

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

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

Case # 05-2012-CF-035337-AXXX-XX  
Document Page # 421

STATE OF FLORIDA,

Plaintiff,



\*23131283\*

versus

BRANDON LEE BRADLEY

Defendant,

**ORIGINAL**

FILED IN Tvl-01  
CLERK OF CIR. CT.  
BREVARD CO. FL.  
2014 JUL 25 A 11:44  
SCOTT ELLIS

VOLUME VI 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

A P P E A R A N C E S

1  
2 THOMAS BROWN, ESQ.,  
3 and  
4 JAMES MCMASTER, ESQ.,  
5 Assistant State Attorneys  
6 State Attorney's Office  
7 2725 Judge Fran Jamieson Way  
8 Building D.  
9 Viera, Florida 32940

Appearing for  
Plaintiff

10 J. RANDALL MOORE, ESQ.,  
11 MICHAEL PIROLO, ESQ.,  
12 and  
13 MARK LANNING, ESQ.,  
14 Assistant Public Defender  
15 Public Defender's Office  
16 2725 Judge Fran Jamieson Way  
17 Building E  
18 Viera, Florida 32940

Appearing for  
Defendant

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24  
25  
Brandon Lee Bradley, Defendant, present

\* \* \* \* \*

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1	Vials of Blood	A	1444
2	Litigation Package	B	1477
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4	Power-point Presentation	J	2373
5	Photograph	F	2691
6	Photograph	G	2691
7	Photograph	H	2691

\* \* \* \* \*

1 MR. MOORE: Could we?

2 THE COURT: Yes, you may.

3 MR. MOORE: No objection. May we approach?

4 THE COURT: Yes, you may.

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

7 MR. MOORE: My memory may be a little hazy but  
8 I don't recall that there has been an examination of  
9 that phone at this point in time or the data taken  
10 from it and so until that point in time arrives, then  
11 it's irrelevant and we'd object to it being admitted  
12 as irrelevant.

13 MR. MCMASTER: Agent Reynolds testified that  
14 they executed a search warrant on it and retrieved  
15 that information.

16 THE COURT: Some of that information has been  
17 introduced, the numbers from that -- remember the  
18 specific numbers during that period of time on March  
19 the 6th.

20 MR. MOORE: Well, if there's any further  
21 examination, until that examination is testified to  
22 then the phone itself would be irrelevant.

23 THE COURT: I'll overrule that objection.

24 Okay. Thank you.

25 (Thereupon, the benchside conference was

1 concluded and the proceedings were had as follows:)

2 THE COURT: Okay. State's BI will be received  
3 as State's 128.

4 (Thereupon, State's Exhibit Number 128 was  
5 marked and received in evidence.)

6 BY MR. MCMASTER:

7 Q Officer Streiff, once the cell phone was seized  
8 by the Melbourne Police Department, was it subsequently  
9 turned over to the sheriff's office for further  
10 examination?

11 A Yes, it was.

12 Q And this is the cell phone that the homeowner  
13 indicated was not his and not belonging to him?

14 A That is correct.

15 MR. MCMASTER: State requests permission to  
16 publish Exhibit 128 to the jury.

17 THE COURT: Yes, you may.

18 MR. MCMASTER: No further questions.

19 THE COURT: We'll wait until after they've  
20 published it.

21 (Thereupon, State's Exhibit Number 128 was  
22 published to the jury.)

23 THE COURT: Okay. Cross examination by the  
24 Defense.

25 MR. MOORE: No questions.

1 THE COURT: Okay. Sir, thank you for your  
2 testimony, you're free to step down.

3 (Thereupon, the witness exited the witness  
4 stand.)

5 MR. MCMASTER: State calls Amy Siewert.

6 THEREUPON,

7 AMY SIEWERT,

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

10 THE COURT: Ma'am, if you'll please be seated  
11 in the witness chair and once seated if you'll scoot  
12 that chair forward. Do adjust that microphone and do  
13 talk into the microphone. Okay. Mr. McMaster.

14 MR. MCMASTER: Thank you, Your Honor.

15 DIRECT EXAMINATION

16 BY MR. MCMASTER:

17 Q Good morning.

18 A Good morning.

19 Q If you would, please state your name and spell  
20 your last name for the record?

21 A Amy Siewert, S-I-E-W-E-R-T.

22 Q And how are you employed?

23 A I am employed by the Department of Florida Law  
24 Enforcement Orlando Regional Operations Center.

25 Q And in what capacity with FDLE?



1           A        I am a crime laboratory analyst assigned to the  
2 firearms section.

3           Q        And how long have you done that?

4           A        I have been with FDLE for almost twelve years,  
5 nine of which have been with the firearms section.

6           Q        Would you tell the ladies and gentlemen of the  
7 jury your education and training and background to hold  
8 the position of an analyst with the Florida Department of  
9 Law Enforcement in the firearms section?

10          A        I have Bachelor's of Science degree in  
11 chemistry. In addition I completed a six month firearms  
12 training program as a forensic technologist and this  
13 enabled me to perform function examinations on firearms.  
14 As an analyst I had an additional fourteen months of hands  
15 on structured training in firearms identification, this  
16 included firearm operating systems, identification of  
17 bullets and cartridge cases and distance determinations  
18 and clothing.

19          Q        And in your capacity as an analyst with FDLE,  
20 have you in fact performed examinations on firearms in the  
21 past?

22          A        Yes.

23          Q        How many different occasions?

24          A        I've probably examined several thousand  
25 firearms over my time.

1 Q Have you testified in courts of law in the  
2 State of Florida with respect to the firearm examinations  
3 that you have conducted?

4 A Yes, I have.

5 Q How many occasions?

6 A Twenty-one.

7 Q And have you been accepted by those courts as  
8 an expert in your field of firearms examinations?

9 A Yes.

10 Q Miss Siewert, did you have an occasion to  
11 assist the Brevard County Sheriff's Office by examining a  
12 firearm and related materials in the case involving the  
13 death of Deputy Barbara Pill?

14 A I did.

15 Q Do you recall when you became involved in the  
16 investigation?

17 A May I refer to my?

18 Q Certainly, if it would refresh your  
19 recollection.

20 A I received the evidence on March 15th of 2012.

21 Q And what evidence did you receive?

22 A I received a firearm magazine, eight fired  
23 cartridge cases and eight fired projectiles or components  
24 of projectiles.

25 MR. MCMASTER: Approach the witness, Your

1 Honor?

2 THE COURT: Yes, you may.

3 BY MR. MCMASTER:

4 Q Showing you first what has been entered into  
5 evidence as State's Exhibit 124.

6 MR. MCMASTER: Approach the witness?

7 THE COURT: Yes, you may.

8 BY MR. MCMASTER:

9 Q Would you look at that and tell me if you can  
10 identify it?

11 A I can.

12 Q And how can you identify it?

13 A By the FDLE case number, exhibit number and my  
14 initials.

15 Q I take it you placed those on the box?

16 A Yes.

17 Q And did you in fact examine the firearm that's  
18 inside the box?

19 A I did.

20 Q What type of tests did you perform on the  
21 firearm itself?

22 A I performed a standard firearm examination to  
23 determine if the firearm was functioning and safe to test  
24 fire and then using laboratory ammunition I test fired the  
25 firearm.

1 Q Showing you what has been marked for  
2 identification as State's Exhibit EF, Echo Foxtrot, look  
3 at that and tell me if you can identify that?

4 A Yes, I can.

5 Q How can you identify it?

6 A Again, the FDLE case number, exhibit number and  
7 my initials.

8 Q Does it match the weapon that was submitted as  
9 Exhibit 124?

10 A Can you rephrase?

11 Q Was it submitted in connection with the same  
12 case?

13 A Yes, it was from the same case.

14 Q From the Brevard County Sheriff's Office?

15 A Correct.

16 Q And I take it Exhibit EF is sealed up with your  
17 initials and evidence tape, is that correct?

18 A Yes.

19 Q If you would, Miss Siewert, would you please  
20 open Exhibit EF and look at the object inside? Can you  
21 identify it?

22 A Yes, it is -- may I pull it out?

23 Q Certainly.

24 A It is a magazine.

25 Q And is it in substantially the same condition

1 today as it was on the day that you received it for  
2 examination?

3 A Yes.

4 MR. MCMASTER: State would move Exhibit EF into  
5 evidence at this time.

6 THE COURT: Response from the Defense.

7 MR. MOORE: No objection.

8 THE COURT: Okay. EF will be received as  
9 State's Exhibit 129.

10 (Thereupon, State's Exhibit Number 129 was  
11 marked and received in evidence.)

12 BY MR. MCMASTER:

13 Q What was the testing that you did with Exhibit  
14 124 and 129?

15 A I as previously stated had examined the firearm  
16 to see whether it was safe to test fire, I made notes of  
17 make, model, serial number, I checked the integrity of the  
18 barrel, the frame to ensure that it was safe and then  
19 using laboratory ammunition the firearm and the magazine  
20 test fired into our water tank and then I retained the  
21 tests, the fired cartridge cases and bullets.

22 Q And did you determine whether or not the weapon  
23 was in fact operational?

24 A Yes, the firearm was functional.

25 Q Was there anything in particular that you

1 measured with respect to the weapon utilizing the magazine  
2 and the ammo from FDLE?

3 A I measured the trigger pull.

4 Q What's the purpose of that?

5 A The trigger pull is the amount of force in  
6 pounds required to pull the trigger and release the firing  
7 mechanism.

8 Q What was it that you determined the trigger  
9 pull to be on that particular weapon?

10 A It was between six and a half and six and three  
11 quarter pounds.

12 Q Is that a standard trigger pull for this type  
13 of weapon?

14 A Yes.

15 Q It takes a considerable amount of force to be  
16 able to pull the trigger --

17 MR. MOORE: Objection, calls for opinion,  
18 speculation.

19 THE COURT: As to the form of the question,  
20 I'll sustain the question.

21 BY MR. MCMASTER:

22 Q Does it take a particular amount of force to be  
23 able to pull the trigger on this weapon in order to fire  
24 or discharge a cartridge through the barrel?

25 A Yes, the force is between six and a half and

1 six and three quarter pounds.

2 Q Did you perform any additional testing on those  
3 items?

4 A No.

5 Q Showing you what has been marked for  
6 identification as Exhibits CT, Charlie Tango, FA, Foxtrot  
7 Alpha, FC, Foxtrot Charlie, FH, Foxtrot Hotel, and EL,  
8 Echo Lima, if you would look at those and tell me if you  
9 can identify them?

10 A Yes, I can.

11 Q How can you identify them?

12 A FDLE case number, exhibit number and my  
13 initials.

14 Q And are each of those exhibits sealed up with  
15 the evidence tape and your initials and date on them?

16 A Yes.

17 Q Did you perform examinations on each one of  
18 those items?

19 A I did.

20 Q Let's take them one by one. If you could find  
21 the one marked as CT first. Can you identify that object?

22 A Yes, this is a fired bullet.

23 Q And what tests, if any, did you perform on the  
24 fired bullet?

25 A I microscopically compared this fired bullet to

1 tests fired from the submitted firearm.

2 Q How do you do that?

3 A I will put the bullets on to the microscope. I  
4 have a comparison microscope which has two different  
5 stages allowing me to see two different objects at the  
6 same time separated by a hairline and I'm able to compare  
7 them side by side and move the stages so I can line them  
8 up.

9 Q And where did you get the test projectile from?

10 A From test firing the firearm.

11 Q So, you actually put a bullet into the weapon,  
12 fired it, recovered the projectile and used that as you  
13 the test that you actually fired?

14 A Yes.

15 Q And did you then compare it to the projectile  
16 that is now marked as Exhibit CT?

17 A Yes, I did.

18 Q And what conclusions, if any, did you reach  
19 with respect to Exhibit CT?

20 A The bullet was identified as having been fired  
21 from the pistol.

22 Q Exhibit 124?

23 A Yes.

24 Q And if you would, could you open the Exhibit  
25 CT, please. And is Exhibit CT in substantially the same



1 condition today as the day it was that you examined it and  
2 sealed it up?

3 A It is.

4 MR. MCMASTER: State would move Exhibit CT into  
5 evidence.

6 THE COURT: Response from the Defense?

7 MR. MOORE: No objection.

8 THE COURT: CT will be received as Exhibit  
9 Number 131.

10 (Thereupon, State's Exhibit Number 130 was  
11 marked and received in evidence.)

12 BY MR. MCMASTER:

13 Q Miss Siewert, how exactly is it that you make a  
14 match to determine that the projectile itself has been  
15 fired from the gun?

16 A What I'm looking at essentially are a series of  
17 scratches that are imparted on to the surface of the  
18 bullet as it travels down the barrel and what I'm looking  
19 for is similarities in the width, the depth and spacial  
20 relationship of all of these lines relative to each other.

21 MR. MCMASTER: And request permission for Miss  
22 Siewert to be able to hold up Exhibit 130 and display  
23 it and publish it to the jury.

24 THE COURT: Yes, you may.  
25

1 BY MR. MCMASTER:

2 Q If you would, go ahead and show the jury what  
3 we're talking about.

4 A (Witness complies.)

5 Q And does the information submitted to you  
6 indicate where that particular projectile was recovered  
7 from?

8 A Yes, it does.

9 Q Where was that?

10 A From the side of the front of the vest.

11 Q That's the armored vest worn by Deputy Pill?

12 A Yes.

13 Q Set that one aside. Go ahead and put it back  
14 in the envelope, please. Get the envelope marked FA for  
15 identification. Can you identify that?

16 A Yes, I can. This is also one fired bullet.

17 Q And did you perform a test on that similar to  
18 the test that you conducted on Exhibit 130?

19 A I did.

20 Q And if you would, go ahead and open that up and  
21 take a look inside. And what is Exhibit FA?

22 A It is one fired bullet.

23 Q And where was this particular bullet recovered  
24 from?

25 A From the left post lateral chest wall under

1 skin.

2 Q And it was recovered by the medical examiner on  
3 the autopsy remains of Deputy Pill?

4 A I believe so.

5 Q And did you -- is the exhibit in substantially  
6 the same condition today as it was the day that you  
7 examined it and sealed it up?

8 A It is.

9 MR. MCMASTER: State would move FA as its next  
10 exhibit.

11 THE COURT: Response from the Defense?

12 MR. MOORE: No objection.

13 THE COURT: FA will be received as State's 131,  
14 State's Number 131.

15 (Thereupon, State's Exhibit Number 131 was  
16 marked and received in evidence.)

17 MR. MCMASTER: Request permission to publish  
18 this to the jury through Miss Siewert.

19 THE COURT: Yes, you may.

20 BY MR. MCMASTER:

21 Q Ma'am, go ahead and display that to the jury  
22 and explain to them what testing you performed on it and  
23 what the results were?

24 A Here's the fired bullet and I performed the  
25 same examination on this as I did to the previous fired

1 bullet comparing it microscopically to tests fired from  
2 the pistol, Exhibit 124.

3 Q Did you determine that in fact that projectile  
4 had been fired from the weapon that's Exhibit 124?

5 A Yes, it was identified as having been fired  
6 from the pistol.

7 Q And what type of weapon are we talking about?

8 A It's a forty Smith and Wesson caliber Glock  
9 model 27 GEN 4 semiautomatic pistol.

10 Q And in order to fire a bullet through the  
11 weapon you have to pull the trigger each time?

12 A Yes.

13 Q Turn to Exhibit FC, can you identify that  
14 exhibit?

15 A This is one fired bullet as well.

16 Q Go ahead and open it and look at it. Can you  
17 identify it?

18 A Yes.

19 Q And is exhibit FC in substantially the same  
20 condition today as the date you examined it and sealed it  
21 up?

22 A It is.

23 MR. MCMASTER: State would move Exhibit FC into  
24 evidence.

25 THE COURT: Okay. Response from the Defense?

1 MR. MOORE: No objection.

2 THE COURT: FC will be received as State's  
3 Number 132.

4 (Thereupon, State's Exhibit Number 132 was  
5 marked and received in evidence.)

6 MR. MCMASTER: Request permission for Miss  
7 Siewert to publish?

8 THE COURT: Yes, you may.

9 BY MR. MCMASTER:

10 Q Would you go ahead and show the ladies and  
11 gentlemen of the jury?

12 A This particular bullet while I was cleaning and  
13 examining had come apart, this is the core, the center of  
14 the bullet and this is the jacketing. As it was  
15 originally received, they were together in one piece.

16 Q And where was that projectile recovered from?

17 A Under the skin of the right side of the upper  
18 back.

19 Q Once again recovered by the medical examiner  
20 during the autopsy of Deputy Pill?

21 A Yes.

22 Q Put that back, please. Turn to Exhibit FH. Go  
23 ahead and examine that. First of all, can you identify  
24 the packaging?

25 A Yes. It is one fired bullet.

1 Q And is Exhibit FH in substantially the same  
2 condition today as it was on the date that you examined it  
3 and sealed it up?

4 A It is.

5 MR. MCMASTER: State would move FH as its next  
6 exhibit.

7 THE COURT: Okay. Response from the Defense?

8 MR. MOORE: No objection.

9 THE COURT: FH will be State's Exhibit 133.

10 (Thereupon, State's Exhibit Number 133 was  
11 marked and received in evidence.)

12 MR. MCMASTER: Request permission to publish.

13 THE COURT: Yes, you may.

14 BY MR. MCMASTER:

15 Q Please go ahead and show the ladies and  
16 gentlemen of the jury.

17 A (Witness complies.)

18 Q And what testing, if any, did you do on Exhibit  
19 133?

20 A I microscopically compared this fired bullet to  
21 tests fired from the firearm.

22 Q What were the results?

23 A The bullet was identified as having been fired  
24 from the pistol.

25 Q And where did this particular projectile come

1 from?

2 A This is marked as having been taken in the ER.

3 Q Emergency room?

4 A Yes.

5 Q Go ahead and put those back inside. Turn to  
6 Exhibit EL. Can you identify Exhibit EL?

7 A Yes.

8 Q And how can you identify it?

9 A Case number, exhibit number and my initials.

10 Q Go ahead and open it up and take a look at it.  
11 What is Exhibit EL?

12 A It is one fired bullet jacket.

13 Q Is it in substantially the same condition today  
14 as the day that you tested it and sealed it up?

15 A It is.

16 MR. MCMASTER: State would move Exhibit EL as  
17 its next exhibit.

18 THE COURT: Response from the Defense?

19 MR. MOORE: No objection.

20 THE COURT: Okay. El will be received as 134,  
21 State's Number 134.

22 (Thereupon, State's Exhibit Number 134 was  
23 marked and evidence in received.)

24 MR. MCMASTER: Request permission to publish.

25 THE COURT: Yes, you may.

1 BY MR. MCMASTER:

2 Q Go ahead and show that to the ladies and  
3 gentlemen of the jury and explain to them what testing you  
4 did on it and what the results were.

5 A This is a fired bullet jacket portion, the base  
6 is right here, it's folded over on itself, and I compared  
7 this microscopically to tests fired from the submitted  
8 firearm.

9 Q And what were the results?

10 A I determined this was identified as having been  
11 fired from the submitted pistol?

12 Q So, each of the exhibits, 130 through 134, the  
13 various projectiles that you examined that in front of you  
14 currently were each identified as having been fired from  
15 the Glock weapon which is Exhibit 124?

16 A Yes.

17 Q Where did this particular projectile jacket  
18 portion come from?

19 A Interior of front driver's side door.

20 Q Okay. Go ahead and put that back in.

21 In addition to the examination conducted on the  
22 projectiles that we just went through, did you also  
23 examine additional portions of projectiles to try to  
24 determine whether or not they had been fired in the  
25 weapon, 124?



1 A I did.

2 Q Showing you what has been admitted as State's  
3 Exhibit 134 and for identification Exhibit FB and CU,  
4 would you look at those and tell me if you can identify  
5 them?

6 A Yes, I can.

7 Q Exhibit 134 that's already in evidence was the  
8 jacket of a projectile that had been removed from the  
9 driver's door that you were able to match to the weapon,  
10 is that correct?

11 A Yes.

12 Q Was there also additional fragments that were  
13 with that as part of that exhibit that you were unable to  
14 determine whether it was fired or not?

15 A Yes, there was.

16 Q Is it totally separate from the piece that you  
17 held up and displayed to the jury?

18 A It is.

19 Q If you would, explain --

20 MR. MCMASTER: Request permission to publish  
21 that to the jury, Judge.

22 THE COURT: You're talking about 134?

23 MR. MCMASTER: Yeah, there's a couple of  
24 different parts to 134.

25 THE COURT: Okay. Yes, you may.

1 THE WITNESS: (Witness complies.)

2 BY MR. MCMASTER:

3 Q That's a smaller piece that was recovered and  
4 submitted as an overall object?

5 A Yes, it was.

6 Q And what were the results of the testing you  
7 did on that smaller piece?

8 A This was inconclusive.

9 Q What does that mean?

10 A There was not enough markings or information on  
11 that particular portion to make a determination whether it  
12 was or was not fired from --

13 MR. MOORE: Is that part of 134?

14 MR. MCMASTER: It is.

15 THE COURT: That's what I was clarifying. It  
16 appears to be part of 134.

17 BY MR. MCMASTER:

18 Q The larger portion that you were able to  
19 identify is also included in State's Exhibit 134, is that  
20 correct?

21 A Yes.

22 Q That's inside the same box?

23 A Yes.

24 Q Just set that aside and let's look at FB. Can  
25 you identify FB?

1 A Yes.

2 Q What is Exhibit FB?

3 A It is one fired bullet jacket base portion, one  
4 fired bullet jacket fragment and one piece of led.

5 Q If you could, you go ahead and open it up. And  
6 is Exhibit FB, both portions of it, in substantially the  
7 same condition today as it was on the day that you  
8 examined them and sealed them up?

9 A Yes.

10 MR. MCMASTER: State would move Exhibit FB as  
11 its next numbered exhibit.

12 THE COURT: Response from the Defense?

13 MR. MOORE: No objection.

14 THE COURT: Okay. FB will be received as  
15 State's Exhibit 135.

16 (Thereupon, State's Exhibit Number 135 was  
17 marked and received in evidence.)

