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IN THE CIRCUIT COURT IN THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

CASE NUMBER: 05-2012-CF-035337-AXXX-XX

STATE OF FLORIDA,

Plaintiff,

versus

BRANDON LEE BRADLEY

Defendant,

**ORIGINAL**

FILED IN TVL-01  
CLERK OF CIR. CT.  
BREVARD CO. FL.

2014 JUL 25 A 11:47

SCOTT ELLIS

VOLUME XV OF XV

TRANSCRIPT OF DIGITAL RECORDED JURY TRIAL,  
SPENCER HEARING AND SENTENCING

The transcript of the Digital Recorded  
Proceedings taken in the above-styled cause, at the Moore  
Justice Center, 2825 Judge Fran Jamieson Way, Viera,  
Florida, on the 18th, 19th, 20th, 21st, 26th, 27th, 28th  
and 31st day of March, the 1st, 3rd, 4th and 8th day of  
April, 2014 (Trial), the 5th day of June, 2014 (Spencer  
Hearing), and the 27th day of June, 2014 (Sentencing),  
before the Honorable Morgan Reinman.

RYAN REPORTING  
REGISTERED PROFESSIONAL REPORTERS

1670 S. FISKE BOULEVARD

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THOMAS BROWN, ESQ.,  
and  
JAMES MCMASTER, ESQ.,  
Assistant State Attorneys  
State Attorney's Office  
2725 Judge Fran Jamieson Way  
Building D.  
Viera, Florida 32940

Appearing for  
Plaintiff

J. RANDALL MOORE, ESQ.,  
MICHAEL PIROLO, ESQ.,  
and  
MARK LANNING, ESQ.,  
Assistant Public Defender  
Public Defender's Office  
2725 Judge Fran Jamieson Way  
Building E  
Viera, Florida 32940

Appearing for  
Defendant

Brandon Lee Bradley, Defendant, present

\* \* \* \* \*

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DEPUTY VICTOR VELEZ:

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GERARD WEBER:

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DETECTIVE CHAD COOPER:

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## SAJID QAISER, M.D.:

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PLAINTIFF'S WITNESSES:

CHARLES COLON:

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GARY SHREWSBURY:

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OFFICER WILLIAM GLEASON:

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CASEY GREEN:

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39	Photograph	AP	458
40	Photograph	AQ	458
41	Aerial Diagram	G	507
42	DVD	AT	531
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## I N D E X

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78	Photograph	CD	922
79	Photograph	CE	922
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81	Photograph	CG	922
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86	Photograph	CL	922
87	Photograph	CM	922
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89	Photograph	CO	922
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91	Photograph	CQ	922
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94	Photograph	DC	938
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96	Photograph	DG	938
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102	Photograph	DM	938
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104	Photograph	DO	938
105	Photograph	DP	938
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117	Room Key	FE	948
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149	Chart	GG	1067
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153	Fingernail Clippings	FM	1110
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1	Vials of Blood	A	1444
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3	DVD	I	2360
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5	Photograph	F	2691
6	Photograph	G	2691
7	Photograph	H	2691

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1 THE COURT: Six, the victim of the capital  
2 felony was a law enforcement officer engaged in the  
3 performance of her official duties.

4 The State may not rely upon a single aspect of  
5 the offense to establish more than one aggravating  
6 circumstance. Therefore, if you find that two or  
7 more of the aggravating circumstances are proven  
8 beyond a reasonable doubt by a single aspect of the  
9 offense, you are to consider that as supporting only  
10 one aggravating circumstance.

11 If you find the aggravating circumstances do  
12 not justify the death penalty, your advisory sentence  
13 should be one of life imprisonment without  
14 possibility of parole. If you find sufficient  
15 aggravating circumstances do justify -- I mean do  
16 exist to justify recommending the imposition of the  
17 death penalty, it will then be your duty to determine  
18 whether the mitigating circumstances outweigh the  
19 aggravating circumstances that you find to exist.

20 Mitigating circumstances. A mitigating  
21 circumstance is not limited to the facts surrounding  
22 the crime. It can be anything in the life of the  
23 defendant which might indicate that the death penalty  
24 is not appropriate for the defendant. In other  
25 words, a mitigating circumstance may include any

1 aspect of the defendant's character, background or  
2 life, or any circumstance of the offense that  
3 reasonably may indicate that the death penalty is not  
4 an appropriate sentence in this case.

5 A mitigating circumstance may not be proven --  
6 may not be proved beyond a reasonable doubt by the  
7 defendant. A mitigating circumstance need only be  
8 proved by the greater weight of the evidence which  
9 means evidence that more likely than not tends to  
10 prove the existence of a mitigating circumstance. If  
11 you determine by the greater weight of the evidence  
12 that a mitigating circumstance exists, you may  
13 consider it established and give that weight -- I  
14 mean give that evidence such weight as you determine  
15 it should receive in reaching your conclusion as to  
16 the sentence to be imposed.

17 Among the mitigating circumstances you may  
18 consider are:

19 One, the capital felony was committed while the  
20 defendant was under the influence of extreme mental  
21 or emotional disturbance.

22 Two, the capacity of the defendant to  
23 appreciate the criminality of his conduct or to  
24 confirm his conduct to the requirements of the law  
25 was substantially impaired.

1           Three, the age of the defendant, twenty-two, at  
2 the time of the crime.

3           Four, the defendant was severely physically  
4 abused as a child.

5           Five, the defendant was verbally and  
6 emotionally abused as a child.

7           Six, the defendant's mother chose his  
8 stepfather over her own children and failed to  
9 protect him from their stepfather's abusive  
10 treatment.

11           Seven, the defendant witnessed the physical,  
12 verbal and emotional abuse of his siblings by his  
13 stepfather.

14           Eight, the defendant witnessed the physical,  
15 verbal and emotional abuse of his mother by his  
16 stepfather.

17           Nine, as a child the defendant had no loving  
18 father figure or male role model.

19           Ten, the defendant had a close loving  
20 relationship with his brother Anthony Nelson.

21           Eleven, the defendant is known by his family  
22 and friends to be generous and has contributed  
23 financially to the support of his mother and friends.

24           Twelve, the defendant was addicted to and  
25 abused drugs from an early age.



1           Thirteen, the defendant suffered from brain  
2 damage and brain functional deficits.

3           Fourteen, the defendant suffered head injury  
4 and possible traumatic brain injury.

5           Fifteen, in October 2011 Travontey, defendant's  
6 cousin, was shot to death which had a devastating  
7 emotional and psychological impact on the defendant.

8           Sixteen, the defendant had a two year  
9 relationship with Carrie Ellison during which she  
10 became pregnant with his child. She miscarried a few  
11 days after the death of Travontey Williams.  
12 Thereafter, the defendant began a period of  
13 significantly greater drug abuse.

14           Seventeen, following the loss of his cousin and  
15 his girlfriend's miscarriage, the defendant appeared  
16 to be distrustful of the motives of others, paranoid,  
17 and believed that a hit was placed on his life and  
18 obtained a gun to protect himself.

19           Eighteen, several of the defendant's friends  
20 and relatives were murdered or died which appeared to  
21 emotionally affect the defendant.

22           Nineteen, the defendant had been diagnosed with  
23 and is being treated for mental disorders with  
24 psychotropic medications.

25           Twenty, the defendant has also been diagnosed

1 with poly substance dependence in remission in a  
2 controlled environment, and passive and dependent  
3 personality traits.

4 Twenty-one, the defendant has a full scale IQ  
5 of seventy as assessed in 2013 by the W-A-I-S IV.

6 Twenty-two, the defendant was cooperative with  
7 law enforcement and confessed.

8 Twenty-three, the existence of any other  
9 factors in the defendant's character, background or  
10 life, or the circumstances of the offense which would  
11 mitigate against the imposition of the death penalty.

12 If one or more aggravating circumstances are  
13 established, you should consider all the evidence  
14 tending to establish one or more mitigating  
15 circumstances and give that evidence such weight as  
16 you determine it should receive in reaching your  
17 conclusion as to the sentence that should be imposed.

18 You have heard evidence about the impact of  
19 this homicide on the family, friends and community of  
20 Barbara Pill. This evidence was presented to show  
21 the victim's uniqueness as an individual and the  
22 resilient loss -- the resultant loss by Barbara  
23 Pill's death. However, you may not consider this  
24 evidence as an aggravating circumstance.

25 Your recommendation to the Court must be based

1 on the aggravating circumstances and the mitigating  
2 circumstances upon which you have been instructed.

3 The sentence that you recommend to the Court  
4 must be based upon the facts as you find them from  
5 the evidence and the law. If after weighing the  
6 aggravating and mitigating circumstances you  
7 determine that at least one aggravating circumstance  
8 is found to exist and that the mitigating  
9 circumstances do not outweigh the aggravating  
10 circumstances, or in the absence of mitigating  
11 circumstances that the aggravating factors alone are  
12 sufficient, you may recommend that a sentence of  
13 death be imposed rather than a sentence of life in  
14 prison without the possibility of parole. Regardless  
15 of your feelings in this respect, however, you are  
16 neither compelled nor required to recommend a  
17 sentence of death. If on the other hand you  
18 determine that no aggravating circumstances are found  
19 to exist, or that the mitigating circumstances  
20 outweigh the aggravating circumstances, or in the  
21 absence of mitigating factors that the aggravating  
22 circumstances alone are not sufficient, you must  
23 recommend imposition of a sentence of life in prison  
24 without the possibility of parole rather than a  
25 sentence of death.

1           The process of weighing aggravating and  
2 mitigating factors to determine the proper punishment  
3 is not a mechanical process. The law contemplates  
4 that different factors may be given different weight  
5 or values by different jurors. In your decision  
6 making process, you and you alone are to determine  
7 what weight is to be given to a particular factor.

