

IN THE 0CIRCUIT COURT, EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO.: ~~05-2009-CF-035337-XXXX-XX~~ ^{05-2012-CF-35337-XXXX-XX}

STATE OF FLORIDA,

Plaintiff,

vs.

BRANDON BRADLEY,

Defendant.

ORIGINAL

FILED IN CIVIL
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BREVARD CO., FL.
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SCOTT ELLIS

TRANSCRIPT OF DIGITALLY RECORDED
INITIAL APPEARANCE

The transcript of the Digitally Recorded
Initial Appearance held in the above-styled cause
at the Brevard County Jail, Sharpes, Florida, on the
7th day of March, 2012.

RYAN REPORTING
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A P P E A R A N C E S

UNIDENTIFIED, ESQUIRE
Assistant State Attorney
2725 Judge Fran Jamieson Way
Building D
Viera, FL 32940

Appearing for the
Plaintiff

UNIDENTIFIED, ESQUIRE
Assistant Public Defender
2725 Judge Fran Jamieson Way
Building E
Viera, FL 32940

Appearing for the
Defendant

Brandon Bradley, Defendant, present

P R O C E E D I N G S

1
2 DEPUTY: Yes, Your Honor, you ready?

3 THE COURT: Yeah.

4 DEPUTY: Okay. We are ready on this end.

5 THE COURT: Okay. Yeah, might as well -- what
6 number is he on the -- oh, there it is, number three.

7 DEPUTY: Sir, come right up over here. Step up
8 right there. Speak into the microphone, speak loudly.

9 THE COURT: All right. Are you Brandon Bradley?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Okay. You are in court this afternoon
12 for your first appearance on six different cases,
13 including the following charges:

14 It's alleged by the sheriff's department that at
15 approximately noon yesterday in the vicinity of John
16 Rodes Parkway and Elena Way in the City of Melbourne,
17 Brevard County, that you committed a first-degree murder
18 -- or first-degree premeditated murder and a robbery
19 with a deadly weapon.

20 Additionally, the State Attorney's Office had
21 previously -- and I have by the way read the affidavit.
22 There is a warrant for your arrest, in any event, but
23 there's probable cause for those offenses.

24 Additionally, the State Attorney's Office had
25 previously filed an Information in case 2011-CF-550009,
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1 let me find that one.

2 UNIDENTIFIED SPEAKER: That's possession of a
3 firearm by a convicted felon, Judge.

4 THE COURT: All right.

5 These allegations go back to April 18th of last
6 year, when it's alleged that you were in possession of a
7 firearm by a convicted felon and fleeing or attempting
8 to elude law enforcement.

9 And then the other four allegations are that --
10 three of the other four are that you're in violation of
11 probation on which you've been previously placed. In
12 one case for burglary of a conveyance and grand theft.
13 In the next one for possession of less than 28 grams of
14 cocaine. And the third one robbery. And in the fourth
15 case, the six all together, the warrant is for an
16 alleged failure to appear before Judge Dugan February
17 14th of this year for possession of a firearm convicted
18 felon, possession of cocaine with intent to sell,
19 carrying concealed firearm, possession less than 20
20 grams cannabis, resisting, obstructing or opposing an
21 officer without violence, giving false name and
22 identification to law enforcement and possession of drug
23 paraphernalia.

24 You have the right to plead not guilty to all of
25 these charges. You are presumed to be innocent until

1 proven guilty beyond a reasonable doubt at a trial by
2 jury on anything for which you've not already been
3 convicted. On a violation of probation, the right to be
4 proven guilty by a preponderance of the evidence at a
5 non-jury trial.

6 In any event, you have the right to the assistance
7 of an attorney at every stage of the prosecution,
8 including today's appearance, any hearings and on
9 appeals, should an appeal be necessary.

10 You have the right to remain silent at all times.
11 Anything you do say in court is recorded and could be
12 used against you down the road in any of these six
13 cases.

14 You have the right to confront and to cross-examine
15 the State's witnesses against you, the right to have
16 your own witnesses subpoenaed to trial or testify for
17 you and the right to appeal if you do go to trial and
18 you are convicted and feel you didn't get a fair trial
19 or sentence or both.

20 You also need to be aware that if you're not a
21 citizen of the U.S. and you're found to have committed a
22 criminal offense, you face the possibility of
23 deportation.

24 What do you plan to do concerning an attorney?
25 Will you be hiring an attorney or do you want the Court

1 to appoint a lawyer for you?