18 MR. MCMASTER: Request permission to publish.

19 THE COURT: Yes, you may.

20 BY MR. MCMASTER:

21 Q If you would, Miss Siewert, show that to the  
22 ladies and gentlemen of the jury and tell them what  
23 testing you did on those and what the results were?

24 A I received two pieces of jacket fragments, this  
25 larger one is of the base portion and the smaller one

1 right here and I examined both of these microscopically to  
2 tests fired from the pistol.

3 Q And where were those fragments from?

4 A These were identified as having come from the  
5 head.

6 Q During the autopsy of Deputy Pill's remains?

7 A Yes.

8 Q Put those aside, please. Did I ask you what  
9 the results were?

10 A No.

11 Q Go 0Head and show the other part there.

12 A This is a piece of led which is most likely  
13 from the core of the bullet.

14 Q Likewise recovered in the autopsy?

15 A Yes.

16 Q Of Deputy Pill?

17 And what were the results of your examination  
18 with respect to Exhibit 135?

19 A The two jacket fragments were inconclusive,  
20 again there was not information either way for me to make  
21 a determination if they were or were not fired from the  
22 pistol, and the piece of led did not have any marks for me  
23 to compare microscopically.

24 Q Exhibit CU, I believe you indicated you can  
25 identify the packaging, is that correct?

1 A Yes.

2 Q Still sealed?

3 A Yes.

4 Q Go ahead and take a look inside. And can you  
5 identify it?

6 A Yes.

7 Q Is Exhibit CU in substantially the same  
8 condition today as it was on the date that you examined it  
9 and sealed it up?

10 A It is.

11 MR. MCMASTER: State would move CU as its next  
12 numbered exhibit.

13 THE COURT: Response from the Defense?

14 MR. MOORE: No objection.

15 THE COURT: Okay. CU will be received as  
16 State's Number 136.

17 (Thereupon, State's Exhibit Number 136 was  
18 marked and received in evidence.)

19 MR. MCMASTER: Request permission to publish.

20 THE COURT: Yes, you may.

21 BY MR. MCMASTER:

22 Q If you would, Miss Siewert, go ahead and  
23 display that to the jury and explain to them what testing  
24 you did on it and what the results were on this exhibit?

25 A This is another piece of bullet jacket, fired

1 bullet jacket and I compared this microscopically to tests  
2 fired from the pistol.

3 Q And what were the results of the examination?

4 A This was also inconclusive.

5 Q And where was that projectile jacket fragment  
6 recovered from?

7 A It's labeled PM55.

8 Q Photo marker 55 at the crime scene on Elena  
9 Way?

10 A I do not know.

11 Q Just know it's PM55?

12 A Yes.

13 Q Okay. Put that aside, please.

14 On Exhibit 135 there were several different  
15 pieces of that exhibit, is that correct?

16 A Yes.

17 Q And was there one piece of that that you were  
18 not able to do anything other than a visual exam on?

19 A Yes.

20 Q Can you explain what it was or why you couldn't  
21 do anything further with that particular piece?

22 A That was a piece of lead which was most likely a  
23 bullet core and that is not something that will have any  
24 type of markings for a microscopic examination.

25 Q And where did that piece of lead come from on

1 Exhibit 135?

2 MR. MOORE: Asked and answered, Your Honor, a  
3 couple times.

4 THE COURT: Okay. I do recall that she's  
5 answered that previously. So, I'll sustain the  
6 objection.

7 BY MR. MCMASTER:

8 Q I'm showing you what has been marked as State's  
9 Exhibit EM, look at that and tell me if you can identify  
10 it.

11 A Yes.

12 Q And how can you identify EM?

13 A FDLE case number, exhibit number and my  
14 initials.

15 MR. MOORE: Is that?

16 THE COURT: E.

17 MR. MOORE: November or Mike?

18 MR. MCMASTER: Mike.

19 BY MR. MCMASTER:

20 Q I'm sorry. Is that FP?

21 A F.

22 MR. MCMASTER: I'm looking at my notes. May I  
23 approach, Judge?

24 THE COURT: Yes, you may.

25

1 BY MR. MCMASTER:

2 Q EM, can you identify that?

3 A Yes.

4 Q And how can you identify it?

5 A FDLE case number, exhibit number and my  
6 initials.

7 Q And would you open it up, please? And is  
8 Exhibit EM in substantially the same condition today as  
9 the date that you examined it?

10 A It is.

11 MR. MCMASTER: State would move EM as its next  
12 numbered exhibit.

13 THE COURT: Response from the Defense?

14 MR. MOORE: No objection.

15 THE COURT: EM will be received as State's  
16 Number 136.

17 MR. MOORE: It's 137.

18 THE COURT: 137.

19 (Thereupon, State's Exhibit Number 137 was  
20 marked and received in evidence.)

21 MR. MCMASTER: Request permission to publish.

22 THE COURT: Yes, you may.

23 BY MR. MCMASTER:

24 Q Miss Siewert, what did you do with Exhibit 137?

25 A This is a piece of led and again this was most



1 likely from the bullet core so it had no, no value for  
2 microscopic comparison.

3 Q So, you weren't able to determine one way or  
4 the other whether it was fired from the weapon?

5 A No.

6 Q And where was Exhibit 137 recovered from?

7 A It's labeled as the interior from the driver's  
8 side door.

9 Q Put this back, please.

10 MR. MCMASTER: Approach the witness, Judge?

11 THE COURT: Yes, you may.

12 BY MR. MCMASTER:

13 Q Miss Siewert, I've put in front of you what has  
14 been marked for identification as Exhibits EK, CV, CW, CX,  
15 CY, CZ, DA and DB, would you look at those and tell me if  
16 you can identify them?

17 A Yes.

18 Q And how can you identify them?

19 A The FDLE case number, exhibit numbers and my  
20 initials.

21 Q Did you in fact examine those items and once  
22 your examination was concluded seal them up in the  
23 condition that they're in today?

24 A I did.

25 MR. MCMASTER: State would move Exhibits EK

1 through DB into evidence at this time.

2 MR. MOORE: No objection.

3 THE COURT: Okay. EK will be received as  
4 State's Exhibit 138. Starts with CV?

5 MR. MCMASTER: Yes, Your Honor.

6 THE COURT: Will be received as 139, CW will be  
7 received as 140. CX will be received as 141, CY will  
8 be received as 142. CZ will be received as 143, DA  
9 will be received as 144, DB will be received as 145.

10 (Thereupon, State's Exhibit Numbers 139 through  
11 145 were marked and received in evidence.)

12 BY MR. MCMASTER:

13 Q Showing you now what has been admitted into  
14 evidence as Exhibits 138 through 145. Take Exhibit 138  
15 first. If you would go ahead and open that up.

16 MR. MCMASTER: Request permission to publish to  
17 the jury.

18 THE COURT: Yes, you may.

19 BY MR. MCMASTER:

20 Q Go ahead and show the jury what it is and  
21 explain to them what testing, if any, you did on that  
22 exhibit.

23 A This is one fired cartridge case and I compared  
24 this microscopically to cartridge cases that I fired from  
25 the submitted firearm.

1 Q And what determination, if any, were you able  
2 to make about that particular casing?

3 A This cartridge case was identified as having  
4 been fired in the submitted firearm.

5 Q Which is Exhibit 124 before you?

6 A Yes.

7 Q If you would open Exhibit 139 -- where did that  
8 particular exhibit, 138, come from?

9 A Labeled as the front passengers side  
10 floorboard.

11 Q All right. And 139, go ahead and open that.

12 MR. MCMASTER: Request permission to publish.

13 THE COURT: Yes, you may.

14 BY MR. MCMASTER:

15 Q If you would, go ahead and display that to the  
16 jury and explain to them what testing you did, if any, on  
17 that one?

18 A This is another fired cartridge case and I  
19 compared this microscopically to cartridge cases I fired  
20 from Exhibit 124.

21 Q And what were the results of your testing?

22 A The cartridge case was identified as having  
23 been fired in the pistol.

24 Q Exhibit 124?

25 A Yes.

1 Q And where did that case come from?

2 A It's labeled as PM61.

3 Q Photo marker 61?

4 With respect to Exhibits 140 through 145, the  
5 remaining exhibits before, did you perform similar testing  
6 on each of those items?

7 A I did.

8 Q And what are those items?

9 A They are all fired cartridge cases as well.

10 Q And the remaining exhibits are labeled as  
11 coming from where?

12 A They all have different photo marker labels.

13 Q In total you examined eight cases, is that  
14 correct, one from the vehicle and eight different photo  
15 markers?

16 A Yes.

17 Q And what were your conclusions as to each of  
18 the casings?

19 A All eight of the cartridge cases were  
20 identified as having been fired in the Exhibit 124 pistol.

21 MR. MCMASTER: No further questions.

22 THE COURT: Okay. Cross examination by the  
23 Defense.

24 MR. MOORE: No questions.

25 THE COURT: Okay. Ma'am, thank you for your

1 testimony, you're free to step down.

2 (Thereupon, the witness exited the witness  
3 stand.)

4 THE COURT: Okay. Other witnesses by the  
5 State.

6 MR. BROWN: State would call Virginia Casey.

7 THE COURT: Ma'am, if you'll come forward, step  
8 up before the clerk to be sworn.

9 THEREUPON,

10 CSI VIRGINIA CASEY,

11 having been first duly sworn, was examined and testified  
12 upon her oath as follows:

13 THE COURT: If you'll have a seat in the  
14 witness chair and once seated if you'll scoot that  
15 chair forward. Do adjust that microphone and do talk  
16 into that microphone.

17 THE WITNESS: Yes, ma'am.

18 DIRECT EXAMINATION

19 BY MR. BROWN:

20 Q Ma'am, could you please state your name and  
21 spell your last name for the jury?

22 A My name is Virginia Casey, C-A-S-E-Y.

23 Q And how are you employed?

24 A I'm employed as a crime scene investigator with  
25 the Brevard County Sheriff's Office.

1 Q And how long have you been so employed?

2 A With the sheriff's office for twenty-three  
3 years.

4 Q Do you have any prior employment in that line  
5 of work?

6 A Yes, sir, I do. I was previously employed with  
7 the Sarasota Police Department for seven years as a crime  
8 scene investigator and a latent print examiner.

9 Q Can you tell the jury what type of training you  
10 have, educational background and training in the area of  
11 crime scene investigation as well as latent print  
12 examination?

13 A Yes, sir. I -- in 1983 I began training with  
14 the Sarasota Police Department in analysis of persons  
15 fingerprint records and applying the Henry System of  
16 fingerprint classification to those records for  
17 recordkeeping purposes. Two years after that I became a  
18 crime scene investigator in 1985 and I began studying not  
19 only crime scene investigations but latent print analysis  
20 and that would be the comparison of unknown friction ridge  
21 impressions to persons fingerprints.

22 Since 1985 I have over fifteen hundred hours of  
23 specialize training that I've received in both crime scene  
24 investigations and latent print analysis and I'm currently  
25 certified with International Association of Identification

1 as a latent print examiner and a crime scene analyst.

2 Q Have you previously testified in court first as  
3 a crime scene investigator?

4 A Yes, I have.

5 Q And approximately how many times have you so  
6 testified?

7 A In twenty-eight years I've testified over a  
8 hundred times in crime scene investigative cases.

9 Q How about as a latent print examiner?

10 A As a latent print examiner I would say no less  
11 than a hundred times, and I have testified in the circuit  
12 courts of Sarasota, Polk and Brevard County as well as  
13 Federal Court in Orlando.

14 Q Can you tell the jury over your career how many  
15 latent prints have you examined?

16 A I have analyzed over ten thousand latent  
17 impressions during my career.

18 Q And Virginia, Casey, first, Miss Casey, are you  
19 familiar with what's known as a GSR or GSR test?

20 A Yes, sir, I am.

21 Q And what is a GSR test?

22 A GSR is an acronym for gunshot residue and it's  
23 a test that can be performed on -- commonly on hands to  
24 determine if gunshot residue particles are present on the  
25 hand.

1 Q And at this point does Florida Law Enforcement,  
2 their laboratory, still test GSR type testing or  
3 examination?

4 A The Florida Department of Law Enforcement crime  
5 laboratories do not any longer accept submissions of  
6 gunshot residue tests for analysis.

7 Q And are you familiar with gunshot residue, what  
8 is that?

9 A Gunshot residue is a combination of antimony  
10 and barium which are components of what bullets are made  
11 from and the residue occurs as a result of when a weapon  
12 has been fired those residues emit from the barrel of the  
13 weapon after it has been fired.

14 Q When they emit, do they kind of like scatter  
15 all over?

16 A Yeah, it's a burst of a powdery type of  
17 substance.

18 Q And if it's fired, someone has gunshot residue  
19 on them, what does that tell you?

20 A It tells us that someone has been in contact or  
21 in the vicinity of a weapon that has been fired. However,  
22 it doesn't tell us whether a person actually fired that  
23 weapon or not.

24 Q So, if a person's fired from close range, would  
25 you expect the person who was hit by the bullet to have



1 have gunshot residue?

2 A I would expect if a person was in the general  
3 vicinity of an area where a firearm has been fired that,  
4 yes, there could be gunshot residue on that person even if  
5 they were just in the vicinity.

6 Q And would that likelihood increase if it's in  
7 an enclosed area such as a vehicle?

8 A I would say yes.

9 Q Now, Miss Casey, in this particular case did  
10 you perform any fingerprint examination?

11 A Yes, I did.

12 Q And can you tell the jury when you're doing a  
13 fingerprint examination, first, what is a fingerprint, how  
14 is it left?

15 A When we refer to fingerprints we are actually  
16 referring to friction ridge skin and that friction ridge  
17 skin is on the bottoms of the fingers, the palms of the  
18 hands and the soles of the feet. Friction ridge skin are  
19 raised lines of skin, they us actually with gripping  
20 purposes, and between those raised lines of skin are  
21 furrows and within those raised lines of skin are pores  
22 and the pores allow the excretions of our perspiration,  
23 oils and salts. So, we refer it generally as fingerprints  
24 but analysis can include a -- not only just a fingerprint,  
25 it can include from the joint areas of the fingers, from

1 the palms of the hands or even the soles of the feet, but  
2 the general reference that most people hear is  
3 fingerprints.

4           Therefore, what I -- when I refer to  
5 fingerprints, I'm also going to be referring to friction  
6 ridge skin lines and when we conduct an analysis we have a  
7 latent fingerprint or we have a known fingerprint. A  
8 known fingerprint is that impression that is actually  
9 recorded from a known person. So, when we apply ink to a  
10 person's finger and then we actually roll it on to a card  
11 that, to an analyst is considered the known or an exemplar  
12 of that person.

13           A latent impression is the unknown impression,  
14 it is the partial impression of friction ridge skin lines  
15 that are commonly developed using different chemicals and  
16 particles or powders. It normally is invisible to the  
17 naked eye, it is left by when we have our excretions of  
18 our perspirations, salts and oils and then we touch an  
19 object, we will leave an impression of our friction ridge  
20 skin, or can, I shouldn't say will always, but we can most  
21 often leave impressions of our friction ridge skin lines.  
22 When those impressions are left, we then use those powders  
23 or chemicals -- because it's not visible to the naked eye,  
24 we use those powders and chemicals to make it visible to  
25 the naked eye. So, in conducting an analysis as a latent

1 print examiner, I will have the unknown impression or the  
2 latent print and I have the exemplar or the known  
3 impression.

4           The general description that most people hear  
5 in fingerprints is that we have patterns within our  
6 fingerprints, whirls, loops and arches and those are  
7 common patterns that are found in the fingers, the first  
8 joint of the fingers. The patterns assist us with -- for  
9 recordkeeping purposes. However, the patterns are not  
10 what we are using to make an identification. We're  
11 actually looking at the individual lines of friction ridge  
12 skin that form into unique characteristics. For instance,  
13 you will have one line of friction ridge skin that is  
14 flowing along and it will, it will continue to flow  
15 throughout without stopping or forming into any unique  
16 characteristics. However, the friction ridge line  
17 directly next to it could be flowing along and it will  
18 stop flowing and we call that an ending ridge and that's a  
19 unique characteristic that we look for when we're  
20 conducting our analysis.

21           Another unique characteristic that we will look  
22 for is a line of friction ridge skin that flows along and  
23 then it will break off into two lines of friction ridge  
24 skin and we call that a bifurcation. Those  
25 characteristics we -- I look for in my analysis in the

1 unknown impression. I find those characteristics and  
2 where they are located in relationship to each other in  
3 the unknown impression and then I search in the known  
4 impression to see if those same ridge characteristics in  
5 the same general -- in the same location to each other are  
6 found within the known print or the exemplar. So, the  
7 comparison is done between one and the other looking for  
8 characteristics that are in agreement from the unknown  
9 impression to the known impression.

10 Q Miss Casey, you indicated that when you touch  
11 an object that you may leave friction ridge detail, what  
12 are the factors that go into when you touch an object that  
13 would determine whether you leave friction ridge detail  
14 and whether you don't?

15 A Well, one would be the weather that we're  
16 having today, it's very cold outside and so we're not  
17 perspiring as much as we might and so we're not excreting  
18 the perspiration out of the pores. In very cold weather  
19 we have very dry skin and so therefore we're not -- it's  
20 common to not leave an impression. Surface type is  
21 another big deficit that we deal with because on rough  
22 surfaces it -- often times it's very difficult for us to  
23 get a good clear unknown impression. So, mostly weather  
24 conditions and surface is the majority of the times in  
25 which we might not be able to recover known latent

1 impressions.

2 Q How would the moving of a person's hands or  
3 fingers affect friction ridge detail?

4 A It causes distortion. The distortion is the --  
5 our skin is elastic, it is stretchable and so when we have  
6 moving and we're touching an object and especially if some  
7 force is applied and it doesn't -- it can actually be just  
8 a very small amount of force, but that pressure or that  
9 movement could cause some distortion within the friction  
10 ridge lines. Often times the distortion is not so severe  
11 that as an analyst under magnification that we cannot  
12 still clearly find those unique characteristics that I was  
13 referring to, but there are other times that it is so  
14 severe that it will completely obliterate those friction  
15 ridge lines and therefore it makes it of no value to us.

16 MR. BROWN: Your Honor, may I approach the  
17 witness?

18 THE COURT: Yes, you may.

19 BY MR. BROWN:

20 Q I'm going to show you what's been marked as  
21 Exhibit GF for identification, do you recognize that  
22 exhibit?

23 A Yes, I do.

24 Q How do you recognize it?

25 A This envelope has my handwriting on it and I

1 sealed it and put my initials on it.

2 Q And what is that envelope?

3 A This envelope contains the fingerprint  
4 exemplars that I recorded from Mr. Brandon Bradley.

5 Q Did you take those directly yourself?

6 A Yes, sir, I did.

7 Q And do you see the person in the courtroom that  
8 you took those latent prints from?

9 A Yes, sir, I do.

10 Q And can you please point him out and describe  
11 an article of clothing that he's wearing?

12 A He's the gentleman at the table to my right and  
13 his suit is gray and I believe his shirt is lavender.

14 MR. BROWN: Your Honor, let the record reflect  
15 the witness has identified the defendant.

16 BY MR. BROWN:

17 Q Can you tell the jury when you take or when you  
18 took those prints, what do you do?

19 A I used the inking method for recording these  
20 prints and I have a table that I apply ink to a slab, a  
21 flat slab, and I then roll the finger of the person who  
22 I'm recording from on the ink and then I roll that same  
23 finger on to a card.

24 Q Is that a similar method that people have  
25 probably seen on TV over the years?

1           A        I would say yes.

2           MR. BROWN: Your Honor, at this time the State  
3 would move what's marked as exhibit --

4           THE COURT: GF.

5           MR. BROWN: -- GF into evidence.

6           MR. MOORE: No objection.

7           THE COURT: Okay. GF will be received as  
8 State's Exhibit 146.

9                   (Thereupon, State's Exhibit Number 146 was  
10 marked and received in evidence.)

11           MR. BROWN: Ask the witness be allowed to  
12 display it to the jury.

13           THE COURT: Yes, you may.

14 BY MR. BROWN:

15           Q        Could you please just display that to the jury?

16           A        (Witness complies.)

17           Q        Now, Miss Casey, in this case, have you  
18 reviewed a disc of photographs that came from the lead  
19 crime scene technician on this case?

20           A        Yes, sir, I have.

21           Q        And can you tell the jury when those pictures  
22 are captured on the disc and they come to you, what do you  
23 do with that disc?

24           A        In the case of images of latent impressions I  
25 bring them up in the Photo Shop software program. I --

1 commonly will -- they're often times a colored version and  
2 because it is better for my eyes when viewing it to look  
3 at it in a black and white version, I will convert the  
4 impression over into a black and white version.

5 MR. BROWN: Your Honor, may I approach the  
6 witness?

7 THE COURT: Yes, you may.

8 BY MR. BROWN:

9 Q I'm going to show you what's been marked and  
10 admitted as Exhibits 126 and 127, do you recognize those  
11 exhibits?

12 A Yes, I do.

13 Q And what are those exhibits?

14 A These are the color images of two of the latent  
15 impressions that were on the disc that I reviewed.

16 Q Are they labeled on the back as DP2 and DP5?

17 A Yes, sir, they are.

18 Q And DP2 is number 126, DP5 is 127?

19 A Yes, sir.

20 Q And when you spoke of colored images, that's  
21 kind of the greenish color?

22 A Yes, it is.

23 Q And did you take those images and what did you  
24 do with those?

25 A I -- when I reviewed those images in Photo



1 Shop, I just converted them over into a black and white  
2 version.

3 Q And when you do that, is anything changed as  
4 far as the detail within the image?

5 A No, it doesn't change the detail within the  
6 image, it just changes it so that you're looking at it as  
7 black and white instead of color.

8 Q Show you now what's been marked as Exhibits GI  
9 and GH, do you recognize those exhibits?

10 A Yes, I do.

11 Q What are those exhibits?

12 A These are black and white versions of the color  
13 versions of the image that I converted.

14 Q And are they identical to Exhibits 126 and 127?

15 A Yes, they are.

16 Q And are those also marked as being DP2 and DP5?

17 A Yes, they are.

18 MR. BROWN: Your Honor, at this time the State  
19 would move to admit Exhibits GH -- GI and GH.

20 MR. LANNING: No objection.

21 THE COURT: Okay. GI will be received as  
22 State's Exhibit 147 and GH will be received as  
23 State's Exhibit 148.

24 (Thereupon, State's Exhibit Numbers 147 and 148  
25 were marked and received in evidence.)