8           In these proceedings it is not necessary that  
9 the advisory sentence of the jury be unanimous. The  
10 fact that the jury can recommend a sentence of life  
11 imprisonment or death in this case on a single ballot  
12 should not influence you to act hastily or without  
13 due regard to the gravity of these proceedings.

14           Before you ballot, you should carefully weigh,  
15 sift and consider the evidence realizing that human  
16 life is at stake and bring your best judgment to bear  
17 in reaching your advisory sentence.

18           If a majority of the jury, seven or more,  
19 determines that Brandon Lee Bradley should be  
20 sentenced to death, your advisory sentence will be a  
21 majority of the jury by a vote of blank to blank  
22 advise and recommend to the Court that it impose the  
23 death penalty upon Brandon Lee Bradley. On the other  
24 hand, if by six or more votes the jury determines  
25 that Brandon Lee Bradley should not be sentenced to

1 death, your advisory sentence will be the jury  
2 advises and recommends to the Court that it impose a  
3 sentence of life imprisonment upon Brandon Lee  
4 Bradley without possibility of parole.

5 When you have reached an advisory sentence in  
6 conformity with these instructions, that form of  
7 recommendation should be signed by your foreperson  
8 and dated with todays date and returned to the Court.  
9 There is no set time for a jury to reach a verdict.  
10 Sometimes it only takes a few moments, other times it  
11 takes hours or even days. It all depends upon the  
12 complexity of the case, the issues involved and the  
13 makeup of the individual jury. You should take  
14 sufficient time to fairly discuss the evidence and  
15 arrive at a well-reasoned recommendation.

16 You will now retire to consider your  
17 recommendation as to the penalty to be imposed upon  
18 the defendant.

19 Now, if I can have a bench conference with the  
20 attorneys.

21 (Thereupon, a benchside conference was had out  
22 of the hearing of the jury as follows:)

23 THE COURT: Okay. Are there any instructions  
24 that the Court failed to give based on the Court's  
25 ruling as to what would be given?

1 MR. BROWN: No, Your Honor.

2 THE COURT: Are there any errors in the reading  
3 of the instructions?

4 MR. MCMASTER: Some small error, Judge, but I  
5 don't the affect anything since each juror had the  
6 written packet.

7 THE COURT: Okay.

8 MR. MOORE: Agreed.

9 THE COURT: Okay. Okay. Anything else that we  
10 need to discuss?

11 MR. BROWN: I assume it's one verdict form like  
12 you did in the guilt phase.

13 THE COURT: Yes, I have one verdict form right  
14 here and that was not included in their packet.  
15 Okay.

16 MR. MOORE: It's probably redundant but we  
17 renew all motions and objections made up to this  
18 point.

19 THE COURT: Okay.

20 MR. BROWN: And is the Court sending back all  
21 the evidence as well?

22 THE COURT: Yes. I'm going to discuss that in  
23 just a moment. Okay. Okay. Thank you.

24 (Thereupon, the benchside conference was  
25 concluded and the proceedings were had as follows:)

1           THE COURT: Okay. At this time I am speaking  
2 to each individual juror. Is there any reason you as  
3 a juror are unable to continue to provide your  
4 services at this time?

5           (No response.)

6           THE COURT: Okay. Numbers 190, 198 and 136, it  
7 is the duty of the Court to release you from further  
8 service on this jury. As I discussed with you  
9 before, because of the order in which the names are  
10 drawn you have been seated as alternate jurors. It  
11 was not necessary -- it was necessary that we have  
12 you serve in case one of the jurors was unable to  
13 complete his or her service. Fortunately the jurors  
14 chosen prior to you were all able to complete the  
15 trial and it will not be necessary for you to serve  
16 with us any longer.

17           Although I cannot let you go into the jury room  
18 with the remaining jurors, you are welcome to remain  
19 in the courtroom if you wish to hear the  
20 recommendation. If not, what I'm going to have you  
21 do is you're going to wait in your chairs for just a  
22 few moments and once we get done I personally am  
23 going to step down and speak with you before you are  
24 released.

25           On behalf the State of Florida, the citizens of

1 this county, the parties in this case, the attorneys  
2 and myself, I wish to thank you for your service.  
3 I'm going to have you remain seated and I will speak  
4 to you personally about your service as soon as I  
5 release the other jurors.

6 Okay. Ladies and gentlemen, in just a few  
7 moments you will be released to deliberate. The  
8 exhibits and the recommendation form will be sent  
9 back shortly after you enter the room. As soon as  
10 the recommendation form is signed, push the button on  
11 the wall and it will advise the court deputy that you  
12 need him. He will see to it that all court personnel  
13 are present before he returns you to the courtroom.

14 Okay. Let the record reflect that the  
15 defendant was present at all times during all phases  
16 of this trial.

17 Ladies and gentlemen, you will now retire to  
18 deliberate your advisory sentence. We will stand in  
19 recess and await the call of the jury.

20 (Thereupon, the jury was escorted out of the  
21 courtroom by the court deputy and the proceedings were had  
22 as follows:)

23 THE COURT: Okay. Please be seated. If I can  
24 have the attorneys review all the exhibits and also  
25 review the verdict recommendation form. Okay. We're



1 going to go off the record and -- well, I'll wait  
2 just a moment. I'll let them do that. We'll stay on  
3 the record for just a moment.

4 Okay. Once again, the ammunition and the  
5 weapon won't go back. Okay.

6 (Thereupon, a pause was taken in the  
7 proceedings.)

8 THE COURT: Okay. Is the exhibit forms and the  
9 verdict form, is it acceptable?

10 MR. BROWN: Yes, Your Honor.

11 MR. MOORE: Yes.

12 THE COURT: Okay. If you're going to leave the  
13 courtroom, please give a cell phone number to one of  
14 court deputies so that you can be reached. We will  
15 stand in recess and await the call of the jury.  
16 Mr. Brandon can go with the court deputies until  
17 further notice. Okay. Court will be in recess to  
18 await the call of the jury.

19 (Thereupon, a recess was taken in the  
20 proceedings.)

21 THE COURT: We have to wait for Mr. Lanning.  
22 He can come out.

23 (Thereupon, the defendant was escorted into the  
24 courtroom by the court deputy.)

25 THE COURT: Okay. We're waiting for Mr.

1 Lanning.

2 (Thereupon, a pause was taken in the  
3 proceedings.)

4 THE COURT: Okay. We'll go ahead and go on the  
5 record in the Bradley case. I have a question by the  
6 jury. It says, and I'll let you look at it, TV  
7 please. 108, 4/8/14, to re-watch Pill dash cam  
8 video. So, they're requesting -- you want to show  
9 that to them? Requesting that we send back something  
10 for them to watch the dash cam video on. So, I think  
11 we anticipated this. I think we anticipated this  
12 before. It's a DVD, right?

13 MR. BROWN: Yes, though we obviously played it  
14 through the laptop that's there. I don't know if it  
15 will play directly on a DVD player because I don't  
16 recall if we ever looked because I don't necessarily  
17 think it's in DVD format.

18 MR. MOORE: I think there may be can listen to  
19 the audio part of with headphones.

20 THE COURT: Well, if they asked for headphones  
21 I'll get them head phones but they haven't asked for  
22 headphones and they have headphones before so. I'm  
23 not going to send headphones back.

24 MR. MOORE: What I'm saying is they may --

25 THE COURT: They've never asked for headphones.

1 MR. MOORE: That's what I'm saying, they may  
2 not know that we have the ability to enhance the  
3 audio portion because we didn't play it on a laptop.

4 THE COURT: You can hear it a lot better on a  
5 laptop than you can hear it how it was played in open  
6 court.

7 MR. MOORE: Could the Court respond by saying  
8 that if the audio enhancement (unintelligible).

9 THE COURT: Audio enhancement. I'd rather say  
10 if you want a earphones you can have ear phones.  
11 What does the State say to that?

12 MR. BROWN: Judge, I guess you can tell them  
13 but I don't think that necessary.

14 THE COURT: You don't think what?

15 MR. BROWN: I don't think that's necessary but  
16 maybe tell them if they want to listen to it one at a  
17 time.

18 MR. MOORE: Well --

19 MR. BROWN: I don't think we're going to have a  
20 split for -- I mean, they have external speakers.

21 THE COURT: That's what I was concerned about  
22 them listening to it one at a time.

23 MR. BROWN: I think the external speakers work.

24 MR. MOORE: You know, I want to give them every  
25 advantage to hear what's on that and if they're not

1 getting it then they need to let the Court know that  
2 they need further enhancement.

3 THE COURT: Yeah, but audio enhancement can  
4 mean a lot of things. That's why I'm concerned about  
5 the word audio enhancement.

6 MR. PIROLO: Judge, I listened to it many times  
7 and the only real way (unintelligible). I listened  
8 to it on a laptop computer, home computer with a set  
9 of headphones and you can hear it a lot better.

10 MR. MOORE: It's an issue.

11 THE COURT: Do we have headphones?

12 MR. MOORE: Court administration may have  
13 headphones.

14 MR. LANNING: I've got two pairs in my car.

15 THE COURT: I'm not saying that court  
16 administration will have headphones.

17 MR. MOORE: They need to know that if audio  
18 enhancement is requested that it can made available.

19 MR. BROWN: If they want it, they can ask for  
20 it.

21 MR. MOORE: That's what I'm saying. They don't  
22 know. That's what I'm saying, they may not know.

23 THE COURT: Like I said, I don't want to say  
24 audio enhancement, that means a lot of different  
25 things having had things audio enhanced in here

1 before. So, I'd rather say if you want a set of  
2 headphones, we can provide those to you. But is it  
3 going to work off that? Do we think it's going to  
4 work off that?

5 MR. MOORE: I think that's --

6 THE COURT: Any objection to one of the court  
7 deputies going back there and assisting them with the  
8 it being -- I don't think they're just going to send  
9 that back. So, can they can back there and play it  
10 for them and assist them?

