

Circuit Court – Criminal  
Jury Trials – Viera  
April 8, 2014

Present: Morgan Reinman, Judge  
T. Brown , Asst. State Attney  
J. McMaster, Asst. State Attney  
M. Pirolo, Defense Attney  
R. Moore, Defense Attney  
M. Lanning, Defense Attney  
S. Tuttle, Court Clerk  
P. Mumford, Court Clerk  
N. Blakenship, Court Deputy  
D. Kenworthy, Court Deputy

The Court Deputy opened court according to law. (9:01am)

STATE OF FLORIDA  
Plaintiff,  
VS

CASE NO.  
05-2012-CF-35337-AXXX-XX

Brandon Lee Bradley ,  
Defendant.

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The defendant appeared in open court with his Attorneys Michael Pirolo, Mark Lanning, and Randy Moore ready to proceed with a jury trial in this matter.

State of Florida is represented by Assistant State Attorneys Thomas Brown and James McMaster and is ready to proceed with a jury trial in this matter.

All parties were present and ready to proceed.

Court spoke briefly with counsel regarding jury instructions.

Court inquired if the defendant intends to testify in this phase of the trial. (9:05am)

The defendant stated that he did not intend to testify in this phase of the trial and understood his rights.

Court spoke with counsel regarding scheduling.

Court inquired if defendant was satisfied with his representation from attorneys during the trial. (9:11am)

Defendant stated he was satisfied.

Court and counsel held charge conference. (9:13am)

Defense counsel motioned the court for a judgment of acquittal and directed verdict in regards to various jury instructions. (9:17am)

Court heard arguments from counsel.

Court made rulings on the record.

Charge conference continued.



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Court recessed for a short break. (10:24am)

Court reconvened. (10:35am)

All parties were present and ready to proceed.

Court instructed the court deputy to bring the jury into the courtroom. (10:37am)

Court recognized the following jury in the box:

Court questioned the jury to verify they had upheld their oath over the break.

Defense rested. (10:39am)

State gave penalty phase closing argument. (10:40am)

Bench conference. (10:56am)

All parties were present and ready to proceed.

Closing argument continued.

Bench conference. (11:29am)

All parties were present and ready to proceed.

Closing argument continued.

Court instructed the jury to disregard certain statements. (11:36am)

Bench conference. (11:37am)

All parties were present and ready to proceed.

Closing argument continued.

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Defense gave penalty phase closing argument. (11:39am)

Court spoke briefly with the jury concerning scheduling.

Court recessed for lunch for the jury. (12:43pm)

Court confirmed with counsel that the jury would not be sequestered.

Court is in recess for lunch. (12:44pm)

Court reconvened. (2:04pm)

All parties were present and ready to proceed.

Defense counsel motioned the court for mistrial based on comments made by state during closing arguments regarding the law enforcement family and Deputy Pill family.

Court noted the objection and stated a case quote would be put on the record.

Court put record of case on the record.

Court instructed the court deputy to bring the jury into the courtroom. (2:08pm)

Court recognized the jury in the box.

Court verified that the jurors had upheld their oath during the break.

The court gave preliminary instructions to the jury and instructs the jury on the law applicable to this case. (2:11pm – 2:32 pm)

Bench conference. (2:33pm)

All parties were present and ready to proceed.

Jury remained in the box.

Court questioned jurors about their ability to continue to serve. (2:34pm)

Court thanked and excused the alternate jurors. (2:34pm)

The jury retired to deliberate the verdict. (2:35pm)

Court recessed to await the call of the jury. (2:38pm.)

Jury notifies the court deputy that they have a question. (3:30pm)

Court reconvened. (3:43pm)

All parties were present and ready to proceed.

Court read the question to counsel, requesting something to watch the dash cam video.

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Court heard arguments from counsel.

Court responded to the question.

Court recessed to await the call of the jury. (3:51pm.)

Jury notifies the court deputy that they have two more questions. (3:53pm)

Court reconvened. (3:57pm)

All parties were present and ready to proceed.

Court read the questions to counsel, regarding ear buds and Dr. Wu's findings. (3:58pm)

Court heard arguments and suggestions from counsel.

Court responded to the questions and sent the responses back to the jurors.

Court recessed to await the call of the jury. (4:03pm.)

Jury notifies the court deputy that they have two questions. (4:56pm)

Court reconvened. (5:04pm)

All parties were present and ready to proceed.

Court read the questions to counsel, regarding polling the jury and a 15 minute break. (5:06pm)

Court heard argument from counsel.

Court responded to the questions and sent the responses back to the jurors.

Court recessed to await the call of the jury. (5:09pm.)

Jury notifies the court deputy that they have a verdict. (5:31pm)

Court reconvened. (5:37pm)

All parties were present and ready to proceed.

Court instructed the court deputy to return the jury to the courtroom. (5:39pm)

Court recognized the jury in the box.

Court instructed the court deputy to receive the advisory sentence. (5:41pm)

The court inspects the jury verdict form and requests the clerk to publish the advisory sentence. (5:42pm)

The jury recommended and advised the death penalty for the defendant.

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The court asked the clerk to poll the jurors at the request of the defense.

The Court spoke briefly with the jury about their rights and privacy, and released the jury from further service.  
(5:45pm)

Court spoke briefly with counsel about scheduling a Spencer Hearing on 06-13-2014 at 1:30pm and the sentencing on 06-27-2014 at 1:30pm.

Defense counsel waived a Pre-Sentence Investigation, and the defendant agreed with this on the record. (5:51pm)

Court will solicit memorandums from counsel to be provided to the court no later than by 5:00pm June 18, 2014.

Court will order transcript of the guilt and penalty phases of the trial to be provided to counsel by May 23, 2014.

Defense counsel motioned the court to house the defendant at Brevard County Jail pending the Spencer Hearing and Sentencing.

Court denied the request stating that the court cannot impose this request without a representative from the Brevard County Sheriff's Office.

Defendant is remanded to await sentencing.

Court is in recess for the day. (5:59pm)