1 BY MR. BROWN:

2 Q Miss Casey, do these exhibits indicate where  
3 these prints were located at?

4 A Yes, sir, they do.

5 Q And what do they indicate?

6 A They indicated that these prints were developed  
7 from item FE11 and it's a tray.

8 Q And did you do a comparison between the  
9 exhibits, the unknown latents, and Exhibit 146, the prints  
10 you rolled from Mr. Bradley?

11 A Yes, sir, I did.

12 MR. BROWN: Your Honor, may I approach the  
13 witness?

14 THE COURT: Yes, you may.

15 BY MR. BROWN:

16 Q I'm going to show you what has been marked as  
17 Exhibit GG, do you recognize that exhibit?

18 A Yes, I do.

19 Q And what is that?

20 A This is a chart I completed, it is the unknown  
21 latent impression that is labeled DP5 originally in the  
22 original document. When I extracted a portion of that in  
23 that original image I labeled it DP5-A. So, the portion  
24 that I extracted was labeled DP5-A. And the other side of  
25 the chart is the known exemplar impression of a number two

1 right index finger that I recorded from Mr. Brandon  
2 Bradley.

3 Q And do the images on there, are they exact  
4 duplicates of the items that have already been admitted  
5 into evidence?

6 A They are exact duplicates of portions of the  
7 items that have been admitted into evidence, yes, sir.

8 Q And why is it portions?

9 A Because in order to put it into the chart  
10 format, I could only -- I only extracted a small portion  
11 of the area that I was using to document the analytical  
12 process and the characteristics that were in agreement.

13 MR. BROWN: Your Honor, at this time the State  
14 would move Exhibit GG as the next numbered State's  
15 exhibit.

16 THE COURT: Response from the Defense?

17 MR. MOORE: No objection.

18 THE COURT: Okay. GG will be received as  
19 State's Exhibit 149.

20 (Thereupon, State's Exhibit Number 149 was  
21 marked and received in evidence.)

22 MR. BROWN: Your Honor, may we approach.

23 THE COURT: Yes, you may.

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

1 MR. BROWN: Judge, what's I'd like to and I've  
2 give Defense a copy, this is a smaller version. What  
3 I'd like to do (unintelligible) and then I'm going to  
4 have Miss Casey come down with the larger version and  
5 go through the -- how she would be able to  
6 (unintelligible).

7 THE COURT: Response from the Defense.

8 MR. LANNING: That's fine.

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

11 THE COURT: Okay. You need the easel?

12 MR. BROWN: Yes. Your Honor, may I approach.

13 THE COURT: Yes, you may.

14 BY MR. BROWN:

15 Q First I want to show you Exhibit what has been  
16 marked as 125, is that exhibit listed as FE11?

17 A Yes, sir, it is.

18 Q And is it also indicated as the ammunition box  
19 and the tray that was inside of the box?

20 A That's what it indicates on there, yes.

21 Q Also indicates it came from the suspects  
22 vehicle.

23 A Yes, it did.

24 MR. BROWN: Your Honor, at this time I would  
25 ask the court deputy to pass out a smaller version of

1           this exhibit to each juror.

2           THE COURT: Yes, you may.

3           MR. BROWN: Your Honor, may I have Miss Casey  
4           step down?

5           THE COURT: She may step down.

6           (Thereupon, the witness exited the witness  
7           stand.)

8           BY MR. BROWN:

9           Q       Miss Casey, looking at first on the exhibit on  
10          the right hand side you indicate known print right index,  
11          can you using Exhibit Number 146 indicate to the jury what  
12          is the right index and what portion did you put on to this  
13          exhibit?

14          A       This finger in this block is the right index  
15          finger and the portion that I am showing on is the portion  
16          right here right, it's going to be this section here of  
17          the right index finger.

18          Q       I also want to show you what is marked as  
19          Exhibit 148 which is indicated as DP5, could you please  
20          display that to the jury and tell the jury -- show the  
21          jury what portion is depicted on this exhibit.

22          A       This is the area of the friction ridge  
23          impression that is in this image and the portion I'm  
24          indicating in the chart is right here is going to be right  
25          here at the of the impression.

1           Q       I'm going to hand you a pen that you can use as  
2 a pointer, in your examination comparison, can you please  
3 demonstrate to the jury and point out to them what you  
4 looked at, what you found and what your comparison was?

5           A       As I said earlier, when I conduct an analysis  
6 I'm looking at the friction ridge characteristics there  
7 are in the unknown and I'm looking to find where -- so, I  
8 begin with the unknown and I'm looking for those unique  
9 characteristics in the unknown impression and then finding  
10 where they're in the agreement, if they are in agreement,  
11 with the known impression.

12                   And I want to point out, we discussed  
13 distortion earlier, you can see where the impression here  
14 on the latent image is -- it's not as clear and crisp in  
15 some areas. For instance, in the bottom of the impression  
16 it's more clear and crisp whereas in this area of the  
17 impression it's not as clear, that is distortion, that's  
18 as a result of some kind of pressure or movement that  
19 causes that little bit of blurriness within the  
20 impression. However, in this case the characteristics are  
21 still clear enough for the analysis to be completed.

22                   So, beginning with the characteristic that  
23 is -- would be on the bottom right of the latent  
24 impression, you can see where the arrow comes from this  
25 characteristic. This ridge is flowing along and it's

1 coming up and it's stopping and that is what I was  
2 referring to earlier as an ending ridge.

3 Over here on the known impression you see the  
4 ridge coming up and it's stopping and this is just a  
5 cutout enlargement of that so you can see better.

6 In the next characteristic, if you count from  
7 that first one, if you count up one, two ridges you'll see  
8 a ridge coming from the right side of the impression and  
9 it then stops.

10 Moving over from the first characteristic you  
11 do the same, you have one up one, two and it is also  
12 coming out from the right and stopping.

13 Moving to the third characteristic in the  
14 unknown and coming from the first, if you move down to the  
15 left side of it and downwards, you'll see where another  
16 ridge line is moving along and ending, and the same thing  
17 come from that, go over to the left and down one and you  
18 see the same characteristic.

19 This has been done throughout this process and  
20 all of the ridge characteristics that were found within  
21 the unknown latent impression were found to be in  
22 agreement to the known impression of the number two right  
23 index of Mr. Bradley.

24 Q And after doing that comparison, what, if  
25 anything, are you able to conclude?

1           A        I concluded that Mr. Bradley's number two right  
2 index finger is the source of the unknown latent  
3 impression labeled DP5-A.

4           MR. BROWN: Please return to your seat.

5           (Thereupon, the witness resumed the witness  
6 stand.)

7 BY MR. BROWN:

8           Q        Did you also examine what are Exhibits 126 and  
9 149 which are labeled the two versions of DP2?

10          A        Yes, I did.

11          Q        And did you do the same type of comparison and  
12 analysis that you did with DP5?

13          A        Yes, sir, I did.

14          Q        And what were you able to conclude from you  
15 analysis?

16          A        I was able to conclude that Mr. Bradley's  
17 number nine -- we number the fingers, the right thumb is  
18 the number one, index is number two all the way through  
19 five, left thumb is number six, through the little finger  
20 is number ten. So, his number nine left ring finger was  
21 found to be the source of the latent impression in DP2.

22           THE COURT: Are we done with the easel?

23           MR. BROWN: Yes, Your Honor. May I have one  
24 moment?

25           THE COURT: Yes, you may.



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

3 MR. BROWN: I have no further questions at this  
4 time.

5 THE COURT: Okay. We need to take -- I need to  
6 give them a break. So, we're going to go ahead and  
7 do that at this time. It's twenty minutes after  
8 10:00, we're going to take a fifteen minute break.  
9 So, I'm going to ask you to be back at 1:00 -- I mean  
10 at 10:35. During the break you must continue to  
11 abide by the rules governing your service as a juror.  
12 So, court will be in recess for fifteen minutes.

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

16 THE COURT: Please be seated. And Miss Casey,  
17 court will be in recess for fifteen minutes, be back  
18 here at 1:35. I mean 10:35. Thank you. I don't  
19 know why I keep saying 1:00. I'm optimistic.

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

22 MR. BROWN: Your Honor?

23 THE COURT: Yes.

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

1 MR. BROWN: Judge, after Miss Casey we have two  
2 additional witnesses that we're putting on, they're  
3 going to be very short, basically keeping the  
4 defendant when they detained him and then  
5 transportation to the sheriff's station. After that  
6 my two witnesses that I will put on next, one will be  
7 Dr. Qaiser who obviously I need out to move the TV  
8 out and get that set up and we're going to display  
9 the photos from the disc on to the TV that are  
10 admitted and we have to address those objections.  
11 And then I also have the agent who I'm putting in the  
12 interview. That's about an hour and forty minutes.

13 THE COURT: Okay.

14 MR. BROWN: I have him hear but there's not  
15 going to be a good way to do it. I would prefer not  
16 to split the interview during lunch. So, I guess my  
17 request would be after Miss Casey we do the other two  
18 witnesses, unless you want to go for a very, very  
19 late lunch break, we take an early lunch and I'll get  
20 those two witnesses on and that's going to take us  
21 the rest of the day.

22 MR. MOORE: After lunch?

23 THE COURT: What did you say? You prefer  
24 lunch?

25 MR. MOORE: I think no. Yes, that's what I

1           said.

2           THE COURT:   An early lunch?

3           MR. MOORE:   No, I was just -- I agree that the  
4 video after lunch would probably be...

5           THE COURT:   Okay.  I'm okay with that.  Do you  
6 want to do the -- this witness, the other two and  
7 then we'll release the jury and then do you want to  
8 go through the pictures before lunch?

9           MR. BROWN:   Yeah, we can do the pictures then  
10 before we break.

11          MR. MCMASTER:  That's fine.

12          THE COURT:   Okay.  Then I'll just tell them we  
13 have some matters we have to address outside their  
14 presence so we don't look like we're taking a two  
15 hour lunch or something.

16          MR. BROWN:   Thank you.

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

19          THE COURT:   Okay.  We can bring out  
20 Mr. Bradley.

21                       (Thereupon, the defendant was escorted into the  
22 court room by the court deputy.)

23          THE COURT:   And then we're ready to bring the  
24 jury into the courtroom.

25                       (Thereupon, the jury was escorted into the

1 courtroom by the court deputy and the proceedings were had  
2 as follows:)

3 THE COURT: Okay. Please be seated. Cross  
4 examination by the Defense.

5 CROSS EXAMINATION

6 BY MR. LANNING:

7 Q Good morning, Miss Casey.

8 A Good morning.

9 Q Now, you've worked for about BCSO for how long?

10 A Twenty-three years.

11 Q Twenty-three. And all as a crime scene  
12 investigator?

13 A During my years there, yes, I have been a crime  
14 scene investigator and a latent print examiner and I  
15 worked in supervision for a period of time also.

16 Q Okay. And as to this particular case you got  
17 involved early on, you were involved in the vehicle  
18 being -- the Bronco being impounded from the ditch and  
19 getting it into the impound area?

20 A Yes, I was.

21 Q And were you involved in the search of the  
22 vehicle at all?

23 A No, sir, I was not.

24 Q Now, you indicated -- I believe you rolled the  
25 known prints that you made your exam from, right?

1 A Yes, sir, I did.

2 Q And you did your examination when?

3 A I did the chart -- the examination had been  
4 done, I can't remember the exact date, but the chart was  
5 made using those exemplars two weeks ago.

6 Q Okay. You did the knowns a couple of weeks  
7 ago, correct?

8 A Yes.

9 Q Or maybe three weeks?

10 A Yes.

11 Q Now, you indicate that FDLE's no longer taking  
12 gunshot residue tests. They do still have their biology  
13 lab, right?

14 A To my knowledge, yes, sir.

15 Q Where they examine items for blood or serology,  
16 urine samples, right?

17 A Yes, sir.

18 Q And -- now, the prints that were submitted you  
19 photo shopped to convert, to do this conversion, right?

20 A Yes, sir.

21 Q And between your eyes and magnification, you  
22 made conclusions that the prints were a match?

23 A Yes.

24 Q Right?

25 A Yes.

1 Q Okay. Now, the tray -- a print can't be timed,  
2 right?

3 A No, it cannot.

4 Q So, as to when the print was put there, you  
5 can't tell, only that it's there?

6 A Well, there's variables that come into play on  
7 determining time and the factors of how long a print. Can  
8 you definitively say how long a print was on an object,  
9 no, but if the object was in an enclosed area and was not  
10 being handled for a period of time, then, you know, you  
11 can kind of gage a time period. Keeping in mind also that  
12 we are excreting fluids that will over time degrade and  
13 how long that time is, again the variables of where the  
14 item is stored, how long the item has been stored in that  
15 place, how often it gets cleaned come into play. So, it's  
16 very difficult to put a timeframe on how long an  
17 impression might or might not remain on an object.

18 Q Now, you've, you've been with the Brevard  
19 County Sheriff's Department for twenty-three years, right?

20 A Yes.

21 Q And all of the -- the case agent, Don Reynolds,  
22 he's with the sheriff's department too, right?

23 A Yes, sir.

24 Q The other lead investigators, the people that  
25 conducted the interviews, they're all with the Brevard

1 County Sheriff's Department right.

2 A Can you give me names? We had multiple  
3 agencies involved in this case so I don't know who all did  
4 interviews.

5 Q Well, Wayne Simock?

6 A Yes, he is with our agency, yes.

7 Q Agent Spadafora?

8 A Yes.

9 Q Bill Martin?

10 A Yes.

11 Q And -- now, Florida Department of law  
12 Enforcement, they have a fingerprint section also, right?

13 A Yes, they do.

14 Q And they also have their own agents?

15 A Yes, they do.

16 Q For instance, in an officer involved shooting  
17 Florida Department of Law Enforcement comes over an  
18 investigates, right?

19 A Commonly their -- their investigators, their  
20 law enforcement investigators -- in a officer involved  
21 shooting in the cases that I have worked in the past,  
22 FDLE's law enforcement officers will work in conjunction  
23 with our law enforcement officers in investigating the  
24 case and our crime scene unit will do the crime scene  
25 processing.

1 Q So, Florida Department of Law Enforcement,  
2 they're law enforcement officers with the State of  
3 Florida?

4 A Those persons that you're referring to, yes,  
5 the laboratory personnel are not.

6 Q Right. And there's a certain independence of  
7 Florida Department of Law Enforcement agents from Brevard  
8 County Sheriff's Department, right?

9 A They work for the State of Florida and they  
10 don't work for the Brevard County Sheriff's Office.

11 Q All the investigators here work for the Brevard  
12 County sheriff?

13 A Those people you referred to, yes, they do.

14 MR. LANNING: Thank you.

15 THE COURT: Okay. Redirect by the State.

16 MR. BROWN: No, Your Honor.

17 THE COURT: Okay. Ma'am, thank you for your  
18 testimony, you're free to step down.

19 THE WITNESS: Thank you.

20 (Thereupon, the witness exited the witness  
21 stand.)

22 THE COURT: Okay. Other witnesses by the  
23 State.

24 MR. BROWN: State would call Officer Blake  
25 Lanza.



1 THE COURT: What was the last name?

2 MR. BROWN: Lanza, L-A-N-Z-A.

3 THE COURT: Lanza. Okay.

4 Sir, if you'll come forward, step up before the  
5 clerk to be sworn.

6 THEREUPON,

7 SERGEANT BLAKE LANZA,

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

10 THE COURT: Sir, please be seated in the  
11 witness chair. Once seated if you will scoot that  
12 chair forward. Do adjust that microphone and do talk  
13 into the microphone. Okay Mr. Brown.

14 MR. BROWN: Thank you.

15 DIRECT EXAMINATION

16 BY MR. BROWN:

17 Q Sergeant, would you please state your name and  
18 spell your last name for the jury?

19 A Blake Lawrence Lanza, last name is spelled  
20 L-A-N-Z-A.

21 Q And Sergeant Lanza, how are you employed?

22 A I'm a supervisor sergeant with Melbourne Police  
23 Department.

24 Q How long have you been employed with Melbourne  
25 Police Department?

1           A       Sixteen years.

2           Q       And were you on duty March 6th, 2012?

3           A       Yes, I was.

4           Q       And were you involved in the ultimate  
5 apprehension of a person who became known to you by the  
6 name of Brandon Bradley?

7           A       Yes.

8           Q       And can you tell the jury how did you become  
9 involved in that apprehension?

10          A       We received the radio dispatch call that there  
11 was need for assistance for the sheriff's department at  
12 which time they gave a general location what was going on,  
13 I responded to the area and I sat up a perimeter point  
14 which would have been off of Harlock Road.

15          Q       And did you ultimately then go to another  
16 location?

17          A       I did.

18          Q       And what was your second location you went to?

19          A       As the incident was going ahead and moving  
20 northbound on Turtle Mound Road, I went ahead and  
21 paralleled the pursuit and when it made a right hand turn  
22 to go actually eastbound on Parkway Drive, I went ahead  
23 and -- from Harlock Road went to Parkway, made a right and  
24 went to the incident location.

25          Q       And when you arrived at the location, what were

1 you able to see?

2 A There was a vehicle in the ditch on the south  
3 side of the roadway.

4 Q And were you involved in the team that  
5 approached, ultimately approached that vehicle?

6 A Yes.

7 Q And from what direction did you approach?

8 A I went to the north side of the property on the  
9 south side of the road and I went ahead and went to the  
10 embankment where the subject ultimately came out of the  
11 car.

12 Q And did you personally do anything to the  
13 vehicle?

14 A I threw a gardening stone through the back  
15 window.

16 Q Would that be the back window that's on  
17 basically the back hatch?

18 A That's correct.

19 Q And what was the purpose of doing that?

20 A It appeared that the subjects inside were  
21 pinned inside and we were trying to free them out of the  
22 vehicle.

23 Q And ultimately did a subject come out?

24 A That's correct, a black male.

25 Q What was the first subject to come out?

1 A A black male.

2 Q And did you take that person into custody?

3 A I did.

4 Q And how did you end up -- at this point when he  
5 comes out, are you in the ditch area?

6 A I am in the embankment area and I'm helping him  
7 up the embankment.

8 Q And once he came up, did you ultimately  
9 identify him as Brandon Bradley?

10 A No, I did not.

11 Q Was he ultimately identified as Brandon  
12 Bradley?

13 A Yes.

14 Q Do you see that person here in the courtroom  
15 today?

16 A Yes, I do.

17 Q Would you please point him out and describe an  
18 article of clothing that he's wearing?

19 A The gentleman with the light colored shirt,  
20 black short hair and the gray jacket.

21 MR. BROWN: Your Honor, let the record reflect  
22 the witness has identified the defendant.

23 BY MR. BROWN:

24 Q Once you were able to get the defendant out of  
25 the embankment area, what then happened?

1           A        I placed him in handcuffs, I went ahead and did  
2 an exterior pat-down of his clothes to see if there was  
3 any keep type of weapons or anything else and I got him  
4 immediately out of the area.

5           Q        Did you take him to another patrol car?

6           A        That's correct.

7           Q        And did you walk with him to that patrol car?

8           A        I did.

9           Q        And how was the defendant able to walk?

10          A        At that time I didn't see anything wrong with  
11 him.

12          Q        Was he able to walk on his own?

13          A        Yes, sir.

14          Q        Did he need any assistance?

15          A        No, sir.

16          Q        Did you engage him in any conversation at all?

17          A        Outside of asking him how he was and if he  
18 needed any type of medical treatment, I don't believe so.

19          Q        And what did he indicate to either of those  
20 questions?

21          A        He -- best I can recollect, he declined any  
22 medical treatment.

23          Q        During the time that you had the defendant in  
24 custody, were any threats or promises made to him?

25          A        No.

1 Q Was he mistreated in any manner?

2 A No.

3 MR. BROWN: No further questions.

4 THE COURT: Okay. Questions by the Defense.

5 CROSS EXAMINATION

6 BY MR. PIROLO:

7 Q Officer Lanza, when you were accompanying him  
8 up the embankment Mr. Bradley appeared confused, correct,  
9 his demeanor, confused?

10 A It's hard to say if he was confused, surprised,  
11 startled, due to the situation it's understandable.

12 Q He did have demeanor or confused and looking  
13 concerned, correct?

14 A Correct.

15 MR. PIROLO: Nothing further.

16 THE COURT: Okay. Redirect.

17 MR. BROWN: Yes.

18 REDIRECT EXAMINATION

19 BY MR. BROWN:

20 Q Sergeant, how many armed law enforcement  
21 officers were there?

22 A At that time twenty to thirty.

23 Q And how many guns were probably pointed?

24 A I'm sure everyone.

25 Q Would that be a reason why someone might be

1 concerned?

2 MR. PIROLO: Objection, speculation.

3 THE COURT: Sustained as to the form of the  
4 question.

5 MR. BROWN: No further questions.

6 THE COURT: Recross.

7 MR. PIROLO: No, Your Honor.

8 THE COURT: Okay. Sir, thank you for your  
9 testimony, you're free to step down.

10 THE WITNESS: Thank you, ma'am.

11 (Thereupon, the witness exited the witness  
12 stand.)

13 THE COURT: Other witnesses on behalf of the  
14 State.

15 MR. BROWN: Deputy Michael Thomas.

16 THE WITNESS: Sir, if you you'll step up before  
17 the clerk to be sworn.

18 THEREUPON,

19 DEPUTY MICHAEL THOMAS,

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

22 THE COURT: Sir, please be seated in the  
23 witness chair and once seated if you'll scoot that  
24 chair forward. Do adjust that microphone, do talk  
25 into that microphone.

