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

STATE OF FLORIDA,  
Plaintiff,

CASE NO. 2012CF035337A

vs.

BRANDON LEE BRADLEY,  
Defendant.

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**MOTION TO SEQUESTER JURY**

The Defendant, BRANDON LEE BRADLEY, moves this Honorable Court, pursuant to Fla.R.Crim.P. 3.390(a), Article I, Sections 9, 16, 17 and 22 of the Constitution of the State of Florida and Amendments Five, Six, Eight and Fourteen to the United States Constitution, to enter an Order directing that the jury selected and sworn to try this cause be fully sequestered during the entire trial through verdict, and if need arise, through sentencing verdict. The requested sequestration encompasses all necessary methods to ensure that the jury is not exposed to community influence, including chaperoning and overnight accommodations. As grounds for this motion, the Accused states the following:

1. After the jury is sworn it is within the discretion of the trial judge to sequester the jury during the course of trial. Fla. R.Crim.P. 3.370(a)
2. The Accused has been indicted in this case for first degree premeditated murder and the State has indicated that it will seek imposition of the death penalty if the Accused is convicted as charged.
3. Since the death of Deputy Barbara Pill on March 7, 2012, this case has been attended by extensive and extraordinary publicity, such that if an untainted jury is able to be selected from the Brevard County citizenry it would be impossible, or at least extremely unlikely, that said jury could avoid prejudicial contact with county residents

familiar with this case, seeking to share their opinions about this case, the Accused, the verdict and the sentence.

4. The trial of this cause will undoubtedly be attended by extensive and extraordinary media coverage, even greater than the extensive pretrial media coverage generated by this case that has occurred almost weekly in Brevard County since the killing of Deputy Barbara Pill. The expected coverage will be so extensive that if an untainted jury is able to be selected in Brevard County, it will be impossible or, at the least, extremely unlikely that said jury could avoid exposure to the anticipated pervasive and highly prejudicial publicity.

5. Cautionary instructions and directions cannot prevent or cure these anticipated exposure hazards or obviate the need for sequestration. *Livingston v. State*, 458 So.2d 235 (Fla. 1984); *Johnson, P.B. v. Wainwright*, 498 So.2d 938 (Fla. 1986).

WHEREFORE, Defendant respectfully requests that this Honorable Court enter an Order directing sequestration of the jury during the trial of this cause, with due directions to the Sheriff of Brevard County, or the county in which the case, is tried to arrange, coordinate and oversee said sequestration.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to the Office of the State Attorney, Brevard County, Florida, this 8<sup>th</sup> day of November, 2013.



J. Randall Moore  
Assistant Public Defender  
Florida Bar No. 0357847  
2725 Judge Fran Jamieson Way  
Building E, Second Floor  
Viera, FL 32940  
321-617-7373  
brevardfelony@pd18.net