11 MR. MOORE: As long as there's no dialogue,  
12 communicating.

13 THE COURT: Yeah, because we do that in the  
14 past. What I can do is -- I can put that in this  
15 note too. The deputy will assist you but do not --  
16 no deliberation discussions in front of the deputy,  
17 only with regard to the viewing the DVD.

18 MR. MOORE: Also make them aware that  
19 headphones can be available.

20 THE COURT: Right.

21 MR. LANNING: And maybe the deputy  
22 (unintelligible) get it going.

23 MR. BROWN: Judge, also the question would be I  
24 presume it's the main video but there are two because  
25 we did put the slow motion video in. So, we can send

1 both back.

2 THE COURT: They've already got both, yeah.

3 MR. BROWN: They can just indicate to the  
4 deputy which one they want to play.

5 (Thereupon, a pause was taken in the  
6 proceedings.)

7 THE COURT: Is there a problem if we leave that  
8 back there with them or can we not do that?

9 THE COURT DEPUTY: Well, (unintelligible)  
10 laptop. So, I don't know if there's anything on  
11 there or not.

12 THE COURT: That's what I was concerned about,  
13 what else may be on the lap top.

14 MR. PIROLO: Judge, the only concern is wifi.

15 THE COURT: So, I'll have him stay back there  
16 with the equipment. There's wifi on it I think.

17 (Thereupon, a pause was taken in the  
18 proceedings.)

19 THE COURT: Okay. This is what I wrote. A TV  
20 is being provided for viewing, a deputy will be  
21 provided to assist. Do not deliberate in the  
22 presence of the deputy. Earphones may be provided  
23 upon request. Judge Reinman. You want to look at  
24 it? Well, why don't you just show it to them to make  
25 sure.

1           Okay. Deputy Blankenship, you can keep that  
2 with you and you can go back there and take that  
3 machine with you.

4           THE COURT DEPUTY: I need the DVD.

5           THE COURT: They've got it. They're in the  
6 evidence.

7           All right. We will be in recess again and  
8 stand the call and await -- I mean be in recess and  
9 await the call of the jury. Thank you.

10           (Thereupon, a recess was taken in the  
11 proceedings.)

12           THE COURT: Okay. We can bring out  
13 Mr. Bradley.

14           (Thereupon, the defendant was escorted into  
15 courtroom by the court deputy.)

16           THE COURT: Okay. We can go on the record in  
17 the Bradley case. I have two questions. First one  
18 is can we have ear buds? I didn't check that when I  
19 went back there.

20           MR. LANNING: Judge, I believe the earphones  
21 for the court things work. I have brand new set in  
22 the car.

23           THE COURT: There's one sitting right there.

24           THE COURT DEPUTY: If that's what you want to  
25 give them but it would only be for one person.

1 THE COURT: Well, that's -- no matter what it's  
2 only going to be for one person. Can we -- are we  
3 okay with those? Very one okay with those?

4 MR. BROWN: Sure.

5 THE COURT: Okay. So, I'll tell them yes and  
6 we'll send those back.

7 MR. LANNING: Do we know they work?

8 THE COURT DEPUTY: I know they work.

9 THE COURT: We had some sitting there two.

10 THE COURT DEPUTY: That's the same one, we've  
11 been moving it back and forth.

12 THE COURT: Oh, we've moving them back and  
13 forth. Okay.

14 MR. BROWN: Judge, if I can just -- if the  
15 court deputies (unintelligible) verdict if we can get  
16 those back before we leave today.

17 THE COURT: Are those yours?

18 MR. BROWN: No, they're from Mr. Pill.

19 THE COURT: Okay. All right. The next  
20 question is is Dr. Wu given permission to publish his  
21 findings on Mr. Bradley's scans this case, question  
22 mark. I'm going to show you this question.

23 THE COURT DEPUTY: We had to remind them that  
24 they have to write that on a big sheet of paper.

25 THE COURT: Yes, we heard that, that you told



1           them just put it on a full sheet of paper.  If you  
2           want, you can send those back.

3           MR. MOORE:  I would say the Court cannot  
4           answer.  That I mean the Court's unable to answer  
5           that.

6           MR. BROWN:  Pretty much rely upon the evidence  
7           you received and upon the evidence and --

8           MR. LANNING:  They do have the presentation  
9           back there with them, right?

10          THE COURT:  I don't know what that means.

11          MR. MOORE:  Perhaps we can ask them to be clear  
12          with their question.

13          THE COURT:  If they want to view his -- do they  
14          want to view his power point?

15          MR. PIROLO:  They should be able to just pop it  
16          in the.

17          THE COURT:  Do you want me to say you can view  
18          his power point.  Otherwise, please restate your  
19          question.

20          MR. MOORE:  Yes.

21          THE COURT:  Because I didn't understand the  
22          question.

23          MR. BROWN:  We can do that or just ask them.  
24          If they're referring to the power point, if they see  
25          that, they know that's in evidence.

1 THE COURT: I need to put -- I need to sign  
2 that. Sorry. Okay. How about I put you can view  
3 his power point. If that is not your question,  
4 please rephrase.

5 MR. BROWN: That's fine.

6 THE COURT DEPUTY: The headphones are working.

7 THE COURT: They're working?

8 THE COURT DEPUTY: Yes.

9 THE COURT: Okay. Good. And they're going to  
10 put their questions on bigger pieces of paper from  
11 now on.

12 Okay. Does anyone want to look at this?

13 MR. BROWN: No.

14 THE COURT: Okay. You can view his power  
15 point. If that is not your question, please  
16 rephrase. Okay. All right. Once again we'll be in  
17 recess and await the call of the jury.

18 (Thereupon, a recess was taken in the  
19 proceedings.)

20 THE COURT: Okay. I have two questions by the  
21 jury. The first one is will you poll the jury as to  
22 their vote? Now, what I normally say is --

23 MR. MOORE: Poll.

24 THE COURT: Well, what I'll say -- this is what  
25 I say to them. I mean, I need to say if counsel

1 requests it the jury will be polled but it will not  
2 be necessary that you state how you personally voted,  
3 only if the advisory sentence as read was correctly  
4 stated.

5 MR. BROWN: Correct.

6 THE COURT: Okay. Then the second question is  
7 can we take a fifteen minute break outside together?  
8 Maybe someone smokes.

9 MR. BROWN: There are two.

10 THE COURT: There are two smokers?

11 MR. MOORE: As long as they're under the  
12 watchful eyes of the courtroom deputies, no problem  
13 with that.

14 THE COURT: When they go downstairs there's a  
15 smoking area, right?

16 THE COURT DEPUTY: Yeah, we can take them right  
17 out the back door. We'll stay right there with them.

18 MR. BROWN: Is it still raining?

19 THE COURT DEPUTY: Yes.

20 THE COURT: So, I'll put -- I'll put fifteen  
21 minute break okay.

22 Now, the room downstairs, is that dry where  
23 they would smoke at?

24 THE COURT DEPUTY: Yes.

25 THE COURT: They want some fresh air. Okay.

1 So, let them go outside, just watch them and we'll  
2 give them a fifteen minute break and can go ahead and  
3 do that. I'll put fifteen minute break okay and then  
4 I'll work on this other one.

5 MR. MOORE: What's the Court's instruction on  
6 the polling of the jury?

7 THE COURT: I haven't written it yet.

8 MR. MOORE: Oh, I see.

9 (Thereupon, a pause was taken in the  
10 proceedings)

11 THE COURT: We know we should inquire as to  
12 court facilities to make sure they don't turn off the  
13 air conditioner.

14 THE COURT DEPUTY: I just did.

15 THE COURT: Okay. Good. I just thought about  
16 that. I had that happen before. They don't turn  
17 them off in my office but they turn them off down the  
18 middle.

19 (Thereupon, a pause was taken in the  
20 proceedings.)

21 MR. BROWN: Judge, with your permission, I'm  
22 going to make a call and make sure we don't have  
23 anybody outside there.

24 THE COURT: Okay. I think they're going to  
25 take them out back too.

1                   (Thereupon, a pause was taken in the  
2 proceedings.)

3                   THE COURT: Okay. This was the question and  
4 this is my answer. Will you poll the jury as to  
5 their vote? If counsel for either side requests it,  
6 the jury will be polled. Thereafter, each juror will  
7 be questioned individually concerning the advisory  
8 sentence. You will not be asked how you personally  
9 voted or how any other person voted but only if the  
10 advisory sentence as read was correctly stated.

11                  MR. MOORE: Could the Court put that sentence  
12 first? I think when you read up to that point it  
13 sounds like they are going to be polled individually.

14                  THE COURT: Well, it is called polling the  
15 jury.

16                  MR. MOORE: I understand, Your Honor, you can  
17 say you will not be asked individually but only as  
18 true and yes, you're going to be polled.

19                  THE COURT: I kind of already wrote it but.  
20 That's what I normally say to them. You want to read  
21 it? I don't think they're going to take them out  
22 front. I think they're going to take them out back.

23                  MR. BROWN: Right, but I know we have some  
24 people going out, I just wanted to make sure.

25                  THE COURT: That would be good. I know there

1 was some issues one time with someone walking in and  
2 people being there. So, that was good.

3 I mean, I can cut off the bottom part, put it  
4 on a different piece of paper and rewrite it.

5 MR. MOORE: I'm good. I'd just like to add to  
6 this to say in other words, the jury will be asked  
7 but not individually.

8 MR. BROWN: They'll be asked but not  
9 individually. They're going to be asked  
10 individually.

11 MR. MOORE: As stated there, they will be asked  
12 whether that is --

13 THE COURT: Yeah, but I have to ask them  
14 individually.

15 MR. MOORE: Yes, I know that, but I can see how  
16 they might read that they're going to have to give up  
17 what their vote is. Make it clear that they may be  
18 asked individually if that is how -- if that is the  
19 sentence.