1 THE WITNESS: Yes, ma'am.

2 THE COURT: Okay. Mr. Brown.

3 MR. BROWN: Thank you.

4 DIRECT EXAMINATION

5 BY MR. BROWN:

6 Q Deputy, could you please state your name and  
7 spell your last name?

8 A Deputy Michael Thomas, T-H-O-M-A-S.

9 Q And how are employed, deputy?

10 A I'm a sheriff's deputy with the Brevard County  
11 Sheriff's Office.

12 Q And how long have you been so employed?

13 A I've been sworn for ten years with the  
14 sheriff's office.

15 Q I want to bring your attention back to March  
16 6th, 2012, on that date were you on duty?

17 A Yes, sir.

18 Q Did you ultimately come into contact with a  
19 person which became identified as Brandon Bradley?

20 A Yes, sir.

21 Q Do you see that person here in the courtroom  
22 today?

23 A Yes, sir, I do.

24 Q Could you point him out and describe an article  
25 of clothing that he's wearing?



1           A        The gentleman is wearing a gray jacket with a  
2 light colored shirt.

3           MR. BROWN: Your Honor, let the record reflect  
4 the witness has identified the defendant.

5 BY MR. BROWN:

6           Q        What was the -- where did you make contact with  
7 the defendant?

8           A        I made contact with him at Turtle Mound and  
9 Parkway.

10          Q        And what was the purpose of your making contact  
11 with him?

12          A        He had been detained by Melbourne Police  
13 Department and he was transferred to my vehicle for  
14 transport for to our investigative unit.

15          Q        Where did you transport him to?

16          A        From the site of his vehicle crash I  
17 transported him to the CID building located on Gus Hipp  
18 for the sheriff's office.

19          Q        And do you recall approximately what time you  
20 did that transportation?

21          A        No, sir.

22          Q        Would it be reflected in your report?

23          A        Yes, sir.

24          MR. BROWN: Your Honor, may I approach the  
25 witness?

1 THE COURT: Yes, you may.

2 BY MR. BROWN:

3 Q Officer, review your report to refresh your  
4 recollection.

5 A Okay.

6 Q And after reviewing your report, do you recall  
7 approximately what time you did the transport?

8 A Approximately 11:24 hours.

9 Q And how long -- or approximately how long of a  
10 drive is it from that location on Parkway to the sheriff's  
11 department on Gus Hipp?

12 A You're looking at thirty to forty minutes.

13 Q And during that time, during the entire time  
14 you had contact with this defendant, were any threats or  
15 promises made to him?

16 A No, sir.

17 Q Was he mistreated in any manner?

18 A No, sir.

19 Q And when you got him to Gus Hipp, did you  
20 deliver him into an interview room or anything of that  
21 nature?

22 A He was taken to an interview room, yes, sir.

23 MR. BROWN: Your Honor, I have no further  
24 questions.

25 THE COURT: Okay. Cross examination by the

1 Defense.

2 CROSS EXAMINATION

3 BY MR. MOORE:

4 Q Officer Thomas, the first time you saw  
5 Mr. Bradley was when he was in the back of a Melbourne  
6 police patrol car?

7 A Correct.

8 Q That would have been Sergeant Lanza's patrol  
9 car?

10 A I can only assume so, yes, sir.

11 Q Okay. And your job was to transport him?

12 A Yes, sir.

13 Q Right? Not to make an assessment of whether he  
14 was under the influence or not?

15 A That is correct.

16 Q Not to question him?

17 A That's correct.

18 Q And you assisted him from that patrol car to  
19 your patrol car?

20 A Yes, sir.

21 Q And you asked him his name twice but his  
22 responses both times were inaudible?

23 A Correct.

24 Q You asked him his Social Security number and he  
25 gave an inaudible response?

1 A Yes.

2 Q You asked for hi date of birth, likewise he  
3 gave an inaudible response?

4 A Yes.

5 Q And while you were transporting him his head  
6 dipped down -- how long is the drive from where you put  
7 him in your patrol car to where you delivered him?

8 A The drive is approximately thirty to forty  
9 minutes.

10 Q During that drive his head dipped down to his  
11 chest -- chin dipped down to his chest and you asked him  
12 if he was okay?

13 A Yes, sir.

14 Q And he appeared to be sleeping or drowsy or  
15 nodding or off something?

16 A Correct.

17 Q Now, you had -- you had never seen him before?

18 A That is correct.

19 Q So, you don't know what he's like when he's not  
20 under the influence of controlled substances of alcohol  
21 compared to when he is?

22 A Yes, sir.

23 Q Correct?

24 A That' correct.

25 Q And you did not observe specifically his eyes?

1 A No, sir.

2 Q No recollection of doing that.

3 MR. MOORE: No further questions.

4 THE COURT: Okay. Redirect.

5 MR. BROWN: Yes, Your Honor.

6 REDIRECT EXAMINATION

7 BY MR. BROWN:

8 Q Deputy Thomas, when you asked the defendant if  
9 he was okay, what, if anything, did he say?

10 A He acknowledged me, he said he was okay.

11 Q And when you arrived at the sheriff's station,  
12 did you walk with the defendant inside?

13 A Yes, sir.

14 Q Did you have any difficulties walking?

15 A None whatsoever.

16 MR. BROWN: Thank you. No further questions.

17 THE COURT: Okay. Recross.

18 RECROSS EXAMINATION

19 BY MR. MOORE:

20 Q Deputy Thomas, are you a DRE, a drug  
21 recognition expert?

22 A No, sir, I'm not.

23 Q Have you studied the effects of controlled  
24 substances or street drugs on human beings?

25 A No, sir.

1 Q Can you categorize the effects of controlled  
2 substances as to which affect the motor control and which  
3 affect the mind without affecting motor control?

4 A No, sir.

5 MR. MOORE: No further questions.

6 THE COURT: Okay. Sir, thank you for your  
7 testimony, you're free to step down.

8 THE WITNESS: Thank you.

9 (Thereupon, the witness exited the witness  
10 stand.)

11 THE COURT: Okay. Mr. Brown, as we previously  
12 discussed, is this the last witness for the morning?

13 MR. BROWN: Yes, Your Honor.

14 THE COURT: Okay. All right. Ladies and  
15 gentlemen of the jury, we're going -- we have some  
16 matters that we need to address outside your  
17 presence. So, we're going to go ahead and let you  
18 break for lunch and take a longer lunch. You're  
19 going to have a two hour lunch and we're going to ask  
20 you to be back here at 1:00 o'clock. During this  
21 recess you must continue to abide by your service --  
22 I mean the rules governing your service as a juror.  
23 Specifically, do not discuss this case among  
24 yourselves or with anyone else. Avoid reading  
25 newspaper headlines or articles relating to this

1 trial. Avoid seeing or hearing television or radio  
2 or Internet comments about this case, and do not  
3 conduct any independent research. Okay. At this  
4 time I'm going to release you for lunch and ask you  
5 to report to the jury assembly room at 1:00 p.m.  
6 Thank you.

7 (Thereupon, the jury was escorted out of the  
8 courtroom by the court deputy and the proceedings were had  
9 as follows:)

10 THE COURT: Okay. Please be seated. Now, we  
11 were going to address the Defense's objection with  
12 regard to photos and if you'll -- are we ready to go  
13 forward with that at this time? You tell me which  
14 proposed exhibits we're speaking of.

15 MR. PIROLO: Judge, we only object to one, it's  
16 3517, that's the number of the photograph.

17 THE COURT: 3517.

18 MR. PIROLO: I'll get the --

19 THE COURT: It looks like it's FU.

20 Now, what is the -- how are we going to display  
21 these?

22 MR. BROWN: Judge, it's my intention, and I'll  
23 need a moment outside the presence of the jury, I'm  
24 going to set the TV up in the similar location that I  
25 had it for the in-car video.

1 THE COURT: Okay.

2 MR. BROWN: And the numbered photographs  
3 that -- the numbers on that we've marked correspond  
4 to the numbers on the disc and I'll pull the disc up  
5 and there will not be any thumbprint versions, it's  
6 just to be a list of photographs and then my  
7 intention is to pull up as we go through the actual  
8 photograph that has been admitted. So, I'll have the  
9 doctor at the stand go through these photographs and  
10 identify them, move for them to be admitted and then  
11 I'll be displaying them through the disc onto the TV  
12 screen.

13 THE COURT: Okay. If you had those in order,  
14 they're not in order now.

15 MR. PIROLO: There were in order. Judge, our  
16 objection, there are two photographs, one is FN as in  
17 Nancy and the photograph number's 3516, and there's  
18 another photograph, FU, the photograph number's 3517.  
19 Our objection as to FU, 3517, as you can see in the  
20 photograph it depicts the same room FU and FN. FN is  
21 actually a photograph from further away and it sort  
22 of depicts all the injuries within that area. FU is  
23 just a close up of a particular wound, we would  
24 object that it's duplicative in nature, it's  
25 cumulative. Again, it's just another photograph



1 that's going to be displayed in front of the jurors,  
2 it's going to be appeal to their emotional  
3 sensitivities. I think the State can do with FN and  
4 not need FU as well as it depicts the same exact  
5 wound.

6 THE COURT: Response from the State.

7 MR. BROWN: Judge, if I can -- I need to look  
8 at the letters so I know which we're referring to.

9 THE COURT: FU is the closer photograph, FN is  
10 the further away photograph.

11 MR. BROWN: Yes. Judge, the key here is -- and  
12 FN contains a number of different wounds that I'll be  
13 showing close ups of, or at least asking to, and  
14 they're separate wounds from separate shots, some of  
15 them. What's important is this is a close up and the  
16 close up's needed to show the detail to confirm that  
17 it's an entrance wound and what actually happens,  
18 this particular wound, the entrance is here, there's  
19 an exit here and it reenters here and that's the key.

20 And there's a difference between this wound,  
21 this wound and this wound and the doctor's going to  
22 be able to testify to why these two entrance wounds  
23 do not look alike and why this wound does not look  
24 like any other type of entrance wound because by that  
25 point the bullet is now wobbling and it's no longer

1 in a perfect spiral which is why this is a much, for  
2 lack of a better term, a much cleaner entrance than  
3 an exit or secondary entrance wound. So, the detail  
4 is important.

5 You know, we're not showing -- I'm not  
6 displaying interior -- in any of these photographs  
7 interior shots, you know, as far as slicing the body  
8 open, doing those types of shots, I don't think it --  
9 it certainly is relevant, that's the first test for  
10 the Court to look at and then weighing the  
11 prejudicial effect, but it's certainly relevant, it  
12 shows the wound, it's an important wound and  
13 ultimately we'll be showing the path through the use  
14 of needles of what the wound took -- or what bullet  
15 took through the body.

16 MR. PIROLO: Judge, FU as I stated earlier is  
17 redundant, you can get the same testimony from Dr.  
18 Qaiser with him being able to compare the entry wound  
19 on FN and he can also then show how it's different  
20 from the secondary wound there on FN as opposed to  
21 using both FU and FN.

22 THE COURT: Okay. I do think FU shows more  
23 that it is an entry wound, you can see the depth of  
24 the wound as opposed to you can't really see the  
25 depth of wound in FN. So, I'm going to overrule the

1 objection.

2 MR. MOORE: Would the Court consider any  
3 testimony from the doctor to see if that's his  
4 (unintelligible) and he can do the same its  
5 relevance, of course, if the doctor can do all of  
6 that with --

7 THE COURT: I mean, I think he can do it all  
8 with FN but you can definitely see that it's a deep  
9 wound with FU that you can't see from FN.

10 MR. MOORE: I'm saying the doctor can say  
11 (unintelligible) the pictures without editing or  
12 adding with the frame he'd be testify and that he  
13 (unintelligible) under 90.403. So, I'm asking the  
14 Court to have the State lay that predicate and the  
15 Court reserve ruling on it.

16 THE COURT: With all due respect, it's more of  
17 a visual thing. I mean, I'm sure he can testify from  
18 FN without FU but FU does show the -- you can see  
19 the -- that it's more of an entry wound that you can  
20 see from FN. So, I'm going to overrule the  
21 objection. Okay.

22 All right is there anything else that we need  
23 to address outside the presence of the jury?

24 MR. BROWN: No.

25 THE COURT: Okay. The Court having heard none,

1 then we'll get everything -- if you'll come a little  
2 early, the State, or actually you can set it up now  
3 if you like, you set up anything you need for the  
4 testimony. I assume we're going to have Dr. Qaiser  
5 after lunch at 1:00 o'clock.

6 MR. BROWN: Yeah, we'll go with him first and  
7 then Agent Simock will be after him and my intention  
8 is to move -- for Agent Simock I'll move the TV back  
9 to the position that we had viewing the chase of the  
10 vehicles that was captured.

11 THE COURT: Okay.

12 MR. BROWN: So, I'll ask the Court for a little  
13 break so I can move the TV.

14 THE COURT: Okay. All right. Then we'll be in  
15 recess as well until 1:00 p.m. Okay. Thank you.

16 (Thereupon, a lunch recess was taken in the  
17 proceedings.)

18 THE COURT: Please be seated. Okay. We can  
19 bring out Mr. Bradley.

20 (Thereupon, the defendant was escorted into the  
21 courtroom by the court deputy.)

22 THE COURT: Okay. Any preliminary matters that  
23 we need to address before we bring the jury into the  
24 courtroom?

25 MR. BROWN: Not from the State.

1 MR. MOORE: No.

2 THE COURT: Okay. Then we can bring the jury  
3 in.

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

7 THE COURT: Please be seated. Good afternoon,  
8 ladies and gentlemen of the jury. Has anyone read or  
9 been exposed to newspaper headlines and/or articles  
10 relating to this trial or its participants?

11 THE JURY PANEL: No.

12 THE COURT: Has anyone seen or heard  
13 television, radio or Internet comments about this  
14 trial?

15 THE JURY PANEL: No.

16 THE COURT: Have you read any news headlines or  
17 articles relating to this trial or its participants?

18 THE JURY PANEL: No.

19 THE COURT: Has anyone conducted or been  
20 exposed to any research regarding any matters  
21 concerning this case?

22 THE JURY PANEL: No.

23 THE COURT: And have you discussed this case  
24 among yourselves or with anyone else or allowed  
25 anyone to discuss it in your presence?

1 THE JURY PANEL: No.

2 THE COURT: Okay. Thank you very much. Next  
3 witness on behalf of the State.

4 MR. BROWN: State would call Dr. Qaiser.

5 THE COURT: Okay. Sir, if you'll come forward,  
6 step up before the clerk to be sworn.

7 THEREUPON,

8 SAJID QAISER, M.D.,

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

11 THE COURT: Okay. Sir, please be seated in the  
12 witness chair. Once seated if you'll scoot that  
13 chair forward, it does roll around, some of the other  
14 chairs in other places do not, other courtrooms, and  
15 if you will talk into the microphone, it helps us  
16 hear your testimony, it also aids in recording your  
17 testimony. Okay. Mr. Brown.

18 MR. BROWN: Thank you, Your Honor.

19 DIRECT EXAMINATION

20 BY MR. BROWN:

21 Q Sir, could you please state your name and spell  
22 your first and last name for the jury?

23 A Okay. My name is Sajid Qaiser. The spelling  
24 of my first name is S-A-J-I-D and the spelling of my last  
25 name is Qaiser, Q-A-I-S-E-R.

1 Q And Dr. Qaiser, how are you employed?

2 A I'm the chief medical examiner for Brevard  
3 County Medical Examiner Office located in Rockledge,  
4 Florida.

5 Q And what are your duties there?

6 A My main job is to investigate and find out the  
7 cause and manner of death in any unnatural and violent  
8 deaths.

9 Q And can you tell the jury your educational  
10 background and work history and training?

11 A Okay. First of all, I'm a doctor with an MD  
12 degree and I have full license to practice medicine in the  
13 States of Pennsylvania and Florida. After doing my  
14 medical schooling and one year of rotating internship  
15 going into different fields of medicine, cardiology,  
16 thoracic surgery, dermatology, then I did my residency in  
17 the field of pathology which is needed to become a medical  
18 examiner. So, I spent seven years in the field of  
19 pathology doing residency and fellowship, two years at the  
20 Royal University Hospital, Saskatoon, Saskatchewan through  
21 the University of Saskatchewan in Canada.

22 After that, next two years I did my residency  
23 at the State University Hospital, Brooklyn, New York.  
24 Then next year, the third year, I did my residency in  
25 surgical pathology from the same hospital, State

1 University Hospital, Brooklyn, New York. Same year I was  
2 the chief resident there.

3 After that I moved to Philadelphia to Medical  
4 College for Pennsylvania and Hahnemann University that is  
5 collectively called as Allegheny University and through  
6 the medical examiner officer Philadelphia I did my  
7 fellowship two years in the field of forensic pathology  
8 and after that I took my examination, the Board exams that  
9 the American Board of Pathology in Anatomic Pathology,  
10 American Board of Pathology in Clinical Pathology, and  
11 American Board of Pathology in Forensic Pathology. Then I  
12 also passed the Royal College of physician and surgeons of  
13 examination of Canada in their field of pathology.

14 After that I started working as an associate  
15 few years in the Port Charlotte, Florida, after two years  
16 I came to Brevard County in 2007. Then since then I have  
17 been working as an associate medical examiner. In 2006 I  
18 became the chief medical examiner.

19 Q Can you tell the jury what is the field of  
20 pathology and in particular forensic pathology?

21 A Okay. Pathology is a division of the medicine  
22 which it deals with the tissue examination and examination  
23 of the body that is performing autopsy, of course, looking  
24 first investigation of the case and then doing the autopsy  
25 to come to the clue as to find the cause and manner of



1 death, and also there is division of the pathologist who  
2 look at the viscera or the body tissue in order to come to  
3 the diagnosis what the disease or what the lesion is  
4 within the body which the surgeon give to the  
5 pathologists.

6 Forensic pathology is the subdivision of  
7 pathology which it specifically does the investigation  
8 into the cause and manner of death, any case of the  
9 nonnatural death or a violent death.

10 Q Doctor, could you tell the jury approximately,  
11 if you're able to, how many autopsies have you conducted  
12 in your career?

13 A I have done several thousand since my residency  
14 and then working since then, I have done several thousand,  
15 I don't know exact number or figure but several thousand.

16 Q And have you previously testified in courts as  
17 an expert in the field of forensic pathology?

18 A Yes, I did.

19 Q Can you tell the jury approximately how many  
20 times and what courts have you testified in?

21 A Same thing I will tell that the during my time  
22 of residency and fellowship I had started going to the  
23 court to be utilized as the expert in the field of  
24 forensic pathology and since then it has continued.  
25 During my fellowship in Philadelphia very many times

1 because the number of cases are higher than -- lot more  
2 higher than here, and then in the Brevard County many  
3 times.

4 Q Doctor, on March 7th, 2012, did you conduct an  
5 autopsy on the body of Barbara Pill?

6 A Yes, I did.

7 Q And when you conduct an autopsy, can you give  
8 the jury a general overview of what you do?

9 A Okay. First of all, I was briefed about the  
10 case that this thing happened through my own investigators  
11 and after that the preliminary information about the type  
12 of the case, circumstances, and then I went to the morgue  
13 area where we inspect and do examination of the body, the  
14 examination, and then have the information from the law  
15 enforcement officers. And after that I myself in front of  
16 the law enforcement officers, our own officers, open the  
17 bag of the body and start the investigation or taking the  
18 examination steps.

19 Q And at are there particular steps that you go  
20 through when you conduct an autopsy in a particular order?

21 A Right. First thing is that as I said, first  
22 thing is in front of everybody, especially the law  
23 enforcement officers. We cut the seal, photograph them  
24 and then after opening the body bag we take the  
25 photographs as what it is, if the lines or any kind of

1 therapeutic intervention have been performed at the  
2 hospital.

3           After that we see the -- any kind of unnatural  
4 thing like wounds or lesion on the body which is supposed  
5 to be not and then the details of that write it down.  
6 Then we take the complete photograph of that too and then  
7 we take the complete x-ray of the body. Then after  
8 that -- before taking the x-ray we take the important  
9 organs from the body like the fingernail clipping, hair  
10 samples in order to do if there will be need for the  
11 future examination for the DNA or any other identification  
12 things.

13           After that we do the complete x-ray. After  
14 complete x-ray we wash the body to see the extent of the  
15 wound, how they look like if we remove the stain of the  
16 blood from the body, and then detail about the wounds, the  
17 exact size of the wound or approximate size of the wound,  
18 their location, their association with other wounds.

19           And then after that we open the body and go  
20 systematically from different system like head and neck  
21 area, chest area, abdominal area and if we have to go into  
22 the periphery like the limbs, we go into there. That's  
23 called the internal examination or complete autopsy. And  
24 then we do the -- we examine the extent of the wound which  
25 we have observed externally to the depth of how far the

1 wound is and if this fatal or lethal that's what we  
2 document. And also during that time we take some samples  
3 from the body which usually the liquid parts, blood,  
4 vitreous, urine and bile and then we come to the  
5 conclusion. Then keeping everything we make the diagnosis  
6 of the cause and manner of death.

7 MR. BROWN: Your Honor, may I approach the  
8 witness?

9 THE COURT: Yes, you may.

10 BY MR. BROWN:

11 Q Doctor Qaiser, I'm going to show you what has  
12 been marked first already admitted as Exhibit 44 and then  
13 I'm going to show you what is marked for identification  
14 Exhibits FR, FN, FU, FO, FL, FP, FQ, FK, FJ, FS, FM, FT?

15 MR. MOORE: M as in Mike?

16 MR. BROWN: Yes.

17 BY MR. BROWN:

18 Q FT, FV, FW and FX. I'll ask you to examine  
19 these pictures at this time without showing them to the  
20 jury.

21 A Yeah, I have examined them.

22 Q Do you recognize those photographs?

23 A Yes, I do.

24 Q Are those photographs that were taken by you  
25 during the autopsy of Barbara Pill?

1 A That's correct.

2 Q And do those fairly and accurately depict the  
3 condition of the body of Barbara Pill when you conducted  
4 the autopsy on March 7th, 2012?

5 A Yes, that's true.

6 Q And would those pictures fairly demonstrate to  
7 the jury and aid you in your explanation to the jury of  
8 the injuries that Barbara Pill suffered?

9 A Yes, that's true.

10 MR. BROWN: Your Honor, at this time the State  
11 would move those exhibits marked as the next numbered  
12 State exhibits.

