proceeded to scold, berate, criticize, intimidate, physically attack and cause me to fear for my life (*due to heightened actions taken against me that have now risen to physical battery*) in reference to an official vote that I made in my official capacity as a City of Apopka Commissioner at a city council meeting. Specifically, this was in reference to an agenda item that pertained to the appropriate censure of now censured Mayor of Apopka Bryan Nelson for lying, deceiving, and hiding information from the council and the residents of Apopka. At this particular meeting on June 19, 2024 at 7:00 P.M. EST, yet another scheme was introduced by the current censured Mayor of Apopka Bryan Nelson to try to rescind his very valid censure. This attempt failed and he was livid.

During this attack at the ribbon cutting event the assailant, Deborah Herndon Nelson, decided to push me on my chest with her right hand, not once but twice, while verbally stating she wasn't happy with what I was saying in my position as a City of Apopka Commissioner specific to the undeniable evidence about the current censured Mayor of Apopka Bryan Nelson, her husband.

The action was to intimidate me, increase the existing fear mongering in the City of Apopka that has been unleashed by some, bully, badger and ultimately resulted in physical violence unleashed upon me with the assailant boldly and publicly physically attacking me about my action/vote that was made while I was properly representing the residents of Apopka in my official capacity as a Commissioner on the dais.

I have conveyed to the Apopka Police Department (*Chief Michael McKinley*) my concerns that this matter has not been handled properly by the Apopka Police Department and have expressed in writing to Chief Michael McKinley that the assailant has been improperly charged (*one charge only and no additional well warranted charges*) and I have expressed my concerns about the inaccurate narrative of Detective Micheal Ruddick on the Apopka police report.

(SEE ATTACHED Apopka Police Department Report)

Please advise what the next steps are in reference to well warranted prosecution of the assailant Deborah Herndon Nelson and what additional details you may need to assist in your investigation.

Sincerely,

Nick Nesta

City of Apopka Commissioner Seat 4

NNesta@Apopka.net

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Babiez, Amanda

From: Rosenberg, Regan
Sent: Tuesday, October 22, 2024 9:21 AM
To: Williams, Ryan
Subject: FW: Case Number: 48-2024-NM-003733 Victim: Commissioner Nicholas L. Nesta, III

Hi Ryan, the commissioner is reaching out for an update. Was a decision made in this case?



Regan Rosenberg
Assistant State Attorney
Felony Deputy Bureau Chief
Office of Andrew A. Bain
State Attorney, Ninth Judicial Circuit
415 N. Orange Avenue
Orlando, Florida 32801
407-836-1153
Email Address: rosenberg@sao9.org

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10/22/2024 You don't often get email from [REDACTED]. [Learn why this is important](#)

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(SEE ATTACHED)

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(SEE ATTACHED Apopka Police Department Report)

Please advise what the next steps are in reference to well warranted prosecution of the assailant Deborah Herndon Nelson and what additional details you may need to assist in your investigation.

Sincerely,

Nick Nesta

City of Apopka Commissioner Seat 4

NNesta@Apopka.net

****P.S. Please communicate via [REDACTED] only** THANK YOU.**

Babiez, Amanda

From: Wixtrom, Mark
Sent: Monday, November 18, 2024 9:34 AM
To: Rosenberg, Regan
Subject: RE: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

I am this morning.



Mark Wixtrom
Felony Bureau Chief
Office of Andrew A. Bain
415 N. Orange Avenue
Orlando, FL 32801
State Attorney, Ninth Judicial Circuit
407-836-2477
MWixtrom@sao9.org

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From: Rosenberg, Regan <RRosenberg@sao9.org>
Sent: Monday, November 18, 2024 9:29 AM
To: Williams, Ryan <RWilliams@sao9.org>; Wixtrom, Mark <MWixtrom@sao9.org>
Subject: Re: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

We tried to call. It's difficult when he doesn't have voicemail set up. He attempted to call me back once at 4:50PM on Thursday. Mark was busy on Friday. So I have not connected over the phone with Mr. Nesta yet. Are either of you available today to call him with me?