20 THE COURT: As I say, you will not be asked how  
21 you personally voted or how any other person voted.

22 MR. MOORE: Okay. That's fine.

23 THE COURT: But only if the advisory sentence  
24 as read was correctly stated.

25 MR. MOORE: Okay.

1 THE COURT: Don't forget the foreperson is a --  
2 I think a --

3 MR. MCMASTER: Ph.D.

4 THE COURT: Ph.D. That's what I thought.  
5 Okay. We'll give this to them when they come bank  
6 anything. Else we need to address?

7 MR. MCMASTER: No, Your Honor.

8 THE COURT: Okay. Once again we'll be in  
9 recess and await the call of the jury.

10 (Thereupon, a recess was taken in the  
11 proceedings.)

12 THE COURT: Okay. We can bring Mr. Bradley  
13 into the courtroom.

14 MR. MOORE: Thank you. Your Honor --

15 THE COURT: Can you wait until Mr. Bradley gets  
16 in here?

17 MR. MOORE: I was just going to have ask to  
18 have a few minutes.

19 THE COURT: Okay. That will be fine. We'll  
20 make sure he stays up here and that you'll have an  
21 opportunity to talk to him.

22 MR. MOORE: Thank you.

23 (Thereupon, the defendant was escorted into the  
24 courtroom by the court deputy.)

25 THE COURT: Okay. We can go ahead and -- it's

1 my understanding that the jury has a verdict so we'll  
2 bring them into the courtroom.

3 (Thereupon, the jury was escorted into the  
4 courtroom by the court deputy and the proceedings were had  
5 as follows:)

6 THE COURT: Please be seated. Juror number  
7 108, are you the foreperson?

8 JUROR 108: Yes.

9 THE COURT: And juror number 108, has the jury  
10 reached an advisory sentence?

11 JUROR 108: Yes.

12 THE COURT: Can you please hand the  
13 recommendation form to the court deputy.

14 Okay. Mr. Bradley, if you'll please stand to  
15 receive the recommendation. Madame clerk, if you'll  
16 please publish the recommendation.

17 THE CLERK: In the Circuit Court of the  
18 Eighteenth Judicial Circuit in and for Brevard  
19 County, Florida, case number 05-2012-CF-35337-A, in  
20 the State of Florida versus Brandon Lee Bradley. We  
21 the jury find the following, the advisory sentence:  
22 A majority of the jury by a vote of ten to two advise  
23 and recommend to the Court that it impose the death  
24 penalty upon Brandon Lee Bradley. So say we all in  
25 Viera, Brevard County, Florida, this 8th day of



1 April, 2014, signed by the foreperson, juror number  
2 108.

3 THE COURT: Okay. Please be seated. Okay.  
4 Does counsel for either party wish to have the jury  
5 polled?

6 MR. MOORE: Yes, Your Honor.

7 THE COURT: Ladies and gentlemen of the jury,  
8 we are now going to ask each of you individually  
9 concerning the advisory sentence. It is not  
10 necessary that you state how you personally voted or  
11 how any other person voted but only if the advisory  
12 sentence or recommendation as read was correctly  
13 stated. If it is, you need only answer yes. If it  
14 is not, of course, you should answer no. Madame,  
15 please poll the jury.

16 THE CLERK: Juror number 147, is this the  
17 jury's recommendation?

18 JUROR 147: Yes.

19 THE CLERK: Juror number 125, is the jury's  
20 recommendation?

21 JUROR 125: Yes.

22 THE CLERK: Juror number 156, is this the  
23 jury's recommendation?

24 JUROR 156: Yes.

25 THE CLERK: Juror number 1, is this the jury's

1 recommendation?

2 JUROR 1: Yes.

3 THE CLERK: Juror number 5, is this the jury's  
4 recommendation?

5 JUROR 5: Yes.

6 THE CLERK: Juror number 65, is the jury's  
7 recommendation?

8 JUROR 65: Yes.

9 THE CLERK: Juror number 87, is this the jury's  
10 recommendation?

11 JUROR 87: Yes.

12 THE CLERK: Juror number 103, is this the  
13 jury's recommendation?

14 JUROR 102: Yes.

15 THE CLERK: Juror number 114, is this the  
16 jury's recommendation?

17 JUROR 114: Yes.

18 THE CLERK: Juror number 124, is this the  
19 jury's recommendation?

20 JUROR 124: Yes.

21 THE CLERK: Juror number 108, is this the  
22 jury's recommendation?

23 JUROR 108: Yes.

24 THE CLERK: And juror number 107, is this the  
25 jury's recommendation?

1 JUROR 107: Yes.

2 THE COURT: Okay. Ladies and gentlemen, on  
3 behalf -- ladies and gentlemen of the jury, on behalf  
4 the parties, the lawyers, the people of the State of  
5 Florida, I wish to thank you for your time and  
6 consideration of this case. I also wish to advise  
7 you of some very special privileges enjoyed by  
8 jurors. No juror can be required to talk about the  
9 discussions that occurred in the jury room except by  
10 court order. For many centuries our society has  
11 relied upon juries for consideration of difficult  
12 cases. We have recognized for hundreds of years that  
13 a jury's deliberations, discussions and vote should  
14 remain their private affair as long as they wish it.  
15 Therefore, the law gives you a unique privilege not  
16 to speak about the jury's work. Although you are at  
17 liberty to speak with anyone about your  
18 deliberations, you are also at liberty to refuse to  
19 speak to anyone.

20 A request to discuss either your verdict or  
21 your deliberations may come from those who are simply  
22 curious, from those who might seek to find fault with  
23 you, from the media, from the attorneys or elsewhere.  
24 It will be up to you to decide whether to preserve  
25 your privacy as a juror.

1           Once again, on behalf of the State of Florida,  
2           the citizens of this county, the parties in this  
3           case, the attorneys and myself, I thank you for your  
4           service in this case. For our legal system to work  
5           it is essential that citizens such as you be willing  
6           to sacrifice their time and perform the services that  
7           you have just rendered. I hope you do not find this  
8           duty to be burdensome or unpleasant and that you will  
9           be willing to serve again if the call comes.

10           Now, at this time I'm going to release you.  
11           I'd ask you that you return to the deliberation room  
12           and I will meet with you in just a few moments.  
13           Again, thank you and you may go with the court  
14           deputy.

15           (Thereupon, the jury was escorted out of the  
16           courtroom by the court deputy and the proceedings were had  
17           as follows:)

18           THE COURT: Okay. Please be seated. I want to  
19           talk to the parties about scheduling. Okay, we need  
20           to schedule a Spencer hearing. How long do you need  
21           in order to prepare for the Spencer hearing?

22           MR. BROWN: We don't need that long to prepare  
23           for the Spencer hearing. From the State's standpoint  
24           I believe we'll just have a few survivors speak to  
25           the Court, family members and that will be the extent

1 of it.

2 THE COURT: Okay. So, how long do you think  
3 the State's side will take?

4 MR. BROWN: I wouldn't think anything more than  
5 a half hour, forty-five minutes.

6 THE COURT: Okay. And on behalf of the  
7 Defense, how much time do you think you'll need to  
8 prepare and how long do you think it will take?

9 MR. PIROLO: Judge, I haven't talked to Mr.  
10 Lanning about (unintelligible), just thoughts in my  
11 head, you know, couple hours. We may request a  
12 Spencer hearing about an hour (unintelligible)  
13 already determined how long we need. I know  
14 Mr. Lanning's got a capital trial coming up.

15 MR. LANNING: Judge, that trial begins on May  
16 19th.

17 THE COURT: When does it start?

18 MR. LANNING: May 19th?

19 THE COURT: It starts May 19th. I thought I  
20 heard you say it ends on May 19th.

21 MR. LANNING: No, ma'am, it starts May 19th and  
22 expected to last (unintelligible).

23 THE COURT: I mean, I can set the Spencer  
24 hearing for one afternoon starting at 1:30 and we  
25 could just go until the end of the day.

1 MR. BROWN: That will be fine with us.

2 THE COURT: Then I need to set a sentencing. I  
3 mean, with all due respect, I was going to set the  
4 Spencer hearing in approximately a week and the  
5 sentencing in approximately three weeks but if you --

6 MR. PIROLO: Judge, I can tell you a week's not  
7 going to be enough. Mr. Lanning and I need to sit  
8 down (unintelligible) we'd need another week.

9 THE COURT: That's why I'm trying to get some  
10 idea. I mean, with all due respect, you know, if the  
11 schedule gets busy I'd just as soon put these dates  
12 on the calender right now.

13 MR. LANNING: Because of the other case I would  
14 ask that the Spencer hearing be held after that.

15 THE COURT: I have a different schedule  
16 starting July 1st, I was hoping to get this concluded  
17 by July 1st. So, I can do it in -- we could do --  
18 let me look. May 19th, that puts you -- May 19th,  
19 the week of May 19th, the 26th. So, it looks like  
20 you would be available the month of June which might  
21 work out fine. Well, how about if we do this. Will  
22 you need much time between the Spencer hearing and  
23 the sentencing?

24 MR. LANNING: (Unintelligible) memorandum and  
25 some time. So, I would say --

1 THE COURT: How about setting the Spencer  
2 hearing for June the 13th. I mean, all due respect,  
3 that's a Friday but that works out better for my  
4 trial schedule at 1:30. June the 13th at 1:30? And  
5 that's for the Spencer hearing and then set the  
6 sentencing for June the 27th and I'll set that at  
7 1:30 as well. Does that work?

8 MR. PIROLO: Yes, Your Honor.

9 THE COURT: State okay with that. Okay.

10 MR. BROWN: Yes, Your Honor.

11 THE COURT: Okay. Do you want me to order a  
12 presentence investigation?

13 MR. LANNING: No.

14 THE COURT: It may be required. I think it's  
15 required on one of the other counts. Is it required  
16 on the robbery count?