13 THE COURT: Response from the Defense.

14 MR. MOORE: Renew our previous objection.

15 THE COURT: Okay. The previous objection has  
16 been addressed and the Court will enter the exhibits.

17 If I could see those because you -- I'm going  
18 to put them in order. Okay. Madame Clerk, I'm going  
19 to give you those in just a moment. FJ will be  
20 received as State's 150, FK will be received as  
21 State's 151, FL will be received as State's 152, FM  
22 will be received as State's 153, FN will be received  
23 as State's 154, FO will be received as 155, FP will  
24 be received as 156, FQ will be received as 157, FR  
25 will be received as 158, FS is will be received as

1 159, FT will be received as 160, FU will be received  
2 as 161, FV will be received as 162, FW will be  
3 received as 163, and FX will be received as 164. And  
4 the top one is already received as State's Exhibit  
5 44.

6 (Thereupon, State's Exhibit Numbers 150 through  
7 164 were marked and received in evidence.)

8 MR. BROWN: Your Honor, may I have the witness  
9 step down?

10 THE COURT: Yes, you may.

11 (Thereupon, the witness exited the witness  
12 stand.)

13 MR. MOORE: Can I locate myself where I can  
14 see?

15 THE COURT: Yes, you may.

16 BY MR. BROWN:

17 Q Dr. Qaiser, could you please step over here.  
18 First show you what has been marked and previously  
19 admitted as 44. Can you tell the jury what is this  
20 picture?

21 A This is what we call an ID photo for  
22 identification which covers the photograph of the entire  
23 face and shoulder area. We have given this case number.  
24 Whenever a body comes to our (unintelligible) specific  
25 individual number. This is the year 2012 and the

1 individual number, autopsy number is 186 medical examiner.  
2 And this shows the raccoon eyes or lesions  
3 (unintelligible) and some of the gunpowder stippling on  
4 the upper half of the face and the forehead and also the  
5 escalating gunshot wound to the top of the head.

6 Q Doctor, I'm going to provide you my pen. When  
7 you talk about the raccoon eyes and the area on they eyes,  
8 what are you talking about and that is that?

9 A That is a (unintelligible), that negates the  
10 entire cranium within the head and lesion, that means  
11 fracture of the bones, the section of the bones, she shape  
12 of (unintelligible) this area and this area and that means  
13 raccoon eyes. You can see the hemorrhage here, hemorrhage  
14 here, hemorrhage here and hemorrhage here and that's the  
15 eyes and the lesion within the inside of the cranium  
16 cavity or head cavity and that's my -- on my exploration  
17 it showed a fracture of the cap of the skull, base of the  
18 skull to which the (unintelligible).

19 Q Now, you also mentioned stippling, can you  
20 point out for the jury where is the stippling located?

21 A Okay. These fine points if you'll see very  
22 homogenous, same kind of rounded, these all over here,  
23 these are the gunpowder stippling.

24 Q What is stippling?

25 A Stippling is when unburned powder, the powder

1 would be the primer of propellant, that's most from the  
2 propellant, that's large in the amount, when it comes out  
3 of the barrel of the gun that cause the real abrasion,  
4 abrasion (unintelligible) and they inflict the skin and  
5 this advise about the range of the gunshot wound.

6 Q What does the stippling that's on the body of  
7 Miss Pill tell you about the range for this wound?

8 A It is a close range gunshot wound that is  
9 within two feet from the target to the (unintelligible)  
10 average gun and the target within two feet from the target  
11 to the muzzle end of gun.

12 Q And doctor, what is this area up here at the  
13 top of the photo? I know you have another picture of  
14 that.

15 A This -- see, this is intact over here and here  
16 it is missing. Is a large escalated gunshot wound on top  
17 of the head which on further exploration shows the loss of  
18 the scalp, the underlying skull bone or cap of the skull  
19 is fractured into multiple fragments and brain matter was  
20 exuding out or coming out of that. And (unintelligible)  
21 and inside fragments of the bullet which consists of the  
22 jackets and also the core of the (unintelligible) and  
23 further exploration showed the fracture and multiple  
24 fragments of the base of the skull, and there was  
25 hemorrhage and also manifestation of the fracture within



1 the skull cap.

2 Q Doctor, I next want to show you Exhibit Number  
3 158. What area's depicted in this exhibit, Doctor?

4 A This is the top of the head and this is the  
5 large wound on the top of the head with the stippling to  
6 the forehead area and upper half of the base  
7 (unintelligible). And after this is shaved by me shaving  
8 and that's what I did. And this shows the wound on the  
9 top of the head.

10 Q Was this an entrance or an exit wound?

11 A This is an entrance gunshot wound and here is  
12 the base of the wound and this would be (unintelligible)  
13 and these are the features which makes you understand the  
14 direction of the wound. And this is the laceration with  
15 the deficit of the skull and then fracture of the  
16 underlying. You can see the fragments of the bones here  
17 and the brain matter was this, this is exuding out.  
18 Several of the bone fragments were brought to the medical  
19 examiner office from the scene too?

20 Q And doctor, can you tell the jury, did you  
21 examine the path of the bullet for this wound?

22 A Right.

23 Q Can you tell the jury what was the path?

24 A The path was back to front, frontward and  
25 backward.

1 Q And when you use these terms, can you explain  
2 to the jury the direction of the terms, is that  
3 necessarily the path that the bullet came out of the  
4 firearm or what are you meaning when you say these terms?

5 A Yes, I have put in my autopsy description when  
6 the body is examined in the anatomical position we examine  
7 the body keeping the head in the front. So that's called  
8 the anatomical examination of the body. So, when we  
9 examine the body, when the face or head is in front of me  
10 then the top part we see that as the 12:00 o'clock  
11 position and the 6:00 o'clock position. So, if you see  
12 here, this is the abrasion, deep abrasion, and this is the  
13 skin tags and these are the laceration. With these things  
14 we can determine the direction of the wound.

15 Q What was the depth of the wound and what was  
16 the damage that was done?

17 A It was very wide and as I said, the  
18 measurements I have mentioned in my autopsy report, it was  
19 very deep and this the whole area of the cap of the skull  
20 was fractured into multiple fragments so. And after that  
21 the brain was lacerated and the -- lacerated into multiple  
22 pieces or even refined. When we remove the brain matter  
23 the base of the skull of the examined and that was also  
24 fractured into multiple parts. Here are the orbital  
25 plates under which our eyeballs are and those were

1 fractured and that's what we're seeing (unintelligible) I  
2 used to do the gross appearance on external.

3 Q Doctor, how would you classify this wound, is  
4 it lethal?

5 A That's a fatal gunshot wound. I call it a  
6 fatal gunshot wound.

7 Q Doctor, next want to show you Exhibit 163.  
8 Could you tell the jury what is depicted in Exhibit 163?

9 A When I explored the head cavity, went into the  
10 inside of the head cavity, the lacerated and fracture  
11 wounds and the lacerated brain matter (unintelligible)  
12 from the inside I (unintelligible) these bullet particles.  
13 These are the particles of the jacket and this is  
14 the core. That's from the inside cavity of the eyes and  
15 head.

16 Q Doctor, next want to show you Exhibit 154. Can  
17 you tell the jury what is depicted in this exhibit?

18 A Okay. Several of the gunshot wounds you can  
19 appreciate from this photograph. It is an entrance  
20 gunshot wound on the left upper arm and then these are the  
21 other gunshot wounds which consist of, you can see in the  
22 next photograph, those are the exit gunshot wound of two  
23 of the gunshot wounds. There's a (unintelligible) gunshot  
24 wound of this entrance, this gunshot wound which has an  
25 entrance component, exit is on the other side. And this

1 is the reentrance gunshot wound to the arms or the gunshot  
2 wound to the left side of the chest which could be  
3 considered as the reentrance gunshot wound. Then there is  
4 a deep abrasion to the left side of the under breast area  
5 which is related later with one of the gunshot wounds.

6 Q Doctor, I next want to show you what is Exhibit  
7 161.

8 A Okay. This is the clear lacerated photograph  
9 of the entrance gunshot wound, the typical feature of the  
10 entrance gunshot wound, (unintelligible) marginal abrasion  
11 round shape of the entrance gunshot wound and that was the  
12 perforating gunshot wound to the left under arm.

13 Q And what is in particular when you examine it  
14 that you can tell an entrance versus either an exit or a  
15 reentry wound?

16 A Okay. The entrance wound has a larger caliber,  
17 the lumen of the wound would be larger, very irregular,  
18 humongenous, and also it has a component of the -- either  
19 it is confined to a local area or it is (unintelligible),  
20 that's why we show it. And also if you see in the  
21 marginal area there is a reddening of the skin, this  
22 happens when the bullet passes there and this because the  
23 (unintelligible). That's called the entrance gunshot  
24 wound.

25 The exit gunshot wounds the margins will be

1 ragged, irregular, the shape is not really round or oval  
2 and that has most of the time the gunshot from the exit  
3 gunshot will be shorter, and if the person survived this  
4 heals -- takes the healing time longer than the exit  
5 gunshot wound which would heal faster.

6 Q Doctor, I next want to show you what is marked  
7 as Exhibit 155. What area is depicted?

8 A This is left side of the body, this is the left  
9 upper arm, this is called the (unintelligible) face of the  
10 left upper arm. This is the forearm up to the elbow, from  
11 elbow up to the shoulder is the upper arm. This is what  
12 we are seeing here. This is the ventral medial surface of  
13 the left upper arm, it shows several of the lesion. One  
14 is the large escalating gunshot wound to the upper arm and  
15 to the axilla. There is a focal area of fine gunshot, the  
16 stippling or gunpowder stippling in here. And this is the  
17 exit gunshot wound of the entrance gunshot wound that we  
18 just examined before and this has the features of an exit  
19 gunshot wound and it also shows some of the abrasions or  
20 contusion when the bullet passes from the entrance area to  
21 this exit area.

22 Q When you say has features of an exit wound,  
23 what are those features and why are the features different  
24 from any entry?

25 A Right. Since we have -- it's not always it

1 will happen (unintelligible) because depending on the site  
2 of the body the exit and entrance will have different  
3 features, typically definitely what I have described  
4 before. And this is the irregular margins are larger, you  
5 can appreciate more better. And this is the -- along with  
6 that there is abrasion on the side. So, when -- once the  
7 bullet was moving out because of the wobbling effect of  
8 the bullet listing and then touching with some kind of  
9 clothing or something, these abrasions came up over here.

10           And here there are two wounds, one is the  
11 gunshot wound, the other one is the therapeutic incision  
12 in order to put the chest tube which was done at the  
13 hospital, this area. And this I see the suturing mark  
14 over here both sides, that's how once the tube is inserted  
15 in the chest cavity. This is the (unintelligible)  
16 definition. This is the gunshot wound and this is the  
17 incision to the chest because of the insertion of chest  
18 tube.

19           Q       Now, doctor, when you did your internal  
20 examination of this wound, were you able to trace the path  
21 of the first entrance to this exit wound?

22           A       Right.

23           Q       And then were you able to trace the path from  
24 this reentrance wound through the body?

25           A       Yes, the gunshot wound as I have enumerated

1 there without doing (unintelligible), gunshot wound came  
2 first or last. The gunshot wound to the left upper arm  
3 entrance here, exit here. This is the ventral laterals of  
4 the left upper arm, the bullet goes through that and when  
5 passing through that it fractures the left humerus or the  
6 bone of the left upper arm. Comes out. This is the  
7 ventral medial surface of left upper arm. So, the  
8 direction of the bullet is left to right, downward and  
9 backward. This is more forward and the exit is more  
10 backward. So, left to right, downward and backward.

11 Q Once it reentered this area of the body, what  
12 was the path of the bullet?

13 A This wound we will as of my training and my  
14 practice we treat them, these wounds as a separate wound  
15 but we mention that these -- this wound, the wound on the  
16 left upper arm could be aligned with this to make a single  
17 gunshot wound. So, once the bullet enters here, exit here  
18 and then reenters into the left lateral chest and moves  
19 backward. So, this is again left to right, downward and  
20 backward and goes up to the (unintelligible)  
21 subcutaneously outside of the rib cage and lodges in the  
22 back under the skin from where we retrieved nearly  
23 deformed jacketed bullet.

24 Q Can you tell the jury what damage or injury to  
25 the body was caused by this wound?

1           A           This was just a subcutaneous so it did not go  
2 inside of the chest cavity, it ran along underneath of the  
3 skin along the rib cage and then it was being retrieved  
4 from there.

5           Q           What is this wound here?

6           A           Okay. Then we have the one gunshot, this is  
7 the exit component of the gunshot wound with the back  
8 which you will see later and as a result of this when this  
9 wound was happening, because of the proximity and then the  
10 hand was in contact with this area of the breast, the  
11 bullet because of wobbling effect caused the damage to  
12 this area.

13          Q           Next want to show you, doctor, Exhibit 156.  
14 Doctor, can you tell the jury what's depicted here?

15          A           Okay. Here we are showing the path of the  
16 wound, the bullet entered the left upper arm, exits the  
17 left upper arm by doing that because of the fracture of  
18 the left humerus and chest cavity.

19          Q           Also want to show you now Exhibit 152. What's  
20 depicted here?

21          A           Okay. You can clearly see the large escalating  
22 gunshot wound to the upper portion and also  
23 (unintelligible) from the left upper arm and here there is  
24 area of the (unintelligible) gunpowder (unintelligible).  
25 This represent a bullet and escape bullet (unintelligible)



1 that left the gunpowder stippling.

2 Q Is this the needle that was demonstrated in the  
3 previous exhibit showing you a depiction of the entrance  
4 now in relation to the reentrance wound?

5 A That's true.

6 Q Also want to show you now Exhibit 157. What is  
7 this?

8 A This is again after cleaning the wound how the  
9 bullet from the left upper arm enters, as it reenters the  
10 left side of the chest, and this is the (unintelligible).  
11 And here is the exit component of the gunshot wound to the  
12 back.

13 Q Next I want to show you Exhibit 151. Tell the  
14 jury what's depicted in this exhibit.

15 A Okay. This is localized area of fine gunpowder  
16 stippling which is merely concentrated here  
17 (unintelligible). So, this depicts (unintelligible)  
18 gunshot where the bullet passed but did not inflict any  
19 surface of the powder.

20 Q Doctor, why is it that you're seeing stippling  
21 here in the facial area but not on other areas of the  
22 body?

23 A Because of the movement of the body, maybe the  
24 movement of the weapon, there's many things possible.

25 Q And does the clothing of the body affect

1 stippling?

2 A Yes.

3 Q And tell the jury how the clothing would affect  
4 whether there's stippling?

5 A It could be if it is a short sleeve  
6 (unintelligible) the gun powder so we can see that. And  
7 if this part is exposed or is open (unintelligible).

8 Q Doctor, I next want to show you what is marked  
9 as Exhibit 150.

10 A This is the back of the deceased and this is  
11 (unintelligible). Over here you can see some of the --  
12 just the natural lesion as I have described, but this is  
13 the gunshot wound on the left side of the back. This is  
14 the gunshot, this is the entrance component of the gunshot  
15 wound to the back where the bullet travels from the back  
16 and exits over here. It travels from here, goes through  
17 the auxillary area and exits out here which I showed the  
18 large escalating gunshot wound on the ventral medial  
19 surface of the left upper arm and large escalating gunshot  
20 wound's over here but then the deep abrasion  
21 (unintelligible) of the left breast which happened because  
22 the hand was in proximity with the torso.

23 Q So, the path of this entrance wound right here.

24 A Right to left. This is from right to left and  
25 upward and forward.

1 Q Okay. So, it's back to front?

2 A Right, back to front. From back to front and  
3 this is -- so, yes, upper and forward and this is from  
4 front to left.

5 Q So, the previous pictures I showed you of the  
6 area the left arm and the left chest, those wounds that  
7 you testified to that were observed that were not part of  
8 the arm?

9 A That's true.

10 Q Were they caused by this --

11 A That's true.

12 Q And can you tell the jury what, if any, damage  
13 this will do?

14 A Okay. This caused the perforation to the skin  
15 surface and since it did not, the bullet did not fracture  
16 any hard structure like bone as I have described in my  
17 report, it passes through the soft tissue, the bullet has  
18 loss of energy and that's where right because it's  
19 (unintelligible) out and where the hand was in proximity  
20 with the torso it has -- the bullet has are more power to  
21 wobble, while it was wobbling it caused the large  
22 escalating gunshot wound that you saw on the medial  
23 surface of the left upper arm and then also caused the  
24 abrasion to be.

25 Q Doctor, the next exhibit I want to show you is

1 Exhibit 159. What area is depicted in this exhibit?

2 A Okay. This is the area from where the we  
3 retrieved the bullet.

4 Q Well, first let me put this on.

5 A Okay. Okay. This is the left side of the back  
6 and these are the (unintelligible) the wound you can see  
7 and this is the (unintelligible) right here. Two lesions  
8 are here, first this is a gunshot wound to the left  
9 lateral back which is the entrance component.

10 Q Is this a close up view of the last wound we  
11 just showed to the jury?

12 A That's true.

13 Q What again, what is it about this wound that  
14 you can tell that it's an entrance wound?

15 A Okay. This same thing, it has the abrasion  
16 component which is present locally but this is instead of  
17 round it has an almost rectangular or square shape. The  
18 explanation of that could you because of merely the type  
19 clothing or merely the metal component of the bra and if  
20 that was present on deceased body. So, this is the  
21 entrance gunshot wound and it has the abrasion component.

22 Q And what is depicted in the area on top?

23 A Okay. This is area from where I removed the  
24 bullet, this is incision made by me in order to retrieve  
25 the bullet. That's the bullet when it went from here,

1 exited here, reentered here and the bullet was lodged in  
2 this area and from where I retrieved the bullet.

3 Q Okay. Doctor, next want to show you what is  
4 marked as Exhibit 164. Actually, let me show you what is  
5 Exhibit 160.

6 A This is like I said before, this is the gunshot  
7 wound to the back entrance component and this is the  
8 incision which I made and here is the bullet. This is the  
9 bullet I retrieved from the back. This is in the  
10 surrounding abrasion which the bullet was trying to skip  
11 out but caught in here, that's when the body of this were  
12 inflicted with the wound and (unintelligible) and that's  
13 an abrasion. This area which (unintelligible) when we  
14 examined the body and here I found the bullet, I made the  
15 incision, took the photograph and retrieved the bullet and  
16 hand it over to the law enforcement, CSI.

17 Q And just so the jury's clear on the  
18 perspective, the previous entrance wound that you showed  
19 that was in the middle portion of the back, is that this  
20 entrance wound right here?

21 A That's what it is, yes.

22 Q And again this bullet you indicated came from  
23 the wound that began in the arm and then reentered into  
24 the chest?

25 A Yes, and then lodged in here and that's where

1 we made the incision to retrieve it.

2 Q I next want to show you what is marked as  
3 Exhibit 164. Tell the jury what is depicted in this  
4 photograph.

5 A Okay. This is the bullet we retrieved from the  
6 right side of the upper back. This is a (unintelligible)  
7 to left which is identical of the gunshot wound to the  
8 neck, the base of the neck. The bullet went from here  
9 then under the skin and was retrieved from the right side  
10 of the neck. You see (unintelligible).

11 Q Next want to show you Exhibit 162. What is  
12 depicted in this exhibit?

13 A This is from the posterial lateral chest wall  
14 under the skin, that's over here on the left side, that's  
15 what I retrieved the bullet and made the incision. The  
16 bullet entered from here to here and then from the left  
17 side of the chest and then the left lateral chest wall I  
18 retrieved the bullet.

19 Q And the final exhibit will be Exhibit 153.  
20 What is depicted here?

21 A Okay. This is a gunshot wound entrance  
22 component that was in the base of the left side of the  
23 neck. The bullet travels under the skin and the bullet  
24 was retrieved from here. The path is left to right,  
25 downward and backward. This is bullet (unintelligible)

1 neck area where bullet passes from neck and leaving. So,  
2 this is (unintelligible) we just saw the jacketed, you see  
3 deforms from this area. So, this is the penetrating  
4 gunshot wound to the back of the neck from where the  
5 bullet enters here and actually from here.

6 Q So, looking at this photograph you have a  
7 bullet that was retrieved here?

8 A Right.

9 Q You have the mushroom that was here?

10 A Right.

11 Q And then you have the fragments that were  
12 retrieved from the skull?

13 A That's true.

14 Q Doctor, can you tell the jury from this wound  
15 what damage was done to the body?

16 A Okay. This went under the skin so it didn't go  
17 in the chest cavity, it didn't go into the rib cage. So,  
18 it would stay outside so it just made a hemorrhage  
19 (unintelligible) and hemorrhage within the soft tissue  
20 under the skin.

21 Q So, of all those wounds, doctor, there was one  
22 lethal wound?

23 A One lethal wound, one fatal wound and the rest  
24 of them are of material terms.

25 Q And which wound was the fatal wound you

1 testified to was?

2 A The head.

3 Q What was the lethal wound?

4 A The lethal wound was to the left upper arm  
5 where the wound was fractured.

6 Q Thank you, Doctor, you can retake your seat.

7 A Five gunshot wounds, three penetrating, two  
8 perforating and out of those as I said the one to the head  
9 was fatal and the one to the left upper arm was lethal.

10 Q Take your seat, doctor.

11 (Thereupon, the witness resumed the witness  
12 stand.)

13 BY MR. BROWN:

14 Q Doctor, based on your examination of the body  
15 of Deputy Pill, were you able to come to a reasonable  
16 degree of medical certainty as to a cause and manner of  
17 death?

18 A Yes.

19 Q Would you please tell the jury, what your  
20 opinion as to cause and manner of death?

21 A The cause of death is the multiple gunshot  
22 wounds and the manner of death is homicide.

23 MR. BROWN: Your Honor, may I have one moment?

24 THE COURT: Yes, you may.

25 (Thereupon, a pause was taken in the



1 proceedings.)

2 MR. BROWN: Your Honor, I have no further  
3 questions of the doctor at this time.

4 THE COURT: Okay. Cross examination by the  
5 Defense.

6 MR. MOORE: Thank you, Your Honor.

7 CROSS EXAMINATION

8 BY MR. MOORE:

9 Q Doctor Qaiser, you listed five gunshot wounds,  
10 of those one was produced by one gunshot, would that be  
11 correct?