2 THE DEFENDANT: Can I say one thing, sir?

3 UNIDENTIFIED SPEAKER: Can you just ask --

4 THE COURT: Well, you can, but as I said, anything
5 you do say is recorded and can be used against you.

6 An attorney would probably advise you not to talk
7 about the particular offenses.

8 THE DEFENDANT: No, I'm talking about the U.S.
9 citizen part. I am a U.S. citizen.

10 THE COURT: Okay. Well, then that wouldn't be
11 anything to worry about.

12 Do you want the Court to appoint an attorney to
13 represent you?

14 THE DEFENDANT: I want the person who came here and
15 seen me earlier.

16 UNIDENTIFIED SPEAKER: Your Honor, he desires the
17 appointment of Randy Moore, who's in charge of our
18 capital division --

19 THE COURT: Okay.

20 UNIDENTIFIED SPEAKER: -- with the Office of the
21 Public Defender.

22 THE COURT: Well, I'm not going to appoint a
23 particular attorney. You do not have the right to a
24 particular Court-appointed counsel.

25 Do you want the Public Defender to be appointed or
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1 not?

2 THE DEFENDANT: Yeah.

3 THE COURT: Did you complete an application?

4 UNIDENTIFIED SPEAKER: Your Honor, there's some
5 paperwork that because of the jail's requirements will
6 have to be done in the hallway, and that's where we'll
7 accomplish that.

8 THE COURT: Okay. If you want the Court to appoint
9 an attorney to represent you, you will have to complete
10 an application for criminal indigent status completely.
11 Meaning, answering all of the questions on the
12 application. If it's a zero, or none, write zero or
13 none in on the line provided. Sign the application.
14 And if you do so and it confirms you're indigent, we'll
15 appoint an attorney to represent you. It will be the
16 Public Defender's Office.

17 UNIDENTIFIED SPEAKER: Your Honor, I need to lay it
18 on the record that if there are any conflicts of
19 interest, I will investigate that. I do not object to
20 our office's appointment at this time.

21 THE COURT: Okay. As far as the bond on the new
22 charges arising out of yesterday's incident, you'll be
23 held without bond.

24 On the onsite violations of probation, those are
25 all no bond, as well.

1 UNIDENTIFIED SPEAKER: Judge, also, he's AMA
2 designation on the VOPs.

3 THE COURT: Okay. You would be held without bond
4 under Florida's Anti-Murder Act, in any event.

5 And then, on the failure to appear before Judge
6 Dugan, that's also no bond.

7 So, is that everything?

8 UNIDENTIFIED SPEAKER: No, sir, we've also got the
9 new capias, Case Number 2011-55009. The capias came in
10 as a no-release hold for Judge. The State's requesting
11 under the circumstances that the Court find no bond on
12 that, as well.

13 He's definitely a flight risk. He proved that
14 yesterday.

15 THE COURT: We'll include you'll be held without
16 bond on the new charges, as well. When I say new
17 charges, those are not the ones from yesterday, but from
18 the incident alleged to have occurred April 18th of last
19 year, the charges of possession of firearm by convicted
20 felon and fleeing or attempting to elude.

21 Do you have any questions, Mr. Bradley?

22 THE DEFENDANT: Yes, sir. I don't remember nothing
23 about no April --

24 THE COURT: Well, they'll give you a copy of the
25 capias. This was alleged to have occurred in the

1 vicinity -- well, it looks like it was a high-speed
2 chase, Eau Gallie Boulevard, U.S. 1, 889 Torrence Lane.
3 Your attorney can --

4 THE DEFENDANT: I'm going to get these papers,
5 though, right? Because I don't know none of that.

6 THE COURT: Okay.

7 UNIDENTIFIED SPEAKER: Yes, you'll get copies.

8 THE DEFENDANT: All right. Thank you.

9 THE COURT: All right. You're welcome.

10 That will do it.

11 UNIDENTIFIED SPEAKER: Judge, are you appointing the
12 P.D. pending his filling out the application or --

13 THE COURT: Right, on the assumption he completes
14 the application correctly, we'll -- and it confirms he's
15 indigent -- we'll appoint the Public Defender.

16 UNIDENTIFIED SPEAKER: Thank you.

17 DEPUTY: Yes, Your Honor. Your Honor, there will be
18 a few minute lag in between. I'm going to shut off the
19 mic and I'll turn it back on again later.

20 THE COURT: Okay.

21 * * * * *

22 (The audio proceedings were concluded)

23 * * * * *

24

25

C E R T I F I C A T E

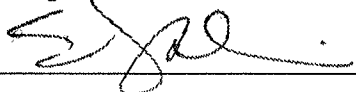
STATE OF FLORIDA)

COUNTY OF BREVARD)

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

DATED this 26th day of September, 2014.



Sheryl J. Dixon
Transcriptionist
Notary Public - State of Florida
My Commission Number EE864441
Expires May 5, 2017

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