17 MR. BROWN: I think they can waive it.

18 THE COURT: Pardon me?

19 MR. LANNING: A score would have to be  
20 prepared, the PSI can be waived.

21 THE COURT: So, we're waiving a presentence  
22 investigation?

23 MR. LANNING: Yes.

24 THE COURT: Okay.

25 MR. BROWN: We would ask that the defendant

1 concur with that.

2 THE COURT: Okay. Mr. Bradley, do you agree  
3 with your defense in waiving a presentence  
4 investigation?

5 THE DEFENDANT: Yes, I will.

6 THE COURT: Okay. Thank you. Okay. I am  
7 going to for purposes of the sentencing solicit  
8 memorandums from the State and from the Defense,  
9 require each party to identify and argue what  
10 activating and mitigating circumstances were  
11 established and to rebut the opposing parties  
12 argument, and what weight should be given to each of  
13 the established circumstances. Now, I want those  
14 before the sentencing. So, can I have those -- if we  
15 do the Spencer hearing on the 13th.

16 MR. BROWN: I would think by the Spencer  
17 hearing they should be filed.

18 MR. LANNING: How about by the 22nd? 20th?

19 THE COURT: With all due respect, I might need  
20 a little bit more time for that for my sentencing  
21 order.

22 MR. PIROLO: Judge, the additional information  
23 is in the Spencer hearing.

24 THE COURT: That's why I'm okay to do it after  
25 the Spencer hearing.



1 MR. BROWN: Judge, I don't have a problem with  
2 after the Spencer hearing if they be want to file an  
3 additional report but I think they need to give the  
4 Court enough for the Court to review so you can do  
5 your order.

6 THE COURT: Can I ask you -- let's do this. If  
7 the Spender hearing is on the 13th, can you get me  
8 the memorandums by 18th?

9 MR. PIROLO: Yeah.

10 THE COURT: So, you should have them mostly  
11 done and then you can add in whatever additional.  
12 So, I assume you're going to know what evidence  
13 you're going to have at the Spencer hearing. So,  
14 we'll do the memorandums by June 18th. Okay. Just  
15 to recap, the Spencer hearing --

16 MR. LANNING: Is there a time?

17 THE COURT: Do it by 5:00 p.m.

18 MR. BROWN: Can I ask a question?

19 THE COURT: Yes.

20 MR. BROWN: Is the Court going to order a  
21 transcript today? It's beneficial to us in preparing  
22 our sentencing memorandum (unintelligible) cite the  
23 Court the pages on the record. One has to ultimately  
24 be done.

25 THE COURT: If I order that, do I have to put

1           how soon that gets done?

2           MR. BROWN: Well, we're talking June. So, I  
3           don't think it would have to be rushed but I think in  
4           the ordinary course of business.

5           THE COURT: I mean, what I'm concerned is I  
6           don't want to be responsible for expedition,  
7           expedited costs.

8           MR. MOORE: No. No. If they had if finished  
9           within a month we're talking we're going to get it  
10          early May. So, that's (unintelligible).

11          THE COURT: Okay. I'll order the transcript of  
12          the guilt phase and the penalty phase of the trial  
13          and I'll order -- of everything regarding the trial  
14          just so there's no misunderstanding. May the 23rd,  
15          expect it by May the 23rd, is that enough time?

16          MR. BROWN: Yes.

17          MR. PIROLO: Yes.

18          THE COURT: Okay. Anything else on behalf of  
19          the State?

20          MR. BROWN: No, Your Honor.

21          THE COURT: Anything else on behalf of the  
22          Defense?

23          MR. PIROLO: Judge, Mr. Bradley's requested  
24          that he be allowed to stay in Brevard County to see  
25          his family.

1 MR. MOORE: He has other pending violations of  
2 probation.

3 THE COURT: You know, I can't, I can't, I can't  
4 respond to that request. I don't have a  
5 representative here from the Brevard County sheriff's  
6 Office. I know that there was reasons why he was not  
7 being held in Brevard County, I don't think it's  
8 appropriate for me to respond to that request.

9 MR. PIROLO: That might in fact help  
10 (unintelligible).

11 THE COURT: I mean, if you want to set that for  
12 hearing and we have a representative here from  
13 Brevard County Sheriff's Office that can address  
14 that, I'll -- I note that your preference is that you  
15 want him to remain in Brevard County but I can't  
16 answer that at this moment. I know that there's  
17 reasons why he's not here. I think part of it may  
18 have to do for the protection of Mr. Bradley himself.  
19 I can't address that without having the Brevard  
20 County Sheriff's Office be heard. You can file your  
21 motion and Miss Billy will set that.

22 MR. PIROLO: All right.

23 THE COURT: I can't -- I'm doing the best I can  
24 here to control these schedules. If you want to do  
25 that, if it's an issue and they send him somewhere

1 else then. I don't know if it's even an issue at  
2 this moment. I've heard your request, they've heard  
3 your request, I don't know if it's an issue or not.

4 Okay. Then anything else? Okay. I just want  
5 to recap. The Spencer hearing is June the 13th at  
6 1:30, it's scheduled for the rest of the afternoon.  
7 The sentencing is June the 27th at 1:30, it will be  
8 set for the rest of the afternoon. I've ordered --  
9 requested sentencing memorandums, they're to be -- if  
10 you file a copy, you need to give a copy -- if you  
11 file a copy and no one gives me notice that that has  
12 been filed, I will never know it. So, someone needs  
13 to either give me a hard copy or send me an e-mail  
14 with it attached so that -- send Miss Billy an e-mail  
15 so that I know that this has been filed on June the  
16 18th by 5:00 p.m., and we've ordered the transcripts  
17 and we've requested that they be provided by May the  
18 23rd, 2014.

19 Okay. At this time the defendant is remanded  
20 to await sentence, sentencing. There are no further  
21 proceedings. Thank you.

22 (Thereupon, the proceedings were concluded.  
23 Thereafter, court was reconvened on 6/5/2014 and the  
24 proceedings were had as follows:)

25 THE COURT: Okay. We can bring out Mr. Bradley

1 and he can be seated with his attorneys at counsel  
2 table.

3 (Thereupon, the defendant was escorted into the  
4 courtroom by the court deputy.)

5 THE COURT: Okay. We're hear for what is  
6 called a Spencer hearing in the case of the State of  
7 Florida versus Brandon Bradley. Just for the record,  
8 the Defense had previously waived a presentence  
9 investigation. The purpose of this hearing is to  
10 present additional evidence, rebuttal or comments,  
11 and also if the defendant wishes to address the  
12 Court, he may do so at this time.

13 Now, I'll start with the State. Is there any  
14 additional evidence by the State?

15 MR. MCMASTER: Yes, Your Honor, we have three  
16 witnesses that would like to address the Court.

17 THE COURT: Okay. Mr. McMaster, you may  
18 proceed at this time.

19 MR. PIROLO: Judge, may we approach before we  
20 do that?

21 THE COURT: Okay.

22 (Thereupon, a benchside conference was held out  
23 of the hearing of the audience as follows:)

24 MR. PIROLO: Judge, I'm not sure the order  
25 they're going to call their witnesses, but Steven

1 Pill -- Mr. Bradley was able to view a statement that  
2 Steven Pill has written and that he's going to read  
3 to the Court and I respect that he has the right to  
4 be heard and speak, the portion of the statement that  
5 we're going to object to it talks about rap videos  
6 that Mr. Bradley had made prior to March 6th, 2012.  
7 First of all, the rap videos were never introduced at  
8 trial, that's facts not in evidence. There's been  
9 no -- never been any proper authentication or  
10 foundation laid for any of the videos.

11 The videos are protected by the First Amendment  
12 of the United States Constitution. Any words or  
13 phrases used in that context is protected speech.  
14 It's not meant to be literal in nature and they're  
15 trying to make it literal in nature, trying to infer  
16 bad character on Mr. Bradley, infer gang associations  
17 and this Court has previously granted a motion in  
18 limine excluding any discussion or inferences that  
19 Mr. Bradley was a gang member or had any ties to a  
20 gang and it would be improper.

21 Again, I respect the family's rights to be  
22 heard, I think they should be heard, but that portion  
23 of the statement I'm going to object, and I also  
24 object to any other family members are going to make  
25 any references to those videos as well.

1 THE COURT: Response from the State.

2 MR. BROWN: Judge, first, they do have a right  
3 to speak to the Court. Obviously for the Court to  
4 properly decide this you'd have to hear it anyway so  
5 you're going to have to make a decision on whether  
6 the information is relevant or admissible. So, you  
7 hear it and you get to decide the relevance of it and  
8 the admissibility and if you deem it improper then  
9 you should not consider it. We're not putting it  
10 forward as any evidence of any aggravator or any  
11 evidence to disprove a mitigator, simply a family's  
12 opportunity speak and express their feelings to the  
13 Court, so.

14 THE COURT: Okay. Are you going to -- you're  
15 not going -- are you going to introduce the rap  
16 videos?

17 MR. BROWN: No.

18 THE COURT: Just reference to them?

19 MR. BROWN: In his statement he makes a  
20 reference to them, the other reference in a gang or  
21 anything like that he references the rap videos. So,  
22 I think it's -- you can listen to it and in your own  
23 mind decide if you're going to give it any weight.  
24 Nothing of his statement goes towards any aggravator  
25 since that really is -- his statement itself is

1 something that you're going to be I imagine using in  
2 your weighing process in making a decisions. So, I  
3 fail to see any prejudice in it. It's just his  
4 feelings and his chance to express those to the  
5 Court.

6 MR. PIROLO: Judge, he comments on what's  
7 contained in the videos, doesn't quote the lyrics  
8 from it but he gives some sort of summary of what the  
9 lyrics mean.

10 MR. LANNING: He took his statement from the  
11 videos to Mr. Bradley as the maker and some of  
12 those -- some of that could be deemed  
13 (unintelligible) to law enforcement and to the Court  
14 to and it's not --

15 THE COURT: Okay. Help me in this respect.  
16 With regard to the Spencer hearing, I'm assuming that  
17 it's more like a sentencing hearing in that the rules  
18 of evidence are relaxed?