12 A Produced by one?

13 Q One shot that went through the arm and then  
14 into the chest?

15 A Right.

16 Q Five gunshot wounds from one bullet, from one  
17 gunshot?

18 A No, five separate gunshot wounds in which two  
19 could be aligning to one.

20 Q It could be what?

21 A So, more likely it could be four gunshot wounds  
22 to the body.

23 Q All right. But from four shots producing five  
24 gunshot wounds?

25 A Yes.

1 Q And you described a number of wounds from --  
2 just grossly from the back, one of them is to the head and  
3 you described that as being back to front?

4 A Yes.

5 Q And so back -- let's just say for our  
6 discussion purposes here, back would be the 6:00 o'clock  
7 position, front would be the 12:00 o'clock.

8 A 12:00 o'clock position. When a body is --

9 Q Let me ask the question first. All right. So,  
10 are you saying that that shot would have been from -- what  
11 we're talking about is the relative position of a muzzle  
12 to the head. Okay. So, if you say it's from back to  
13 front, are you saying the muzzle was at the 6:00 o'clock  
14 position when the shot was fired that produced the head  
15 wound?

16 A I don't know where the muzzle was but this  
17 could signify that the body could have moved and because  
18 of that.

19 My examination of the dead person, whenever the  
20 body comes and then we examine the body on the gurney in  
21 the medical examiner office when the face is facing me and  
22 accordingly that's why I have put in parenthesis in the  
23 anatomical position. We examine the body in the  
24 anatomical position.

25 Q All right. So -- but, you know, for purposes

1 of discussion again, using the face of the clock, you can  
2 pretty safely say that the back shot -- back to front  
3 gunshot wound didn't come forty the 12:00 o'clock  
4 position, it would have come from behind which would have  
5 been closer to 6:00 o'clock position?

6 A No, not necessarily, the bullet -- the body  
7 could have moved.

8 Q We're talking about the muzzle relative to the  
9 head, not relative to the body.

10 A Okay. Yes, it could be, the bullet, you know,  
11 touched the surface of the head at the 12:00 o'clock  
12 position.

13 Q Hold your hand where -- the range of motion  
14 from which -- where the muzzle would have been --

15 A Okay.

16 Q Where the muzzle would have been located to do  
17 a back to front gunshot wound to the head, where would the  
18 muzzle have been located?

19 A I'm not talking about the muzzle, I'm talking  
20 of the bullets. Bullets movement is from the 12:00  
21 o'clock position towards the 6:00 o'clock position.

22 Q 6:00 to 12:00, we're talking about --

23 A 6:00 is here, 12:00 is here.

24 Q You're reversing them.

25 A When I examined the body face in front of me.

1 Q Okay. So, the muzzle -- the bullet --  
2 presuming that the bullet goes from a straight line to the  
3 muzzle, from the muzzle to where it hits the head, okay,  
4 is that a presumption that you would accept? Straight  
5 line from the muzzle to where it strikes the head?

6 A That's true.

7 Q All right. And so the if the back -- the front  
8 wound to the head, then the muzzle will be located back  
9 here somewhere, not -- irrespective of where the body is?

10 A No, not necessarily.

11 Q No. So, where could that shot have been fired  
12 from to produce a back to front wound to the head as  
13 you've put it?

14 A That's what I'm saying, if the body has moved.  
15 I am examining just the body, I don't know if the body has  
16 moved, this is possible.

17 Q Okay. So, you can't give an opinion about the  
18 relative positions of the shooter and Deputy Pill?

19 A I don't know.

20 Q Based upon that wound or any wound?

21 A Well, that's the explanation. If this is what  
22 I'm saying about the path of the wound from back to front  
23 downward and slightly rightward, then that's what it  
24 means.

25 Q Okay. Some of the wounds appear to be from the

1 front, would that be correct?

2 A From the front of the --

3 Q Anterior of the body.

4 A I am examining -- again, I'm telling you I'm  
5 examining the body, I don't know no where it came from.

6 Q Let's do it this way. Would it be fair to say  
7 the best you can say is that the wounds and the -- as far  
8 as the trajectories are concerned that what you observed  
9 was possibly a body in motion, spinning, turning during  
10 the shooting episode, would that be --

11 A That's true, yes.

12 Q That's about as good as you can do?

13 A Yeah.

14 MR. MOORE: I don't have anymore questions.

15 May I have a minute?

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

18 MR. MOORE: It appears I do have another  
19 question.

20 BY MR. MOORE:

21 Q Doctor, the -- let's just focus on the head  
22 wound now. Are you saying to a degree of medical  
23 certainty that that wound was back to front?

24 A That's what the examination --

25 Q Yes?

1 A Yes.

2 Q The answer's yes?

3 A Yes.

4 Q Okay. Did you observe the videotape in this  
5 case of the shooting?

6 A Yes, I did.

7 Q And at any time did you see the body turn away  
8 from the muzzle of the gun?

9 A The -- from the muzzle of the --

10 Q Yes.

11 A -- gun the body turning? I just saw that there  
12 is the movement of the body and the body is falling but,  
13 yeah.

14 MR. MOORE: Okay. No further questions.

15 THE COURT: Okay. Redirect on behalf of the  
16 State.

17 MR. BROWN: Nothing further, Your Honor.

18 THE COURT: Okay. Sir, thank you for your  
19 testimony, you're free to step down.

20 (Thereupon, the witness exited the witness  
21 stand.)

22 THE COURT: May I have a bench conference?

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

25 THE COURT: From what I understand, you need to

1 reposition the?

2 MR. BROWN: I need to remove that one disc and  
3 then get in a position with the next disc to hit and  
4 reposition the TV.

5 THE COURT: So, would this be an appropriate  
6 time to take a break?

7 MR. BROWN: Yes.

8 THE COURT: Okay.

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

11 THE COURT: Okay. This would be an appropriate  
12 time to take a break. So, we are going take a break  
13 for fifteen minutes. It's 2:15, court will be in  
14 recess until 2:30. During this recess you must  
15 continue to abide by the rules governing your service  
16 as a juror. All right. Court will be in recess for  
17 fifteen minutes.

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

21 THE COURT: Please be seated. Okay. We'll  
22 also be in recess for fifteen minutes. Court will  
23 resume at 2:30.

24 Mr. Brown, you know, I haven't seen this tape.  
25 So, if you could put it back a little bit so I can

1 see.

2 MR. BROWN: Yes, Your Honor.

3 THE COURT: Not that it needs to be turned  
4 towards me. I mean, if you do it straight I can  
5 position myself to see it but just don't put it too  
6 far up here, put it a little bit up here so I can see  
7 it as well. Okay. Thank you.

8 (Thereupon, a short recess was taken in the  
9 proceedings)

10 MR. BROWN: Judge, as far as the position, you  
11 want it further back?

12 THE COURT: Can you do it just a little bit  
13 back? We can bring in Mr. Bradley. Perfect.

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

16 THE COURT: Okay. Any preliminary matters we  
17 need to address before we bring the jury into the  
18 courtroom?

19 MR. MOORE: No.

20 MR. BROWN: No, Your Honor.

21 THE COURT: Okay. We'll bring the jury into  
22 the courtroom.

23 (Thereupon, the jury was escorted into the  
24 courtroom by the court deputy and the proceedings were had  
25 as follows:)



1 THE COURT: Please be seated. Okay. Other  
2 witnesses on behalf of the State.

3 MR. BROWN: State would call Agent Wayne  
4 Simock.

5 THE COURT: Sir, if you'll step up before the  
6 clerk to be sworn.

7 THEREUPON,

8 AGENT WAYNE SIMOCK,  
9 having been first duly sworn, was examined and testified  
10 upon his oath as follows:

11 THE COURT: Okay. Sir, please be seated in the  
12 witness chair. Once seated if you'll scoot that  
13 chair forward. Do adjust that microphone to fit you,  
14 do talk into that microphone.

15 THE WITNESS: Yes, ma'am.

16 THE COURT: Okay. Mr. Brown.

17 MR. BROWN: Thank you, Your Honor.

18 DIRECT EXAMINATION

19 BY MR. BROWN:

20 Q Sir, could you please state your name and spell  
21 your last name for the jury?

22 A My name is Wayne Simock and my last name is  
23 spelled S-I-M-O-C-K.

24 Q And Agent Simock, how are you employed?

25 A I'm employed with the Brevard County Sheriff's

1 Office as an agent with the major crimes unit.

2 Q And as an agent with major crimes, what are  
3 your duties?

4 A We investigate mostly homicides and death  
5 investigations in the unincorporated area of Brevard  
6 County.

7 Q How long have you been employed with the  
8 sheriff's officer?

9 A Approximately seven years.

10 Q And during that time, have you conducted a  
11 number of interviews with witnesses as well as potential  
12 suspects?

13 A Yes, I have.

14 Q And how many interviews have you conducted?

15 A With the sheriff's office several hundred and  
16 in my prior employment with the Allentown Police  
17 Department approximately twenty years several thousand.

18 Q And what prior law enforcement employment do  
19 you have?

20 A I was with the Allentown Town Police Department  
21 where I retired as a detective sergeant with the major  
22 crimes homicide unit.

23 Q And during your time both with them as well as  
24 with the sheriff's, have you had any training on  
25 conducting interviews?

1 A Yes.

2 Q Tell the jury about that training.

3 A I've been to the Read and Scan schools, just --  
4 there's been numerous schools that I've been to as far as  
5 the police academy, community colleges, probably ten or  
6 twelve to be honest with you all dealing with  
7 investigations and interviews.

8 Q And during your time as well, have you received  
9 any training concerning narcotic substances, the affect of  
10 substances on a person?

11 A Yes, during the police academy, yes.

12 Q And have you during your -- how many total  
13 years in law enforcement?

14 A Twenty-six.

15 Q During your twenty-six years in law  
16 enforcement, have you had opportunities to have contact  
17 with people who were under the influence of various  
18 substances?

19 A Yes.

20 Q Could you tell the jury how many times?

21 A Hundreds of thousands. A lot. Very many.

22 Q Now, I want to bring your attention to March  
23 6th, 2012, on that date did you have contact with a person  
24 who became known to you as Brandon Bradley.

25 A Yes, I did.

1 Q Where did that contact occur?

2 A The first contact I had with him was at Parkway  
3 and Turtle Mound Road in Melbourne.

4 Q And what contact did you have with him?

5 A He was in the back of a marked patrol unit,  
6 Brevard County Sheriff's Office marked patrol unit where  
7 he had already been taken into custody, he was handcuffed  
8 in the back of the car.

9 Q And did you talk to him at all at that point?

10 A Very briefly.

11 Q And what was your next contact with him?

12 A Next contact I had with him was approximately  
13 7:30 in the evening at the Criminal Investigations Bureau  
14 building in Rockledge.

15 Q And when he was -- we've had testimony already  
16 that he was transported from that scene at Parkway to the  
17 sheriff's office on Gus Hipp, do you know where he was  
18 kept during that seven and a half hours or so at the  
19 sheriff's office?

20 A I believe it was interview room 2 which is in  
21 the CID building.

22 Q And is that same interview room that ultimately  
23 had contact with him?

24 A Yes.

25 Q And during your contact with the defendant,

1 were any threats or promises made to him?

2 A No.

3 Q Was he mistreated at all in your presence?

4 A Not at all?

5 Q Now, you indicated you made contact with him  
6 somewhere around 7:30 that evening?

7 A Yes.

8 Q And prior to that, was he under observation  
9 with people at the sheriff's office with video?

10 A As far as I know, I wasn't at the building for  
11 predominantly most of the time he was there, I was dealing  
12 with another individual.

13 Q And when you went in to make contact with  
14 Mr. Bradley, can you tell the jury as you walked into the  
15 room what position was he?

16 A He was laying against the north wall of  
17 interview room 2, he had like some plastic blankets that  
18 were over him, he was laying on his left side and  
19 positioned with his back against the wall.

20 Q Was he restrained in any manner at that time?

21 A He did have a set of handcuffs but they were in  
22 the front on his wrists.

23 Q And when you walked into the interview room,  
24 did you request anything of him at that time?

25 A Well, first we checked to see, you know, if

1 he's all right, made sure, he was kind of asleep. So, we  
2 woke him up, assisted him from getting up from the floor  
3 and on to a chair.

4 Q And when he was getting up, did he have any  
5 difficulty at that point?

6 A No, not getting up. Agent Spadafora did assist  
7 him in getting up from the ground and helped him get on to  
8 the chair.

9 Q And as he was getting on to the chair, did  
10 anything happen?

11 A No.

12 Q Now, you indicated he had a blanket around him,  
13 can you kind of tell the jury what did he have around him?

14 A It was a plastic blanket, it's the kind we have  
15 in patrol cars, they're not cloth. He was kind of cold so  
16 we actually did go out and get him a canvas wrap is what  
17 the best we had at the CID building and we wrapped that  
18 around him to keep him warm.

19 Q Now, did you read him what are known as Miranda  
20 warnings?

21 A Yes.

22 Q And was that captured on video?

23 A Yes, it was.

24 Q In fact, was your entire contact with the  
25 defendant in that room captured on video?

1 A Yes.

2 Q And when you read him those Miranda warnings,  
3 did he appear to understand?

4 A Yes.

5 Q And did he agree to speak with you?

6 A He did.

7 Q At any time did he ever indicate to you that he  
8 did not wish to talk with you about the shooting of Deputy  
9 Pill?

10 A No.

11 Q During the interview did he always appear to  
12 understand?

13 A Yes.

14 MR. MOORE: Objection, speculation.

15 THE COURT: Okay. Sustained.

16 MR. MOORE: Move to strike.

17 THE COURT: It shall be stricken.

18 MR. BROWN: Judge, may we approach on that?

19 THE COURT: Yes, you may.

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

22 MR. BROWN: Judge, I believe my question is  
23 appropriate. My question was did he appear to  
24 understand you. So, it's what he's observing. I  
25 believe that's a valid question to ask him. I'm not

1 asking him did the defendant understand you, I'm  
2 asking how did the defendant appear to you and I used  
3 the term appear --

4 MR. MOORE: That's the same gift in a different  
5 package. He's asking for this witness to speculate  
6 about the thought process of Mr. Bradley which is  
7 it's entirely speculation, unless he's a mind reader.  
8 He cannot say what he thinks another person is  
9 thinking, that's speculation.

10 MR. BROWN: If you ask questions and your  
11 responses aren't even anywhere close to topic which  
12 you're covering, then it would appear to you that the  
13 person doesn't understand you. If the person is  
14 responding appropriately to you, it appears to you he  
15 understands you, and it's all what his perception of  
16 his contact with the defendant. So, I believe it's  
17 an appropriate question to ask.

18 THE COURT: My concern is that it's going to be  
19 on video and they can make their own determination as  
20 to whether he appeared to understand or not. If it  
21 explains his course of conduct, it might be  
22 admissible, but I think there's other ways you can  
23 get that in as well. So, I'm going to sustain the  
24 objection.

25 (Thereupon, the benchside conference was



1 concluded and the proceedings were had as follows:)

2 BY MR. BROWN:

3 Q During the interview, agent, did you ask the  
4 defendant --

5 MR. MOORE: I'm sorry. Would the Court  
6 instruct the jury? Can we approach on that?

7 THE COURT: Yes, you may.

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

10 MR. MOORE: Part of that request was that the  
11 jury be instructed to disregard that last comment,  
12 the last testimony by the witness. The Court  
13 sustained my objection, I'm asking the Court to  
14 instruct this witness -- the jury to disregard.

15 MR. BROWN: I don't know if he even answered.

16 MR. MOORE: He did. He did indeed and that's  
17 before I could get up.

18 THE COURT: If that's what you're requesting,  
19 that's what I'll do.

20 MR. MOORE: Thank you.

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

23 THE COURT: All right. The objection was  
24 sustained, the answer is stricken and the jury is  
25 instructed to disregard that answer.

1 BY MR. BROWN:

2 Q Agent Simock, during your interview with the  
3 defendant, did you ask him numerous questions throughout  
4 that interview?

5 A Yes, I did.

6 Q And did his answers to you, did he respond in  
7 an appropriate manner to you?

8 A Yes.

9 Q Did he respond to the same topic and subject  
10 matter of the question that you asked?

11 A Yes.

12 Q And throughout the interview were you able to  
13 understand the defendant?

14 A Yes, I was.

15 Q Throughout the interview did he at times make  
16 any corrections of you or tried to correct you when you  
17 would restate his previous answers?

18 A Yes.

19 Q What time did you begin your interview?

20 A Approximately 7:30 in the evening, 19:30 hours.

21 Q And was your entire interview captured on the  
22 video recording system?

23 A Yes, it was.

24 Q Throughout your entire contact with the  
25 defendant and your interview of him, did he ever give you

1 any types of answers that had no relationship to the  
2 question you asked?

3 A No.

4 MR. MOORE: Your Honor, again, this is  
5 speculative, speculation, his opinion on thought  
6 process, opinion testimony isn't appropriate.

7 THE COURT: Okay. I'll sus --

8 MR. BROWN: May I be heard on it?

9 THE COURT: Yes, you may.

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

12 MR. BROWN: Judge, first I am going to object  
13 to speaking objection, but second it's not an opinion  
14 question. It's the defendant's response to the  
15 subject matter of what he's asking questions of.  
16 It's what he's heard from the defendant. It's not  
17 the defendant's thought process (unintelligible),  
18 it's simply the defendant's response to his  
19 questions.

20 THE COURT: It's his opinion as to whether it  
21 was appropriate.

22 MR. BROWN: It's related to the same subject  
23 matter.

24 MR. MOORE: Same thing.

25 THE COURT: I'm going to sustain the objection.

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

3                   MR. BROWN: Your Honor, may I approach the  
4 witness?

5                   THE COURT: Yes, you may.

6 BY MR. BROWN:

7                   Q       Agent, I'm going to show you what has been  
8 marked Exhibit GJ, do you recognize that exhibit?

9                   A       Yes, I do.

10                  Q       And how do you recognize it?

11                  A       This is the video that I watched of  
12 Mr. Bradley's interview.

13                  Q       And have you watched that exact disc?

14                  A       Yes, I have.

15                  Q       How do you know that you have watched that  
16 disc?

17                  A       I initialed it.

18                  Q       And is that a fair representation of the  
19 interview that you conducted of the defendant on March  
20 6th, 2012?

21                  A       Yes, it is.

22                  MR. BROWN: Your Honor, at this time the State  
23 would move what is marked as GJ into evidence as the  
24 next numbered State exhibit.

25                  THE COURT: Okay. Response from the Defense.

1 MR. MOORE: No objection.

2 THE COURT: Okay. GJ will be received as  
3 State's Exhibit 165.

4 (Thereupon, State's Exhibit Number 165 was  
5 marked and received in evidence.)

6 MR. BROWN: Your Honor, may we approach?

7 THE COURT: Yes, you may.

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

10 MR. BROWN: Your Honor, pursuant to Defense  
11 motion and the Court's ruling, portions of this video  
12 have been edited out. There is a timer that's on the  
13 video itself as well as some of the redactions that  
14 (unintelligible).

15 THE COURT: You want a redaction instruction?

16 MR. BROWN: Right. So, I'm going -- I have a  
17 few more questions of this agent and then I'm going  
18 to ask to publish. I wanted to let the Court know  
19 before I --

20 THE COURT: I have a redaction instruction,  
21 just let me find it. Okay. Here's two different  
22 ones. This is a simpler one.

23 MR. MOORE: I'd say go with that one.

24 THE COURT: This one?

25 MR. MOORE: Yes, the simpler one.

1 MR. BROWN: We're good with that.

2 THE COURT: Okay. Just tell me when.

3 MR. BROWN: Yes, Your Honor.

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

6 BY MR. BROWN:

7 Q Agent, during the interview, were there any  
8 other agents present with you for the interview?

9 A Yes, there was.

10 Q And who else was present?

11 A Agent Mike Spadafora.

12 Q And is his contact with the defendant, did it  
13 all occur within your presence?

14 A Yes.

15 Q And is his contact also captured on the video?

16 A Yes, it is.

17 MR. BROWN: Your Honor, at this time the State  
18 would move to publish what is now Exhibit 165 to the  
19 jury.

20 THE COURT: Okay. Ladies and gentlemen of the  
21 jury, there have been redactions to this DVD pursuant  
22 to a court -- this Court's order. You are not to  
23 speculate or draw inferences from any editing or  
24 redactions. Both parties agree that the contents is  
25 a fair and accurate representation for the purpose of

1           this trial.

2                   Okay. Mr. Brown, tell me when you get it set  
3 up, I'll turn off the lights.

4           MR. MOORE: May I relocate?

5           THE COURT: Yes, you may.

6                   (Thereupon, State's Exhibit Number 165 was  
7 published to the jury as follows:)

8                   AGENT SIMOCK: Hey, Brandon. Hey, man, take it  
9 off. You're going to suffocate yourself. What are  
10 you trying to do? You cold? Can you sit up for us,  
11 please? Is that possible? You need some help? Let  
12 me help you up. Ready? Oh. You all right? You all  
13 right? You okay? All right man? You okay? Oh what  
14 happened?

15           MR. BRADLEY: (Unintelligible).

16           AGENT SIMOCK: Brandon, I'm --

17           MR. BRADLEY: (Unintelligible).

18           AGENT SIMOCK: Brandon, I'm Wayne.

19           MR. BRADLEY: Um-hmm.

20           AGENT SIMOCK: I'm an agent with the sheriff's  
21 office. This is my parter Mike.

22           MR. BRADLEY: Um-hmm.

23           AGENT SIMOCK: He's an agent with the sheriff's  
24 office as well. Okay?

25           MR. BRADLEY: Um-hmm.

1           AGENT SIMOCK: Listen. You know what we want  
2 to talk to you about. I mean, there's -- that's  
3 obvious.

4           MR. BRADLEY: Um-hmm.

5           AGENT SIMOCK: We like to say this is what we  
6 have. We an idea of what happened, okay, obviously,  
7 and there is, as my partner believes and I believe  
8 the same thing, there's always two sides. There may  
9 be a reason this happened, we don't know.

10          MR. BRADLEY: Um-hmm.

11          AGENT SIMOCK: We don't know what led up to  
12 this, okay, but you do, and the other person that was  
13 in the vehicle with you.

14          MR. BRADLEY: Um-hmm.

15          AGENT SIMOCK: Okay. Obviously she's here as  
16 well. Okay. So, we'd like to talk to you about  
17 this. Okay?