Regan Rosenberg
Assistant State Attorney
Felony Deputy Bureau Chief

Office of Andrew A. Bain
State Attorney, Ninth Judicial Circuit
415 N. Orange Avenue

Orlando, Florida 32801

407-836-1153

Email Address: rosenberg@sao9.org

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From: Williams, Ryan <RWilliams@sao9.org>
Sent: Wednesday, November 13, 2024 3:33 PM
To: Rosenberg, Regan <RRosenberg@sao9.org>; Wixtrom, Mark <MWixtrom@sao9.org>
Subject: RE: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Keep calling.
Thanks, you two.

From: Rosenberg, Regan <RRosenberg@sao9.org>
Sent: Wednesday, November 13, 2024 3:30 PM
To: Williams, Ryan <RWilliams@sao9.org>; Wixtrom, Mark <MWixtrom@sao9.org>
Subject: Fw: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Tried to call him today with Mark. rang. voicemail full. Just received this email back from him. See below.



Regan Rosenberg

Assistant State Attorney

Felony Deputy Bureau Chief

Office of Andrew A. Bain

State Attorney, Ninth Judicial Circuit

415 N. Orange Avenue

Orlando, Florida 32801

407-836-1153

Email Address: rrosenberg@sao9.org

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From: [REDACTED]
Sent: Wednesday, November 13, 2024 3:28 PM
To: Rosenberg, Regan <RRosenberg@sao9.org>
Subject: RE: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Ms. Rosenberg:

**Thank you for your email.
That is the correct phone number.
I have been extremely busy, sorry we were unable to connect.**

Regrettably, I am not available to speak with you directly today, Wednesday, November 13, 2024 due to previous commitments that will run well into the evening.

If you are calling to give me a status/update on my case please email the status/update.

As soon as I have a window we can try to connect directly tomorrow afternoon or as soon as possible.

Thank you for your assistance,

Nick Nesta

City of Apopka Commissioner - Seat 4

***P.S. - Please communicate via email at [REDACTED] ONLY** THANK YOU.

From: Rosenberg, Regan <RRosenberg@sao9.org>

Sent: Wednesday, November 13, 2024 1:50 PM

To: [REDACTED]

Subject: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Mr. Nesta,

I attempted to call the number listed on your witness statement, [REDACTED] It rang and said the voicemail was full. Are you available to speak briefly this afternoon? Please send me a good number to call.



Regan Rosenberg

Assistant State Attorney

Felony Deputy Bureau Chief

Office of Andrew A. Bain

State Attorney, Ninth Judicial Circuit

415 N. Orange Avenue

Orlando, Florida 32801

407-836-1153

Email Address: rrosenberg@sao9.org

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Babiez, Amanda

From: Williams, Ryan
Sent: Wednesday, November 20, 2024 5:31 PM
To: Rosenberg, Regan
Subject: FW: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Keep doing what you are doing. Call him with a witness only.

From: [REDACTED]
Sent: Wednesday, November 20, 2024 5:00 PM
To: Rosenberg, Regan <RRosenberg@sao9.org>
Cc: Williams, Ryan <RWilliams@sao9.org>
Subject: RE: Defendant: NELSON, DEBORAH HERNDON, Court Case No: 48-2024-NM-003733, Agency Case No: APPD 24-41001911, Status: REC 07/18/2024

Ms. Rosenberg:

I left you a voicemail on November 14, 2024 at 4:49PM.

To date there has been no follow up.

With all the information that has been provided and the self-admitted assailant, Deborah Herndon Nelson acknowledging that she committed the crime (s) against me as evidenced on the Apopka Police Report.

Please advise what additional information you need to finalize the well warranted decision to pursue the charges against the assailant.

Please advise in writing as to what decision has been made in the Office of the current State Attorney Andrew Bain to date on this matter so I know what steps to take next.

Thank you.

Nick Nesta
City of Apopka Commissioner - Seat 4

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From: Rosenberg, Regan <RRosenberg@sao9.org>
Sent: Wednesday, November 13, 2024 1:50 PM
To: [REDACTED]
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