19 MR. BROWN: Yes.

20 THE COURT: All right. I'm going to allow it  
21 and the Defense can renew their objection. I want to  
22 hear what he has to say. I would ask you -- your  
23 objection is preserved.

24 MR. LANNING: We don't want to interrupt him.

25 MR. BROWN: Judge, we will stipulate that for



1 the other two as well that they can make -- at the  
2 conclusion of our presentation they can approach and  
3 make any objections they want to make so we don't  
4 have to interrupt any of the three family members, is  
5 that fair?

6 MR. LANNING: Well, I would ask that it be from  
7 now without the need for objection.

8 MR. BROWN: Well, what I'm saying --

9 MR. LANNING: Or after.

10 MR. BROWN: That's what I'm saying is you  
11 can --

12 MR. LANNING: Any additional objections.

13 MR. BROWN: Any additional objections.

14 MR. LANNING: Okay.

15 THE COURT: And then after we're done you can  
16 renew your objections and I'll hear the objections at  
17 that time. Okay. The objections are preserved and  
18 it's a relevance objection.

19 MR. PIROLO: It's a relevance objection. I'm  
20 also going to object on grounds that it's essentially  
21 a victim impact statement and it's an improper impact  
22 victim statement. They can talk about how the death  
23 of Deputy Pill has impacted the family, the  
24 community, but it essentially amounts to a personal  
25 attack against Mr. Bradley and again it infers

1           alleged statements made by Mr. Bradley that have  
2           never been introduced in evidence during the guilt or  
3           penalty phase in this case.

4           MR. LANNING: It just makes him out to be a bad  
5           guy.

6           MR. BROWN: Judge, the survivors chance to  
7           speak to the Court is broader than victim impact  
8           evidence that's admissible during the jury portion  
9           and the sentencing phase and that's why we are  
10          limited in what we can present to the jury, we're  
11          limited to the number we can present to the jury  
12          because we can't make it a feature. So, that's why  
13          we presented one person at the jury, provided it in  
14          writing to the Defense beforehand, we're now  
15          presenting three additional family members and I  
16          think it's a different purpose, it's not subject to  
17          the same limitations that the jury evidence would be.

18          THE COURT: Again, I'm going to overrule the  
19          objection at this time and I'm going to preserve your  
20          opportunity -- it is without prejudice and I'll  
21          preserve your opportunities to reargue it at the  
22          conclusion.

23          Now, from what I heard from the State, it's  
24          going to be three --

25          MR. BROWN: Yes.

1 THE COURT: Three family members. Okay. And  
2 then the State's not going to interrupt at that time  
3 and then -- I mean, the Defense is not going to  
4 interrupt at that time and then I'll give them an  
5 opportunity to preserve their objections and be heard  
6 on their objections at the end. I assume they're  
7 going to come to the podium and address me directly?

8 MR. MCMASTER: That would be fine.

9 THE COURT: Okay.

10 MR. MCMASTER: Thank you, Your Honor.

11 THE COURT: Thank you.

12 (Thereupon, the benchside conference was  
13 concluded and the proceedings were had as follows:)

14 THE COURT: Okay. Who would be the first  
15 witness on behalf of the State?

16 MR. MCMASTER: State calls Bernie Bolte. This  
17 is the son. This is the father who's going to  
18 addressing the Court and his son is --

19 THE COURT: With all due respect, he'll have  
20 the victim's advocate with him.

21 MR. MCMASTER: Okay.

22 THE COURT: I mean, I think that would be --  
23 it's a security risk if we let you come forward. So,  
24 I just can't -- he can be right there and the  
25 victim's advocate will be right with him. Okay. I'm

1 not saying -- it's a security risk in any case for  
2 anyone to come on this side and that's why I have to  
3 follow those rules as well. Okay. Mr. Bolte, if  
4 you'll raise your right hand.

5 THEREUPON,

6 BERNIE BOLTE,

7 having been first duly sworn, was examined and testified  
8 upon his oath as follows:

9 THE COURT: Okay. Put you are hand down. Yes,  
10 sir. Okay, Mr. McMaster.

11 DIRECT EXAMINATION

12 BY MR. MCMASTER:

13 Q Mr. Bolte, if you would please state your name  
14 for the record.

15 A Bernie Bolte, B-O-L-T-E.

16 Q Mr. Bolte, what is your relationship to Barbara  
17 Pill?

18 A Father.

19 Q Do you have some comments you'd like to make to  
20 the Court about the sentencing of Mr. Bradley?

21 A Yes, sir.

22 Q Do you have something prepared that you'd like  
23 to read?

24 A Yes, sir.

25 Q Go ahead and do that, please.

1           A           This is in reference to my daughter, Barbara  
2 Pill. I miss my daughter's phone calls every weekend,  
3 holiday, birthdays. Sometimes I still wait to hear her  
4 voice. The holidays that we spent together with the  
5 family, the bike rides that we were going to do and the  
6 ones that we had been in the mountains and cross country  
7 that we did and had so much fun doing it. Her laughter  
8 and smiles I miss. She would always be helping the young  
9 and the old, the good and the bad and they will miss her  
10 too.

11           Q           Is there anything else you'd like the Judge to  
12 know?

13           THE COURT: Okay. Mr. Bolte, anything else,  
14 sir?

15           THE WITNESS: That's it.

16           THE COURT: Okay. Sir, thank you for are  
17 testimony, you're free to be seated.

18           THE WITNESS: Thank you.

19           THE COURT: Questions by the Defense?

20           MR. PIROLO: No, Your Honor.

21           THE COURT: Okay. Thank you, sir.

22           Okay. Other witnesses on behalf of the State.

23           MR. MCMASTER: State would call Berry Bolte.

24           THE COURT: Okay. Sir, if you'll come forward.  
25 Step up to the podium. I'm going to have you raise

1           your right hand.

2       THEREUPON,

3                               BERRY BOLTE,

4       having been first duly sworn was examined and testified  
5       upon his oath as follows:

6                       THE COURT: Put your hand down, sir.

7               Mr. McMaster, you may proceed.

8                       MR. MCMASTER: Thank you, Your Honor.

9                               DIRECT EXAMINATION

10       BY MR. MCMASTER:

11               Q       Would you please state your name for the  
12       record?

13               A       Berry Bolte, I'm Barbara's brother.

14               Q       You're Bernie Bolte's son?

15               A       That's correct.

16               Q       Do you have some comments you'd like to make to  
17       the Judge?

18               A       Just a couple of things. I've rehearsed this  
19       over and over again and I brought nothing with me. I want  
20       to tell you a year before Barbara died my son died, he  
21       overdose on Oxycontin, bought the drugs off the street, he  
22       had a back injury. Barbara helped me through that. A  
23       year later she died.

24                       We need to do a better job. You know, that's  
25       basically what I want to say. We gave this man over here

1 a trial, he didn't give my sister a trial. He decided  
2 that day to kill my sister. At least we gave him the  
3 benefit of the doubt giving him a proper trial. So, we do  
4 the best that you can do and help the family out.

5 Q Anything else you'd like to add, sir?

6 A No.

7 THE COURT: Okay, sir. Is there any questions  
8 by the Defense?

9 MR. PIROLO: No, Your Honor.

10 THE COURT: Okay. Sir, thank you for your  
11 testimony, you can be seated.

12 Other witnesses on behalf of the State?

13 MR. MCMASTER: State calls Steven Pill.

14 THE COURT: Okay. Sir, if you'll come forward.  
15 Raise your right hand.

16 THEREUPON,

17 STEVEN PILL,

18 having been first duly sworn, was examined and testified  
19 upon his oath as follows:

20 THE COURT: Okay. Sir, you can put your hand  
21 down. Mr. McMaster.

22 DIRECT EXAMINATION

23 BY MR. MCMASTER:

24 Q Would you please state your name for the  
25 record?

1 A Steven Pill.

2 Q Barbara Pill's husband?

3 A Yes, sir.

4 Q Do you have some comments you'd like to make to  
5 the Court?

6 A Yes, I do.

7 Q You prepared those I take it?

8 A Yes.

9 Q Go ahead and read them, sir.

10 A Your Honor, on March 6th, 2012, half my life,  
11 heart and soul were taken from me and my family. Because  
12 of Brandon Bradley's choosing this path and actions  
13 Barbara won't be able to live her life. She won't be able  
14 to spend time with her children and her grandchildren.  
15 Cheyenne, her first granddaughter, will not have the  
16 chance to enjoy doing things and going to different places  
17 with her grandmother.

18 Barbara was looking forward to her retirement  
19 and being able to travel and enjoy more time with the  
20 family. She won't be able to enjoy the motorcycle rides  
21 and trips with her father and family, these times she  
22 really looked forward to.

23 Brandon Bradley chose his life's path and no  
24 one forced him. He had wrap videos out on the social  
25 media bragging on home invasions, carjacking, kidnapping,



1 parole violations and killing police officers. This was  
2 well before he -- well before March 6th, 2012. So, the  
3 thoughts of murder were already there.

4 This family doesn't want revenge but justice  
5 and the justified punishment to be given per the laws of  
6 the State of Florida. That's all I have.

7 THE COURT: Okay. Anything else, Mr. McMaster?

8 MR. MCMASTER: No, Your Honor.

9 THE COURT: Okay. Any questions by the  
10 Defense?

11 MR. PIROLO: No, Your Honor.

12 THE COURT: Okay. Mr. Pill, thank you for your  
13 testimony, you're free to be seated.

14 MR. MCMASTER: No further witnesses, Judge.

15 THE COURT: Okay. Do we want to have a bench  
16 conference?

17 MR. PIROLO: Yes.

18 THE COURT: Okay.

19 (Thereupon, a benchside conference was had out  
20 of the hearing of the audience as follows:)

21 MR. PIROLO: Judge, at this time renew my  
22 objections made previously relating to Mr. Pill's  
23 statement, specifically to the fact that Mr. Brandon  
24 Bradley made rap videos prior to March 6th, 2012,  
25 talking about kidnapping, carjacking, home invasion

1 and killing police officers. None of these rap  
2 videos were ever introduced into evidence.