18          MR. BRADLEY: I don't (unintelligible).

19          AGENT SIMOCK: Okay. But here's what we have  
20 to do. It's just the way it is, okay, and we've been  
21 doing this a long time. We have rules we have to  
22 adhere by. We have to read you your rights. Okay?

23          MR. BRADLEY: Um-hmm.

24          AGENT SIMOCK: Okay. We have to do this.  
25 Okay? Are you willing to listen to those?



1 MR. BRADLEY: Um-hmm.

2 AGENT SIMOCK: Okay. Okay. Appreciate it. Do  
3 you want to read these along with? First one is that  
4 you have the right to remain silent. Okay? Do you  
5 understand that?

6 MR. BRADLEY: Um-hmm.

7 AGENT SIMOCK: Anything you say can be used  
8 against you in court, do you understand that?

9 MR. BRADLEY: Um-hmm.

10 AGENT SIMOCK: You have the right to talk to  
11 lawyer for advice before you answer any questions and  
12 have him or her present with you during questioning.  
13 Do you understand that?

14 MR. BRADLEY: Um-hmm.

15 AGENT SIMOCK: If you cannot afford a lawyer,  
16 one will be appointed to represent you before any  
17 questioning if you wish. Do you understand that?  
18 Yes?

19 MR. BRADLEY: Yes.

20 AGENT SIMOCK: Okay. Okay. You all right?

21 MR. BRADLEY: Cold.

22 AGENT SPADAFORA: You want to see if I can get  
23 you some blanket or something?

24 AGENT SIMOCK: Can we see about getting a  
25 blanket?

1 MR. BRADLEY: I (unintelligible).

2 AGENT SIMOCK: Yeah? Okay. If you decide to  
3 answer questions now without a lawyer present, you  
4 still have a right to stop answering questions at any  
5 time. You also have the right to stop answering  
6 questions at any time until you talk to a lawyer.  
7 Doesn't mean you never get a lawyer. Okay?

8 MR. BRADLEY: Um-hmm.

9 AGENT SIMOCK: That's not what it means if you  
10 talk to us today. Okay? Any questions you don't  
11 want to answer, you don't have to. You understand  
12 that?

13 MR. BRADLEY: Um-hmm.

14 AGENT SIMOCK: Okay. Do you understand each of  
15 these rights that I've read to you?

16 MR. BRADLEY: I understand.

17 AGENT SIMOCK: Okay. If you understand them I  
18 need you to initial there just that you understand  
19 them. Okay?

20 MR. BRADLEY: Um-hmm.

21 AGENT SIMOCK: Okay?

22 MR. BRADLEY: Um-hmm.

23 AGENT SIMOCK: Okay. All right. And with  
24 these rights in mind, do you have a problem talking  
25 about what happened today?

1 MR. BRADLEY: No, I can tell you what happened,  
2 my girl can tell you what happened.

3 AGENT SIMOCK: Okay. Okay. Can you talk to us  
4 then?

5 MR. BRADLEY: Yeah.

6 AGENT SIMOCK: Okay. I appreciate that. I  
7 appreciate that. Okay. All right. My partner's  
8 getting a blanket for you right now. So, while we're  
9 waiting for him, okay, since you understand your  
10 rights and you're going talk to us little about this,  
11 Brandon, where you live at? Do you have a good  
12 address?

13 AGENT SPADAFORA: Here you go.

14 AGENT SIMOCK: How's this?

15 AGENT SPADAFORA: This is the best I could do  
16 on short notice.

17 AGENT SIMOCK: Is that better?

18 MR. BRADLEY: Um-hmm.

19 AGENT SIMOCK: All right. Where are you living  
20 at right now?

21 MR. BRADLEY: I was staying on Williams Street  
22 in Melbourne.

23 AGENT SIMOCK: On Williams Street?

24 MR. BRADLEY: Williams.

25 AGENT SIMOCK: Okay. Who were you living there

1 with?

2 MR. BRADLEY: I was with my auntie and my  
3 cousin.

4 AGENT SIMOCK: Your Annie your cousin?

5 MR. BRADLEY: My auntie and my cousin.

6 AGENT SIMOCK: Okay. All right. Okay. How  
7 long you been living there?

8 MR. BRADLEY: I only stay there at night.

9 AGENT SIMOCK: Oh, okay. Where were staying as  
10 of late where you been staying at?

11 MR. BRADLEY: I was staying at the apartment  
12 with my girl (unintelligible).

13 AGENT SIMOCK: Okay. And who's your  
14 girlfriend?

15 MR. BRADLEY: Andria.

16 AGENT SIMOCK: Okay. Andria. You call her  
17 Andria or Andria. Okay.

18 MR. BRADLEY: The same thing.

19 AGENT SIMOCK: How long have you guys been  
20 going together?

21 MR. BRADLEY: I know her since I was twelve  
22 years old.

23 AGENT SIMOCK: Twelve years old.

24 MR. BRADLEY: Yeah.

25 AGENT SIMOCK: Long time. Go to school

1 together?

2 MR. BRADLEY: You can talk to her all you want  
3 to.

4 AGENT SIMOCK: Okay. We've talked to her.

5 MR. BRADLEY: I'll tell you.

6 AGENT SIMOCK: Okay. Okay. Were you guys  
7 hanging out then or?

8 MR. BRADLEY: We was hanging out there.

9 AGENT SIMOCK: Okay. Where were you hanging?

10 MR. BRADLEY: (Unintelligible) motel.

11 (Unintelligible) about to go back to her house to

12 (unintelligible) clothes to put in the apartment.

13 AGENT SIMOCK: Okay. You were going to put her  
14 close in an apartment?

15 MR. BRADLEY: No, we getting out  
16 (unintelligible) and. I'm just...

17 AGENT SIMOCK: Take your time.

18 MR. BRADLEY: Yeah, in the apartment

19 (unintelligible) we was going to go over there and

20 got to get this shit right. We was staying in a

21 hotel (unintelligible), whatever, whatever and then

22 that's when we was going to get the apartment.

23 AGENT SPADAFORA: Where was the apartment at  
24 that you were going to get?

25 MR. BRADLEY: Um, (unintelligible) Lake

1 Washington.

2 AGENT SPADAFORA: Lake Washington. Okay. Is  
3 it by the golf course?

4 MR. BRADLEY: Yeah.

5 AGENT SPADAFORA: Okay. What happened then?

6 MR. BRADLEY: This.

7 AGENT SPADAFORA: Okay. Well, this, that's  
8 kind of vague. I mean, you were going through the  
9 apartment and then this happened. Okay.

10 MR. BRADLEY: (Unintelligible).

11 AGENT SPADAFORA: Tell me about this. I mean,  
12 it's tragic, I understand.

13 MR. BRADLEY: I know it is, I'm sorry, all that  
14 shit but.

15 AGENT SPADAFORA: You're sorry. I understand  
16 that.

17 MR. BRADLEY: Makes me feel like  
18 (unintelligible).

19 AGENT SIMOCK: Let me say something.

20 MR. BRADLEY: I'm a real whatever, whatever. I  
21 don't like put in my position, position, whatever  
22 (unintelligible) like that but (unintelligible), you  
23 feel me, and I opened the door, I'm like what's up,  
24 you (unintelligible) me and she's like oh,  
25 (unintelligible) get out, get out, get out. I'm like

1 for what, what I did. I don't know one  
2 (unintelligible) ever -- don't ever open the car  
3 door, they done come to you.

4 AGENT SPADAFORA: What happened when the car  
5 door opened?

6 MR. BRADLEY: Car door opened, I just reaching  
7 already (unintelligible) and uh.

8 AGENT SPADAFORA: Okay.

9 MR. BRADLEY: And I had the car door opened and  
10 I'm like what I did, what I did. She's like get over  
11 here right now, get over right now. I'm like no,  
12 what I did, tell me what I did, before I get out of  
13 the car what I did and then she got (unintelligible)  
14 like this and (unintelligible).

15 AGENT SIMOCK: She was -- she was doing that?  
16 I can't see your hands.

17 AGENT SPADAFORA: Brandon, can you stand up and  
18 show us what --

19 AGENT SIMOCK: Show us for a second because we  
20 can't see your hands.

21 AGENT SPADAFORA: We'll cover you back up  
22 again.

23 MR. BRADLEY: I was sitting in the car, she  
24 walking up going like, what I did, what I did. She  
25 like I don't need to tell you what you did, what you

1 did. I'm like (unintelligible). Just came just like  
2 this, I ain't going to lie to you, like going just  
3 like this hand me (unintelligible).

4 AGENT SPADAFORA: What happened next? I'll be  
5 here, I'm her. You tell me what she did. You're  
6 sitting in your car?

7 MR. BRADLEY: Um-hmm.

8 AGENT SPADAFORA: Okay. And I think you would  
9 be on this side. Let me scoot your chair over, okay?  
10 Scoot you over here in the middle. Okay? Have a  
11 seat. Act like you're sitting in the car. Okay.  
12 Whoa, take your time.

13 AGENT SIMOCK: Take your time. You all right?

14 AGENT SPADAFORA: Okay. So now, I'm the deputy  
15 and I approach, right? Okay. So, I'm over here and  
16 what is she doing? She has her hand here telling you  
17 to get out of the car?

18 MR. BRADLEY: No, I'm like just sitting.

19 AGENT SPADAFORA: Okay. She would be over  
20 here. She'd be coming up behind.

21 AGENT SIMOCK: How about if we pull your chair  
22 up a little bit. Just don't fall down. We'll move  
23 it up here and have you sit down and then Mike will  
24 be the deputy.

25 AGENT SPADAFORA: All right. I'm the deputy,



1 telling you -- what did she say, come out of the car?

2 MR. BRADLEY: I'm going like this.

3 AGENT SPADAFORA: She comes up and she's like  
4 this?

5 MR. BRADLEY: Oh, everything (unintelligible)  
6 and that's like what I did, what I did.

7 AGENT SPADAFORA: Right.

8 MR. BRADLEY: That's when she was.

9 AGENT SPADAFORA: She said get out of the car?

10 MR. BRADLEY: That's (unintelligible) anybody.

11 AGENT SPADAFORA: Okay. And what did do?

12 MR. BRADLEY: What?

13 AGENT SPADAFORA: Did she reach in the car or  
14 didn't?

15 MR. BRADLEY: She was reaching for her gun.

16 AGENT SPADAFORA: Okay. So, she's -- this is  
17 the gun, she's reaching?

18 MR. BRADLEY: That's the gun, this the taser.  
19 I'm from the hood.

20 AGENT SPADAFORA: Okay. And then what happened  
21 when she reached for the gun?

22 MR. BRADLEY: I thought she going to shoot me.

23 AGENT SPADAFORA: And what did you do?

24 MR. BRADLEY: I pulled mine out.

25 AGENT SIMOCK: Okay. Where was your gun on

1           you?

2           MR. BRADLEY:   Way somewhere over there.

3           AGENT SPADAFORA:   Okay.  Now, we talked to  
4   Andria, she said she handed -- did she hand you the  
5   gun?

6           MR. BRADLEY:   No, she ain't hand me the gun.

7           AGENT SPADAFORA:   She didn't hand you the gun.  
8   Okay.  So, you got the gun, what happened next?  The  
9   deputy is over here, you're sitting in your car, the  
10  door's open, correct?

11          MR. BRADLEY:   The door ain't open yet.

12          AGENT SPADAFORA:   The door ain't open yet.  
13  Okay.  So, she's trying to get the door open or you  
14  tell me.  What's happening?

15          MR. BRADLEY:   I sitting there regardless, she  
16  coming up asking.  I'm like all right, all right, but  
17  she come with her hand on her gun.

18          AGENT SPADAFORA:   Okay.  Like this?  I'm her  
19  now.

20          MR. BRADLEY:   I don't know taser, I don't give  
21  a fuck about the taser.

22          AGENT SPADAFORA:   Right.  Right.

23          MR. BRADLEY:   Like I said, my (unintelligible).

24          AGENT SPADAFORA:   So, what happened?  She's up  
25  here now, you're reaching over for what?  What are

1           you reaching for over there?

2           MR. BRADLEY: Reaching for what?

3           AGENT SPADAFORA: You said you reached over  
4 while she was -- had her hand on the gun, you said  
5 you got your gun and you reached over. Is that what  
6 your were reaching for is your gun?

7           MR. BRADLEY: I didn't say I reached for my  
8 gun.

9           AGENT SPADAFORA: Didn't you say it was way  
10 over there?

11          MR. BRADLEY: I said it was way over there, I  
12 didn't say I was reaching for it.

13          AGENT SPADAFORA: Okay. Okay. So, you -- at  
14 what point did you get your gun?

15          MR. BRADLEY: When she was going like this.

16          AGENT SPADAFORA: Okay. And what happened  
17 next? You had your gun, she has her hand on here,  
18 what happened next?

19          MR. BRADLEY: Shit, I shot her, I thought she  
20 was going to shoot me.

21          AGENT SPADAFORA: You shot her? Where did you  
22 do it?

23          MR. BRADLEY: I couldn't tell you to tell you  
24 the truth.

25          AGENT SPADAFORA: How many times did you shoot?

1 MR. BRADLEY: Probably twice.

2 AGENT SPADAFORA: Twice? Okay. What kind of  
3 gun did you have?

4 MR. BRADLEY: I can't tell you.

5 AGENT SPADAFORA: You don't know?

6 MR. BRADLEY: See, I ain't like no manufacturer  
7 of guns.

8 AGENT SPADAFORA: Was this like this one with a  
9 clip in it? Was it round? Did it will the bullets  
10 in a round cylinder?

11 MR. BRADLEY: What's a round cylinder like?

12 AGENT SPADAFORA: Like a revolver? Was it a  
13 revolver?

14 MR. BRADLEY: No.

15 AGENT SPADAFORA: Was it more like this?

16 MR. BRADLEY: What is that?

17 AGENT SPADAFORA: It has a clip in the bottom?

18 MR. BRADLEY: Oh, yeah, it had a clip in the  
19 bottom.

20 AGENT SPADAFORA: It had a clip in the bottom.  
21 Okay. And what happened when you shot her? What  
22 happened.

23 MR. BRADLEY: What happened when I shot her?

24 AGENT SPADAFORA: Yeah, when you shot her, what  
25 happened?

1 MR. BRADLEY: I drove off.

2 AGENT SPADAFORA: You drove off. And where did  
3 you go from there?

4 AGENT SIMOCK: Let's have you sit back here,  
5 sir. Okay. Just need to back up. You want me to  
6 cover up again?

7 After shot her you said you drove away?

8 MR. BRADLEY: Um-hmm.

9 AGENT SIMOCK: Where did you drive to?

10 MR. BRADLEY: Down (unintelligible) roads.

11 AGENT SIMOCK: And what happened while you were  
12 driving, you stop anywhere?

13 MR. BRADLEY: Yeah, I tried to stop.

14 AGENT SIMOCK: Okay. Was anybody chasing you  
15 at that point?

16 MR. BRADLEY: I couldn't tell you.

17 AGENT SIMOCK: Okay. Who was in the car with  
18 you at that point, you and your girl?

19 MR. BRADLEY: Yeah.

20 AGENT SIMOCK: Okay. What happened to the gun  
21 after you started driving away?

22 MR. BRADLEY: I don't know, the cop  
23 (unintelligible).

24 AGENT SIMOCK: Okay. Before that, before the  
25 other thing happened, I'm talking about right after

1           you shot the deputy, what did you do with the gun?

2           MR. BRADLEY: The gun went flying around, I'm  
3 going like this and this.

4           AGENT SIMOCK: Okay did you still it? I mean,  
5 was in your hand, what did you do with it? How did  
6 it get out of your hand.

7           MR. BRADLEY: It wasn't out of my hand.

8           AGENT SPADAFORA: And -- you want me to call --  
9 what would you like me to call you?

10          MR. BRADLEY: Whatever you want to call me.

11          AGENT SPADAFORA: All right. Mr. Bradley, we  
12 know that and how we know that is because we talked  
13 to Adrian (sic.), okay, and she said that she took  
14 the gun and put it in between the back seat of the  
15 car.

16          MR. BRADLEY: In the back seat of the car.

17          AGENT SPADAFORA: Of the SUV, the back seat,  
18 she shoved it in between the seat. She said the gun  
19 was still hot when she stuffed it back in there.

20          MR. BRADLEY: Well, you can find  
21 (unintelligible) but I know for a fact that ain't  
22 whatever she's saying or whatever, whatever. If it  
23 was a gun there, there was a gun there but I know for  
24 a fact there ain't no gun there.

25          AGENT SIMOCK: Did you hand the gun to Andria?

1 MR. BRADLEY: No.

2 AGENT SIMOCK: You didn't hand it to Andria?

3 MR. BRADLEY: Huh-uh.

4 AGENT SIMOCK: How did the gun get out of your  
5 hand though? Were you driving (unintelligible)?

6 MR. BRADLEY: I'm saying I'm driving and I'm  
7 swerving, the gun going probably be over there or  
8 over there.

9 AGENT SIMOCK: Did you just drop the gun after  
10 you shot it, then it went over there and over there?  
11 I guess that's what I'm trying -- it has to be in  
12 your hand when it fired, correct?

13 MR. BRADLEY: Yeah.

14 AGENT SIMOCK: Okay. As soon as you finished  
15 shooting, what happened to the gun? Did you just  
16 drop it, did you toss it, did you put it somewhere?  
17 That's what I guess my question is.

18 MR. BRADLEY: Yeah, I dropped it.

19 AGENT SIMOCK: Okay. So, you dropped it.  
20 Okay. And then you drove towards John Rodes, is that  
21 what you said?

22 MR. BRADLEY: Yeah.

23 AGENT SIMOCK: Okay. Where do you drive after  
24 that? Do you stop anywhere after the shooting?

25 MR. BRADLEY: No.

1           AGENT SIMOCK: Okay. You didn't stop anywhere?

2           MR. BRADLEY: What she told me that I stopped.

3           AGENT SIMOCK: Okay. We knew and we're just  
4 make to make sure that everything kind of makes  
5 sense.

6           MR. BRADLEY: You can tell you whatever you  
7 want.

8           AGENT SIMOCK: I don't want to tell you  
9 anything. I don't want to put words in your mouth.

10          MR. BRADLEY: I ain't saying you will.

11          AGENT SIMOCK: I want to be straight up with  
12 you and I do, I want to be straight up with you.  
13 It's very serious. It's very, very serious.

14          MR. BRADLEY: I know it's very severe.

15          AGENT SIMOCK: But again two sides. You kind  
16 of explained why it happened, just want to know now  
17 what happened afterward.

18          AGENT SPADAFORA: Can I back up just a moment?

19          AGENT SIMOCK: Sure, absolutely.

20          AGENT SPADAFORA: Mr. Bradley, when you said  
21 the deputy came up and she had her hand on her gun,  
22 did she ever pull her gun out?

23          MR. BRADLEY: She was unholstering it, sir.

24          AGENT SPADAFORA: But did you ever see her take  
25 the gun out and point it at you?



1 MR. BRADLEY: Well, (unintelligible). Can I  
2 talk?

3 AGENT SPADAFORA: Yeah, yeah, yeah. Yeah.

4 MR. BRADLEY: (Unintelligible).

5 AGENT SIMOCK: No, no, no. You talk. You  
6 talk.

7 AGENT SPADAFORA: I'm just trying to understand  
8 how --

9 MR. BRADLEY: I see what you're saying but at  
10 the same time as she's doing the shit, ain't like I  
11 got my shit, hey, hey, hey. You see what I mean.

12 AGENT SPADAFORA: Right. So, she never did  
13 actually get the gun out of the holster?

14 MR. BRADLEY: She was trying to pull the gun  
15 out the holster.

16 AGENT SPADAFORA: She was trying to but she  
17 didn't actually get the gun out. Did she? I mean,  
18 I'm asking, I don't know. No? Okay. I just wanted  
19 to clarify that. I appreciate that.

20 MR. BRADLEY: I feel what you're saying but  
21 (unintelligible) like I'm sorry but I feel anybody  
22 (unintelligible).

23 AGENT SPADAFORA: And once that happened you  
24 say you took off and went down to John Rodes, did you  
25 pull into a neighborhood and get out of the car and

1 then somebody said something and you got back in the  
2 car and left? I'm asking. I'm asking.

3 MR. BRADLEY: I tell you what, if I'm on the  
4 run, whatever, I'm (unintelligible).

5 AGENT SPADAFORA: I'm sorry, I didn't hear  
6 that.

7 MR. BRADLEY: I said if I did like I wouldn't  
8 (unintelligible).

9 AGENT SIMOCK: Okay. Did you get out of the  
10 car at all? Did you get out of the car after the  
11 shooting?

12 MR. BRADLEY: With you all.

13 AGENT SIMOCK: Before that did you get out of  
14 the car at all, you or Andria?

15 MR. BRADLEY: I don't think so.

16 AGENT SIMOCK: You don't think so.

17 AGENT SPADAFORA: Is it possible that you could  
18 have and don't remember?

19 MR. BRADLEY: It might be, I (unintelligible).

20 AGENT SIMOCK: Okay. All right. Tell me a  
21 little bit about what happened when the officers got  
22 finally caught you up with you, what happened?

23 MR. BRADLEY: We driving down (unintelligible)  
24 with Aurora.

25 AGENT SIMOCK: Aurora?

1 MR. BRADLEY: Yeah, at the end of Aurora back  
2 to John Rodes would be a left.

3 AGENT SIMOCK: You made a left off of Aurora?

4 MR. BRADLEY: No.

5 AGENT SPADAFORA: John Rodes.

6 AGENT SIMOCK: John Rodes is down by Eau Gallie  
7 and if you go across --

8 MR. BRADLEY: No, I'm saying John Rodes that's  
9 where I went towards Aurora.

10 THE WITNESS: Okay. You went towards Aurora.  
11 Okay. I got you. It's where it makes that turn,  
12 that sharp turn?