3 MR. LANNING: Judge, can we just use our prior  
4 objection to preserve what we've already said?

5 THE COURT: Okay. I didn't know if there was  
6 anything additional since you actually -- I actually  
7 heard what he said for the first time. You all knew  
8 what he was going to say, I didn't.

9 MR. PIROLO: No new objections, Judge.

10 THE COURT: Okay. Response from the State.

11 MR. BROWN: Judge, we stand by our argument.

12 THE COURT: I'm going to grant the motion with  
13 regard to the reference to rap videos. I won't take  
14 that into consideration for purposes of the Spencer  
15 proceeding.

16 MR. BROWN: Thank you.

17 THE COURT: Okay.

18 MR. BROWN: Judge, we're on record now,  
19 correct?

20 THE COURT: Yes, we're on the record.

21 MR. BROWN: I don't think there's any need for  
22 the court to announce that to the gallery.

23 THE COURT: We're on the record, it's a part of  
24 the record, it's a bench conference. Okay. Thank  
25 you.

1 MR. PIROLO: Thank you, Judge.

2 (Thereupon, the benchside conference was  
3 concluded and the proceedings were had as follows:)

4 THE COURT: Okay. Additional evidence on  
5 behalf of the Defense?

6 MR. PIROLO: No, Your Honor.

7 THE COURT: Okay. Rebuttal and comments on  
8 behalf -- comments on behalf of the State?

9 MR. MCMASTER: Nothing at this time, Judge.

10 THE COURT: Okay. Rebuttal or comments on  
11 behalf of the Defense?

12 MR. PIROLO: Nothing at this time, Your Honor.

13 THE COURT: Okay. Does the defendant wish to  
14 address the Court?

15 MR. LANNING: No.

16 THE COURT: Okay. Is there any anything  
17 further that we need to address with regard to this  
18 Spencer hearing on behalf of the State?

19 MR. MCMASTER: No, Your Honor.

20 THE COURT: Anything further on behalf of the  
21 Defense?

22 MR. PIROLO: No, Your Honor.

23 THE COURT: Okay. The Court has previously  
24 entered an order which provides that the sentencing  
25 memorandums shall be filed and a courtesy copy

1 provided to myself by 5:00 p.m. on June the 18th and  
2 then the sentencing is scheduled for June the 27th at  
3 1:30 p.m. Okay. Thank you very much. Court will be  
4 in recess until that time.

5 (Thereupon, the proceedings were concluded.  
6 Thereafter, court was reconvened on 6/27/2014 and the  
7 proceedings were had as follows:)

8 THE COURT: Please be seated. Okay. We can  
9 bring out Mr. Bradley.

10 (Thereupon, the defendant was escorted into the  
11 courtroom.)

12 THE COURT: We are here in the case of State of  
13 Florida versus Brandon Lee Bradley, case number  
14 05-2012-CF-035337-B. The Court notes the attendance  
15 of the State, Defense counsel and the defendant.

16 Brandon Lee Bradley, on April 1st, 2014, a jury  
17 found you guilty of Count I, first degree murder of  
18 Deputy Barbara Pill, Count II, robbery, Count III,  
19 fleeing or attempting to elude a law enforcement  
20 officer siren and lights activated with high speed  
21 and reckless driving, and Count IV, resisting officer  
22 with violence.

23 April 8th, 2014, a jury by a vote of ten to two  
24 advised and recommended to the Court that the Court  
25 impose the death penalty upon Brandon Lee Bradley for

1 the conviction of first degree murder of Deputy Pill.

2 This matter is set before the Court this  
3 afternoon for sentencing. Is the state ready to  
4 proceed?

5 MR. MCMASTER: State's ready, Your Honor.

6 THE COURT: Is the Defense ready to proceed?

7 MR. MOORE: We're ready, Your Honor.

8 THE COURT: Is there any legal cause why  
9 sentence should not be imposed at this time?

10 MR. MOORE: No legal cause.

11 THE COURT: Okay. Is there anything the State  
12 would like to say before I impose sentence?

13 MR. MCMASTER: There's two preliminary matters,  
14 Judge. The State has submitted a score sheet for the  
15 other counts other than Count I which would not be  
16 scored. Has the Court received that?

17 THE COURT: I do have a copy of the score  
18 sheet.

19 MR. MCMASTER: And secondly, the State had  
20 filed a prison releasee reoffender in this matter as  
21 to Counts II, III and IV.

22 THE COURT: Yes, sir.

23 MR. MCMASTER: I'm sorry, I, III and IV. We  
24 have filed a notice, we are prepared to go forward  
25 with the predicate for that whenever the Court's

1 ready.

2 THE COURT: Okay. At this time the total --  
3 has the Defense had an opportunity to review the  
4 score sheet?

5 MR. MOORE: Yes, ma'am.

6 THE COURT: Total sentence points 185.4, any  
7 objection?

8 MR. MOORE: Yes, ma'am.

9 THE COURT: There is an objection?

10 MR. MOORE: Yes, ma'am.

11 THE COURT: Yes, sir.

12 MR. MOORE: The basis would be a hundred and  
13 twenty death points which would be in light of the  
14 facts that that relates to the first degree murder is  
15 which is not part of the guidelines score sheet, it  
16 would be double jeopardy to include that in the score  
17 sheet. That's ground number one.

18 Number two, the resisting with violence would  
19 also be the same reason, violate double jeopardy  
20 included in the score sheet.

21 So, the basis for that, those objections would  
22 be Florida Constitution Article 1, Sections 2,9, 12,  
23 16, 17 and 21 and 22 and the Federal Constitution  
24 Amendments 5, 6, 8 and 14.

25 THE COURT: Okay. Response from the State.

1           MR. MCMASTER: Judge, first of all with respect  
2 to the score sheet, it has nothing to do with Count  
3 I, the murder count, it has only to do with the  
4 remaining three counts of the case for which he was  
5 convicted. It has specifically to do with the  
6 resisting arrest with violence charge. It's the  
7 State's position that victim impact victim injury  
8 points are properly assessed for injuries resulting  
9 from the defendant's resistance. In this case the  
10 resistance was the shooting and killing of Deputy  
11 Barbara Pill. The State has some cases to submit to  
12 the Court. I have copies for counsel. May I  
13 approach?

14           THE COURT: Yes, you may.

15           MR. MCMASTER: Judge, most of the cases are  
16 older cases, the do involve resisting arrest with  
17 violence charges. They discuss the rule 3.701,  
18 specifically subsection (d)(7) as provided in that  
19 rule with regards to the sentencing guidelines.  
20 Victim injury shall be secured for each victim  
21 physically injured during a criminal episode or  
22 transaction and for each count resulting in such  
23 injury whether there are one or more victims.

24           The cases that I submitted specifically deal  
25 with that provision and in fact recognize that the

1 victim injury points are properly added when an  
2 officer is injured during the course of an arrest.  
3 Certainly Deputy Pill suffered the most egregious  
4 injury, we believe points would be assessed.

5 THE COURT: Okay. Response from the Defense.

6 MR. MOORE: Your Honor, the cases are fairly  
7 distinguishable in that the Burns case involves --  
8 rather the Gold case involves the scoring of victim  
9 injury points for a different officer, two officers  
10 involved. And the Burns case as well. We're talking  
11 about victim injury, victim impact as to one victim,  
12 not two. So, for the basis -- for the grounds  
13 stated, I object.

14 THE COURT: Okay. The Court accepts the  
15 sentence points as submitted of 185.2, I mean .4.

16 Okay. Mr. McMaster, you may proceed with  
17 regard to the prison release -- the releasee  
18 reoffender evidence.

19 MR. MCMASTER: Judge, the first exhibit for  
20 submission by the State is Exhibit A. I've  
21 previously provided these to counsel and disclosed  
22 them. It's a certified copy of a judgment and  
23 sentence in case number 2005-2007-CF-061680 here in  
24 Brevard County, Florida, convictions of Mr. Bradley  
25 for burglary of a conveyance, a third degree felony,



1 as well as grand theft, a third degree felony. The  
2 records reflect that on May 28th of 2008 he pled no  
3 contest to those charges, originally received a  
4 withholding of adjudication and four years probation.  
5 On March 2nd of 2009 he admitted a violation of  
6 probation, was adjudicated guilty and sentenced to  
7 two years in the Department of Corrections followed  
8 by three years probation. Make that as State's  
9 Exhibit 1.

10 THE COURT: Okay. Response from the Defense.

11 MR. MOORE: Your Honor, we dealt with predicate  
12 issues as to these convictions when they were  
13 introduced at trial as I recall.

14 THE COURT: Yes, sir.

15 MR. MOORE: And we renew those objections on  
16 predicate grounds to the admissibility of those  
17 certified copies for the purpose that the State seeks  
18 to introduce them at the time and the basis would be  
19 the same constitutional grounds that I just recite a  
20 moment ago.

21 THE COURT: Okay. The -- I note the objection  
22 by the Defense on those grounds. I'll overrule the  
23 objection and A will be received as State's Exhibit  
24 Number 1.

25 (Thereupon, State's Exhibit Number 1 was marked

1 and received in evidence.)

2 MR. MCMASTER: State's Exhibit B is a certified  
3 copy of the judgment and sentence in case number  
4 2005-2008-CF-031707-A also in Brevard County,  
5 Florida. Charge was possession of cocaine, a third  
6 degree felony. The documents reflect that on March  
7 2ND of 2009 he pled no contest to that charge, was  
8 adjudicated guilty and received a sentence of two T  
9 years in the Department of Corrections followed by  
10 three years probation. State would submit it as  
11 Exhibit 2.

12 THE COURT: Okay. Response from the Defense.

13 MR. MOORE: Same objection, same grounds, Your  
14 Honor.

15 THE COURT: Okay. I'll note the objection by  
16 the Defense, the objection is overruled and B will be  
17 received as State's Exhibit Number 2.

18 (Thereupon, State's Exhibit Number 2 was marked  
19 and received in evidence.)

20 MR. MCMASTER: State's Exhibit Number C for  
21 identification is a certified copy of the judgment  
22 and sentence in case number 05-2008-CF-036782-A also  
23 in Brevard County Florida. Charge was robbery, a  
24 second degree felony. The documents reflect that  
25 Mr. Bradley on March 2ND of 2009 pled no contest to

1 that offense, was adjudicated guilty and received A  
2 two year Department of Corrections sentence followed  
3 by three years probation.

4 THE COURT: Okay. Response from the Defense.

5 MR. MOORE: Same objection, same grounds.

6 THE COURT: Okay. I'll note the objection by  
7 the Defense, the objection's overruled and C will be  
8 received as State's Exhibit Number 3.

9 (Thereupon, State's Exhibit Number 3 was marked  
10 and received in evidence.)

11 MR. MCMASTER: State's Exhibit D is a certified  
12 package of records from the Florida Department of  
13 Corrections reflecting that inmate Brandon Lee  
14 Bradley, the defendant herein, was incarcerated in  
15 the Department of Corrections on each of the above  
16 three cases, the three exhibits that were just  
17 admitted, and was released from the Department of  
18 Corrections on May 11th of 2010 which the State would  
19 ask the Court to take judicial notice of is within  
20 three years from the date of the commission of this  
21 offense on March 6th of 2012.

22 THE COURT: Response from the Defense.

23 MR. MOORE: Same objection, same grounds, Your  
24 Honor.

25 THE COURT: I'll note the objection by the

1 Defense, the objection's overruled and D will be  
2 received as State's Exhibit Number 4.

3 (Thereupon, State's Exhibit Number 4 was marked  
4 and received in evidence.)

5 MR. MCMASTER: And finally, Judge, I've marked  
6 an exhibit as Exhibit E. It is a copy of the notice  
7 of service of the PRR notice reflecting that  
8 Mr. Bradley was properly notified that the State  
9 intended to seek to PRR sentencing in this matter and  
10 that is located at docket entry number 69 in this  
11 file.

12 THE COURT: Okay. Response from the Defense.

13 MR. MOORE: No objection, we did receive that.

14 THE COURT: Okay. E will be received as  
15 State's Exhibit Number 5.

16 (Thereupon, State's Exhibit Number 2 was marked  
17 and received in evidence.)

18 MR. MCMASTER: I have submitted a proposed  
19 order, Judge.

20 THE COURT: Has the Defense had an opportunity  
21 to review the proposed order?

22 MR. MOORE: Yes, ma'am.

23 THE COURT: Okay. Response from the Defense as  
24 to the proposed order.

25 MR. MOORE: No objection to the wording of the

1 order but without waiving the previous objections  
2 that we stated as to the merits.

3 THE COURT: Okay. I'll note the objection on  
4 the merits by the Defense and I'll enter an order.  
5 I'll enter --

6 MR. MCMASTER: Your Honor?

7 THE COURT: Yes.

8 MR. MCMASTER: I'm sorry. I should note that  
9 the order is reflecting Counts I, II and IV, those  
10 are the numbered counts that the Court renumbered for  
11 the purposes of trial. The original indictment in  
12 this case was numbered as Counts I, III and VI. He  
13 had been indited and was actually convicted on Counts  
14 I, III, V and VI of the indictment. They were  
15 reflected as Counts I, II, III and IV of the case  
16 that went to trial.

17 THE COURT: And this order's in reference to  
18 Counts I, II and IV as presented at trial.

19 MR. MCMASTER: That's correct, the fleeing and  
20 eluding count would not qualify for PRR treatment.

21 THE COURT: Okay. I'll enter an order  
22 adjudging the defendant a prison releasee offender as  
23 to Counts I, II and IV.

24 Accordingly, the defendant is a prison releasee  
25 reoffender and is sentenced under sections 775.082

1 subsection (9), subsection (a).

2 Count II, the defendant shall be released only  
3 by expiration of sentence and shall not be eligible  
4 for parole, controlled release or any other form of  
5 early release.

6 Paragraph three, the defendant must serve a  
7 hundred percent of his sentence imposed by this  
8 Court.

9 Okay. Anything else by the State?

10 MR. MCMASTER: No, Your Honor.

11 THE COURT: Is there anything by the Defense  
12 that the Defense would like to say before the Court  
13 imposes sentence?

14 MR. MOORE: Your Honor, Mr. Bradley asked if he  
15 could address the Court, that he'll be brief but it  
16 is his sentencing, he has a right under the  
17 constitution.

18 THE COURT: Okay. That was going to be my next  
19 question, if he had anything he would like to say  
20 before I impose sentence.

21 MR. MOORE: Yes.

22 THE COURT: Is there anything by the Defense?

23 MR. MOORE: Not by the attorneys but I think  
24 Mr. Bradley would like to address the Court.

25 THE COURT: Okay. Mr. Bradley, is there

1 anything you would like to say before I impose your  
2 sentence?

3 THE DEFENDANT: I just want to say I'm sorry to  
4 the family and friends of Deputy Pill.

5 THE COURT: Okay. Anything else, sir?

6 THE DEFENDANT: No, ma'am.

7 THE COURT: Okay. Thank you. Thank you, sir.

8 At this time I am filing with the clerk the  
9 forty-two page sentencing order. Madame clerk,  
10 please file said order and provide copies to the  
11 State and the Defense.

12 Mr. Bradley, will you please stand to receive  
13 the sentence of the Court.

14 Brandon Lee Bradley, you have been given the  
15 opportunity to be heard and show cause why judgment  
16 should not be imposed and offer matters in  
17 mitigation. This Court has considered the  
18 aggravating and mitigating circumstances presented  
19 and has prepared a comprehensive sentencing order  
20 which is on file with the clerk. No legal cause has  
21 been shown to preclude the imposition of the judgment  
22 and sentence.

23 This case involves a completely senseless  
24 murder of a law enforcement officer who was simply  
25 fulfilling her duties as a public servant by

1 initiating a traffic stop to investigate the  
2 EconoLodge robbery as reported by its motel owner.

3 Deputy Pill acted professionally with the  
4 defendant during the traffic stop and provided him  
5 countless opportunities to exit the vehicle over the  
6 course of three minutes. Never did Deputy Pill take  
7 her firearm out of its holster, draw her firearm or  
8 threaten the defendant. The bottom line is that the  
9 defendant murdered Deputy Pill in a selfish, foolish  
10 and futile attempt to avoid returning to prison for  
11 violating his probation.

12 The defendant planned well in advance of the  
13 shooting of Deputy Pill that he would do what it took  
14 to avoid incarceration even if this entailed using a  
15 gun to shoot an officer. Despite ample time for  
16 reflection to abandon his plan to avoid arrest and  
17 even being urged by his then girlfriend and trust had  
18 friend, Andria Michelle Kerchner, not to shoot Deputy  
19 Pill, the defendant did so regardless.

20 The defendant chose not to just shoot Deputy  
21 Pill one time but fired off seven more shoots. The  
22 defendant's brazen, premeditated, callous and  
23 cowardly action of shooting Deputy Pill multiple  
24 times on a public street in a neighborhood of  
25 congested single family homes mandates nothing less



1 than a death sentence.

2 Therefore, Brandon Lee Bradley, as to Count I,  
3 you are adjudged guilty of the crime of first degree  
4 murder for the unlawful killing of Deputy Barbara  
5 Pill. For this crime the Court sentences you to be  
6 put to death in the manner prescribed by law.

7 As to Count II, you are adjudged guilty of the  
8 crime of robbery. For this crime the Court sentences  
9 you to serve a term of imprisonment in the Department  
10 of Corrections for the State of Florida for a term of  
11 fifteen years.

12 As to Count III, you are adjudged guilty of the  
13 crime of fleeing or attempting to elude a law  
14 enforcement officer siren and lights activated with  
15 high speed or reckless driving. For this crime the  
16 Court sentences you to a term of imprisonment in the  
17 Department of Corrections for the State of Florida  
18 for a term of fifteen years.

19 As to Count IV, you are adjudged guilty of the  
20 crime of resisting officer with violence. For this  
21 crime the Court sentences you to serve a term of  
22 imprisonment of five years in the Department of  
23 Corrections for the State of Florida.

24 These sentences are to run consecutive with  
25 each other.

1           The defendant is entitled to credit for time  
2 served of eight hundred and forty-four days as  
3 calculated by the clerk.

4           You are advised that this judgment and sentence  
5 shall automatically be appealed to the Supreme Court  
6 of the State of Florida. Defense counsel is directed  
7 to perfect the appeal. The public defender is hereby  
8 appointed to represent you on appeal should you not  
9 have private counsel or unable to afford private  
10 counsel.

11           You are here by remanded and without bail to  
12 the custody of the sheriff's of the Brevard County to  
13 be delivered for commitment to the Department of  
14 Corrections where you will be confined until final  
15 execution of this judgment and sentence prescribed by  
16 law. Mr. Bradley, may God have mercy upon your soul.  
17 This court is now in recess.

18           (Thereupon, the proceedings were concluded.)

19                   \* \* \* \* \*

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C E R T I F I C A T E

STATE OF FLORIDA )  
( SS:  
COUNTY OF BREVARD)

I, JILL CASEY, Court Reporter and Notary Public, certify that I was authorized to and did transcribe the digital recording of the proceedings and that the transcript is a true and complete record of the digital recording of the proceedings to the best of my ability.

DATED this 14th day of July, 2014.



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JILL CASEY  
Court Reporter

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State v Brandon Bradley