13 MR. BRADLEY: Yeah.

14 AGENT SIMOCK: All right. So, you went on to  
15 Aurora and then where?

16 MR. BRADLEY: It wasn't Aurora.

17 AGENT SIMOCK: You made a left off of Aurora  
18 then?

19 MR. BRADLEY: No. (Unintelligible) making a  
20 right or (unintelligible).

21 AGENT SIMOCK: Right. Okay. I understand. By  
22 the trailer parks. Okay. Then what happened?

23 MR. BRADLEY: Just driving, driving fixing to  
24 go her house.

25 AGENT SIMOCK: You stopped at her house?

1 MR. BRADLEY: No, I said we were fixing to go  
2 there.

3 AGENT SIMOCK: Okay.

4 AGENT SPADAFORA: Where does she live?

5 MR. BRADLEY: Sherwood.

6 AGENT SPADAFORA: Sherwood. Okay.

7 AGENT SIMOCK: Okay.

8 MR. BRADLEY: You know what I'm saying. I'm  
9 driving, see no cars whatever (unintelligible) still  
10 driving. I looked back seeing like (unintelligible)  
11 or not but she get the lights on me and I was like  
12 what I did, what I did, you feel me, putting her hand  
13 on the holster she like you need to get out of the  
14 car right now, you need to get out of the car right  
15 now. I said what I did, I'll get out, just tell me  
16 what I did, started walking up going like this.

17 AGENT SPADAFORA: Did you say anything to  
18 Andria before you shot the deputy?

19 MR. BRADLEY: Huh?

20 AGENT SPADAFORA: Did you say anything to  
21 Andria before you shot the deputy?

22 MR. BRADLEY: I (unintelligible).

23 AGENT SPADAFORA: To what?

24 MR. BRADLEY: I told her baby I don't want you  
25 to get mad anything happen.

1           AGENT SPADAFORA: You told her you didn't want  
2 her to do anything if anything happened?

3           MR. BRADLEY: You know what I'm saying, like I  
4 don't want her to get involved in anything  
5 (unintelligible).

6           AGENT SIMOCK: You didn't want to get Andria  
7 involved if anything was to happen?

8           MR. BRADLEY: Yeah.

9           AGENT SIMOCK: Okay. Did you have warrants?

10          MR. BRADLEY: Um-hmm.

11          AGENT SIMOCK: You were aware of the warrants I  
12 guess?

13          MR. BRADLEY: Hmm?

14          AGENT SIMOCK: You were aware of the warrants?

15          MR. BRADLEY: Was I wear of the warrants?

16          AGENT SIMOCK: You knew you had them.

17          MR. BRADLEY: Yeah.

18          AGENT SIMOCK: Okay. Did the deputy say  
19 anything about warrants or not? I'm asking you.

20          MR. BRADLEY: Huh-uh.

21          AGENT SIMOCK: Did the deputy tell you to stay  
22 in the car, get out of the car?

23          MR. BRADLEY: That's exactly what happened,  
24 what I'm saying. I know because you all troll and  
25 stuff but if you was there and (unintelligible) it

1           wasn't going to be no this and that.

2                   AGENT SPADAFORA: Mr. Bradley, can I ask you a  
3 question?

4                   MR. BRADLEY: Um-hmm.

5                   AGENT SPADAFORA: When you were pulled over by  
6 the deputy you knew you had warrants, were you afraid  
7 of going back to jail again?

8                   MR. BRADLEY: It ain't even that.

9                   AGENT SPADAFORA: No?

10                  MR. BRADLEY: It ain't even that.

11                  AGENT SPADAFORA: Let me ask you a question.  
12 If you weren't afraid of going back to jail --

13                  MR. BRADLEY: (Unintelligible) going back to  
14 jail, I'm (unintelligible) she did it.

15                  AGENT SPADAFORA: Okay. Okay.

16                  MR. BRADLEY: I ain't (unintelligible) tough, I  
17 do my time.

18                  AGENT SPADAFORA: Right.

19                  MR. BRADLEY: Somebody going -- I ain't dumb,  
20 they're going --

21                  AGENT SPADAFORA: Let me ask you a question.  
22 You told me you grew up on the street, you're pretty  
23 street smart, right?

24                  MR. BRADLEY: Um-hmm.

25                  AGENT SPADAFORA: Okay. You've been in fights

1 before?

2 MR. BRADLEY: Um-hmm.

3 AGENT SPADAFORA: Okay. Have you ever had a  
4 gun pulled on you before?

5 MR. BRADLEY: Um-hmm.

6 AGENT SPADAFORA: Okay. Was it somebody other  
7 than law enforcement that pulled a gun on you before?

8 MR. BRADLEY: I got tased three times by troll  
9 so.

10 AGENT SPADAFORA: Okay. So, they tased you.  
11 Okay. But has anybody besides a law enforcement  
12 officer ever pointed a gun at you before?

13 MR. BRADLEY: Yes.

14 AGENT SPADAFORA: Okay.

15 MR. BRADLEY: Many times deal.

16 (Unintelligible) my cousin so.

17 AGENT SPADAFORA: These are pretty hard guys  
18 that are acting sitting here like this pointing a gun  
19 at you.

20 MR. BRADLEY: I mean like actually like burning  
21 (unintelligible) like (unintelligible).

22 AGENT SPADAFORA: Now, they're sitting here and  
23 they're pointing a gun at you, are you afraid?

24 MR. BRADLEY: Am I afraid?

25 AGENT SPADAFORA: Yeah.

1 MR. BRADLEY: Everybody afraid but I know they  
2 ain't going to use it.

3 AGENT SIMOCK: All right. Okay. I'm just  
4 trying to understand you because I've never meet you  
5 before, right? Okay. You've had guns pulled on you  
6 before, you were afraid. Now you have a deputy, a  
7 female deputy, who doesn't even take her gun out of  
8 her holster, she has her hand on it and you shoot  
9 before she even takes her gun out of her holster.

10 MR. BRADLEY: But I say you wasn't there to see  
11 that.

12 AGENT SIMOCK: Well, that's what I'm --

13 MR. BRADLEY: You thinking you've seen like --  
14 I feel like I'm a bad guy because of what I did but  
15 at the same time you weren't there.

16 AGENT SIMOCK: No, and that's why I'm trying --  
17 and I'm trying to gage your level of fear because I  
18 can understand a person that was never ever involved,  
19 you know what I'm saying, like --

20 MR. BRADLEY: Like I said, I got all these rest  
21 in peace, I got way more to put on. I'm  
22 (unintelligible).

23 AGENT SIMOCK: I understand.

24 MR. BRADLEY: I got heavy.

25 AGENT SIMOCK: Where did you -- where did



1 you -- where did you have the gun when the deputy  
2 came up, was it in your pants, was it in your lap,  
3 was it in a shirt, was it on the seat?

4 MR. BRADLEY: Probably on the seat or  
5 something.

6 AGENT SIMOCK: Was it on the seat next to you  
7 or was it between your legs?

8 MR. BRADLEY: Somewhere on the seat.

9 AGENT SIMOCK: You're looking to your right but  
10 you tell me it's on the passengers seat or in between  
11 the seats, is that a fair assessment? Is that fair  
12 to say.

13 MR. BRADLEY: That's fair to say.

14 AGENT SIMOCK: Okay. All right. So, the gun  
15 was between the seats. Okay. Where did you get the  
16 gun? Did you get the gun today, did you just pick it  
17 up today, did you have it for a while? Did you have  
18 a permit for it? I don't know, I'm asking you.

19 MR. BRADLEY: I ain't got no (unintelligible)  
20 when you get you stay (unintelligible) I bet you any  
21 amount of money ain't no permits, but like I said,  
22 three, four people of mine got killed  
23 (unintelligible) six month.

24 AGENT SIMOCK: So, you had the gun for  
25 protection?

1 MR. BRADLEY: Yeah, (unintelligible) gun for  
2 protection.

3 AGENT SIMOCK: Okay.

4 MR. BRADLEY: I want to show you a tat the next  
5 time (unintelligible) kill me, I'm supposed to walk  
6 around and when he sees me kill me. Like I  
7 (unintelligible).

8 AGENT SIMOCK: So, because of where you live,  
9 because of the places you hang out, it would not be  
10 uncommon to carry a gun to protect yourself, true?  
11 Make sense? I'm asking.

12 MR. BRADLEY: I'll tell you.

13 AGENT SIMOCK: All right. Okay. So, how long  
14 did you have that gun?

15 MR. BRADLEY: Not long.

16 AGENT SIMOCK: Okay. What's not long? I mean,  
17 I don't know.

18 MR. BRADLEY: Huh?

19 AGENT SIMOCK: Long could be an hour, it could  
20 be a month.

21 MR. BRADLEY: Like (unintelligible) had a beef  
22 with (unintelligible) walk around (unintelligible)?

23 AGENT SIMOCK: Who had the beef with you?

24 MR. BRADLEY: (Unintelligible), he from Cocoa,  
25 I don't even know the name.

1           AGENT SIMOCK: Okay. So, somebody had a beef  
2 with you so you got the gun a week ago and where did  
3 you get it from? Mr. Bradley, where did you get the  
4 gun?

5           MR. BRADLEY: A baser.

6           AGENT SIMOCK: I'm sorry?

7           MR. BRADLEY: A baser, crack head.

8           AGENT SIMOCK: A baser. Okay. All right. So,  
9 you got it from a baser. He just gave it to you or  
10 you traded for something? Really that's my --  
11 really --

12          MR. BRADLEY: (Unintelligible) jail for a long  
13 time. Am I incriminating myself?

14          AGENT SPADAFORA: Let me ask you a question and  
15 you can educate me, okay, because I grew up  
16 (unintelligible) and this is my first show at the big  
17 show and you know Melbourne, it's a big city to me  
18 and I'm looking at your tattoos and you told me you  
19 had rest in peace. Is that your friends that were  
20 killed?

21          MR. BRADLEY: My cousin, my grandma, my people  
22 that had got murdered like (unintelligible) and this  
23 is every day thing. Like I got a warrant  
24 (unintelligible).

25          AGENT SPADAFORA: But who had -- how many names

1 do you have on there, about four or five?

2 MR. BRADLEY: Way more supposed to be.

3 AGENT SPADAFORA: Way more. Okay. Okay. How  
4 many were killed by police officers? Were any of  
5 them ever killed by a police officer?

6 MR. BRADLEY: Yeah.

7 AGENT SPADAFORA: Who, who on your arm was  
8 killed?

9 MR. BRADLEY: Not on my arm.

10 AGENT SPADAFORA: Okay.

11 MR. BRADLEY: You know a Frank Carter?

12 AGENT SPADAFORA: Yeah. Yeah.

13 MR. BRADLEY: Yeah, he killed him, yeah.

14 AGENT SIMOCK: Is a friend of yours? Was he a  
15 friend of yours?

16 MR. BRADLEY: Is he a friend of mine?

17 AGENT SIMOCK: Well, I'm just asking, I don't  
18 know.

19 MR. BRADLEY: (Unintelligible) friend. You say  
20 I'm (unintelligible) but he killed (unintelligible)  
21 because his daughter died. I feel sorry for him but  
22 at the same time every time you see -- you shoot my  
23 cousin because he got a bottle of pills and you shoot  
24 him three times in the back. So, I'm  
25 (unintelligible) I'm the bad guy or whatever, you got

1 police --

2 AGENT SIMOCK: I'm not saying that, I'm just  
3 trying to understand you a little bit. Okay. Like I  
4 said before we never met each other.

5 MR. BRADLEY: I know we never met each other.

6 AGENT SIMOCK: And it's not fair that I talk to  
7 you and not know who I'm talking too. I mean, it  
8 wouldn't be right. So, I just want to make sure I  
9 understand who you are. Okay.

10 MR. BRADLEY: Really (unintelligible).

11 AGENT SIMOCK: And let me ask you, you said the  
12 gun was over there, okay, and we talked we talked to  
13 your girl about that and were you guys -- did you  
14 propose to her to get married?

15 MR. BRADLEY: Yeah, I did.

16 AGENT SIMOCK: Now she's pregnant with your  
17 baby?

18 MR. BRADLEY: Yes, sir.

19 AGENT SIMOCK: Okay. You watch TV, you know  
20 that the gun is going to be processed and all that.

21 MR. BRADLEY: Yeah.

22 AGENT SIMOCK: How much -- and she's already  
23 told me and told us. How many times has she touched  
24 that gun?

25 MR. BRADLEY: It isn't my gun, it's her gun.

1           AGENT SIMOCK:  It's her gun?

2           MR. BRADLEY:  It's my gun, I ain't going to lie  
3 but she's a rider.

4           AGENT SIMOCK:  She what?

5           MR. BRADLEY:  She's a rider, she going to touch  
6 it.

7           AGENT SIMOCK:  Okay.  When you say the gun was  
8 over there, it was on her seat, wasn't it?

9           MR. BRADLEY:  Shit crashed.

10          AGENT SIMOCK:  No, I mean when the deputy  
11 pulled up you said the gun was over there, that would  
12 be on her seat, that gun was on her seat, correct?

13          MR. BRADLEY:  It was.

14          AGENT SIMOCK:  All right.  Was she sitting on  
15 it so it wouldn't fall off the seat?

16          MR. BRADLEY:  I couldn't tell you, sir.

17          AGENT SIMOCK:  You couldn't tell me.  Did she  
18 have to move for you to get it?  When you reached  
19 over, did she have to scoot over so you could reach  
20 it?  Because I'm using common sense.  If you're my  
21 friend and I love you I'm going to do what I can do  
22 to protect you.  If I'm getting pulled over by a  
23 deputy and the gun is on the seat, hell, I'm going to  
24 scoot over and just sit on it so the deputy doesn't  
25 see it.  Common sense, do you agree with that?

1 MR. BRADLEY: Yeah, I agree.

2 AGENT SIMOCK: So -- and she would be no  
3 different than anybody else. I mean, she loves you,  
4 it's obvious. I mean, she told us.

5 MR. BRADLEY: (Unintelligible).

6 AGENT SIMOCK: So, that's why I'm asking you  
7 because she told us. I mean, she was sitting on the  
8 gun, wasn't she? Is that right?

9 MR. BRADLEY: I just don't want to get my girl.

10 AGENT SIMOCK: I know, you don't want to get --  
11 and trust me, I know you don't want to get her in  
12 trouble but --

13 AGENT SPADAFORA: If she's telling the truth.

14 AGENT SIMOCK: She loves you, she said the gun  
15 was here, I didn't want my man to get in trouble  
16 so -- and that's understandable, I can understand  
17 that. Okay. Is that true? Yeah? Okay. All right.  
18 Yes?

19 AGENT SPADAFORA: We're not going to shit you,  
20 you talk to us.

21 MR. BRADLEY: Yeah.

22 AGENT SIMOCK: So, when did you get the gun  
23 then when the deputy was coming up from underneath  
24 your seat where she was sitting on it?

25 MR. BRADLEY: I don't even know, man.

1           AGENT SIMOCK: Did you have to ask her for it  
2 or did she just hand it to you?

3           AGENT SPADAFORA: I'll let you know up front  
4 it's better to be honest because --

5           MR. BRADLEY: I know it's better to be honest  
6 but (inaudible).

7           AGENT SPADAFORA: Here's the thing.

8           MR. BRADLEY: I love that girl, I do twenty,  
9 thirty.

10          AGENT SPADAFORA: But you're not going to help  
11 her by lying because here's some things that we do  
12 and I don't know if you ever heard of layered prints  
13 but if I touch like this and then you touch like  
14 this, we can peel the layers of prints off. Okay.  
15 And that is going to show us in what sequence  
16 somebody had that weapon. So, if she picked up the  
17 gun, handed it to you or like this and you grabbed  
18 it, well, guess whose fingerprints are going to be  
19 under yours.

20          MR. BRADLEY: Um-hmm.

21          AGENT SPADAFORA: Yeah, exactly. So, if she  
22 handed you the gun we'd like to know that and  
23 she's -- she's already told us so I mean.

24          MR. BRADLEY: I just don't want to get her in  
25 trouble.



1           AGENT SPADAFORA: I know. I know.

2           MR. BRADLEY: (Unintelligible) baby.

3           AGENT SIMOCK: You're telling the truth.

4           MR. BRADLEY: I know I'm telling, I ain't going  
5 to lie, I'm just saying.

6           AGENT SIMOCK: That's what happened.

7           MR. BRADLEY: (Unintelligible), you know, I can  
8 understand.

9           AGENT SIMOCK: Did she hand you the gun before  
10 the deputy go out of the car, when the deputy was  
11 walking up?

12          MR. BRADLEY: It was already sitting there.

13          AGENT SIMOCK: She was sitting on it?

14          MR. BRADLEY: No, it was already sitting there.

15          AGENT SIMOCK: When did she hand it to you?

16          MR. BRADLEY: Probably before she got out of  
17 the car.

18          AGENT SPADAFORA: Before the deputy got out of  
19 the car? Okay. Okay.

20          AGENT SIMOCK: She's handing it to you or do  
21 you just ask her for it?

22          MR. BRADLEY: I don't want to tell you, she the  
23 one (unintelligible), she told me to pull over with  
24 it.

25          AGENT SIMOCK: She told you to pull over?

1 MR. BRADLEY: You hear me. I ain't going to  
2 lie to you, but when I seen that deputy's shit like  
3 reaching for her gun.

4 AGENT SIMOCK: Is that when you --

5 MR. BRADLEY: Huh?

6 AGENT SPADAFORA: She gave it to you and then  
7 you pulled up and shot?

8 MR. BRADLEY: I'm sitting and she's like oh,  
9 shit (unintelligible) gun and I went like that  
10 (unintelligible) got the shit.

11 AGENT SIMOCK: You grabbed it or she handed it  
12 to you?

13 AGENT SPADAFORA: She already told us that  
14 she --

15 AGENT SIMOCK: She already told us that she  
16 handed it to you and we talked to her.

17 MR. BRADLEY: Yeah.

18 AGENT SIMOCK: So, she handed it to you?

19 MR. BRADLEY: I just don't want to get my baby  
20 mama in trouble, I take the rap.

21 AGENT SPADAFORA: You know what's funny and she  
22 said the exact same thing, but love is one thing and  
23 the truth is another. Okay. And the truth can be  
24 proved. Just by what I was telling you about this,  
25 the truth can be proved. Okay. Your love can be

1 proved also but the truth is much about bigger than  
2 your love at this point.

3 MR. BRADLEY: Yeah.

4 AGENT SPADAFORA: Okay. And you trying to lie  
5 to protect her when she's already told us, it doesn't  
6 make her look good and it doesn't make you either.

7 MR. BRADLEY: I see.

8 AGENT SPADAFORA: You know what I'm saying.  
9 So, if she handed you the gun then just say hey,  
10 that's the truth, and I want it to be the truth, if  
11 she handed you the gun that she handed you the gun.  
12 This ain't about protecting her or taking it for her.

13 MR. BRADLEY: I know it ain't about protecting  
14 her, I'm just saying.

15 AGENT SPADAFORA: Because we already know she  
16 didn't shoot. We already know that she didn't shoot,  
17 that you did the shooting. We know that. Okay. So,  
18 we already know that and if she handed you the gun,  
19 it is what it is. And let me tell you, I never met  
20 you, okay, but if I could go back and turn back the  
21 hands of time until yesterday, I would do that  
22 because it isn't good for anybody. It's not good for  
23 you, it's not good for her, it's not good for your  
24 newborn baby, it's definitely not good for the deputy  
25 or her family and if we turn back the time you two

1           could go about your happy d.

2           MR. BRADLEY: She still alive.

3           AGENT SPADAFORA: You two can --

4           MR. BRADLEY: (Unintelligible), is she still  
5           alive?

6           AGENT SPADAFORA: No, no, she's not, she passed  
7           away.

8           MR. BRADLEY: (Unintelligible), you know what  
9           I'm saying.

10          AGENT SPADAFORA: If I could go back and I  
11          could change all that, you guys could have your happy  
12          life with your new baby and none of this would have  
13          happened but we're not there. We're here. Okay?  
14          All right. All right. Now, going back, Adrian  
15          (sic.) handed the gun, is that the truth?

16          MR. BRADLEY: Yeah.

17          AGENT SPADAFORA: Okay. I appreciate that.  
18          Thank you. Thank you. Do you need something to  
19          drink?

20          MR. BRADLEY: Pepsi or (unintelligible).

21          AGENT SIMOCK: We can try to find one, neither  
22          one of us smoke.

23                         (Thereupon, a pause was taken in the  
24          interview.)

25          AGENT SIMOCK: Brandon, before you met up with

1 the deputy and the shooting, were you at a hotel or  
2 motel earlier this morning, do you remember that?

3 MR. BRADLEY: In a hotel?

4 AGENT SIMOCK: Yeah, were you staying anywhere  
5 last night with your girlfriend, with Andria?

6 MR. BRADLEY: I think it was.

7 AGENT SIMOCK: We talked to her a little bit  
8 about something that happened earlier today, she was  
9 telling us about in.

10 MR. BRADLEY: Now I'm trying to think about  
11 (unintelligible). Yeah, yeah, yeah.

12 AGENT SIMOCK: Where was that at?

13 MR. BRADLEY: Behind the I-Hop.

14 AGENT SIMOCK: Behind the I-Hop. Do you  
15 remember the name of the place you were staying?

16 AGENT SPADAFORA: I couldn't find one, I'm  
17 sorry. We'll work on that.

18 AGENT SIMOCK: Do you remember where it was?

19 MR. BRADLEY: 192.

20 AGENT SIMOCK: Okay. On 192. Do you remember  
21 the name of the place that it was? Was it a hotel or  
22 a motel?

23 MR. BRADLEY: Motel.

24 AGENT SIMOCK: Motel. Do you remember the name  
25 of it?

1 MR. BRADLEY: Behind the I-Hop.

2 AGENT SIMOCK: Just behind the I-Hop. Okay.  
3 And you and Andria were staying there, that's what  
4 she told you.

5 MR. BRADLEY: Um-hmm.

6 AGENT SIMOCK: And then you leave this morning?

7 MR. BRADLEY: Um-hmm.

8 AGENT SIMOCK: Okay. Do you remember what  
9 happened when you guys were leaving?

10 MR. BRADLEY: We supposed to be doing all this  
11 shit and get the apartment.

12 AGENT SIMOCK: So, you were going to get your  
13 apartment, the one you were talking about?

14 MR. BRADLEY: Yeah.

15 AGENT SIMOCK: Okay. What were you taking out  
16 of the motel?

17 MR. BRADLEY: Clothes.

18 AGENT SIMOCK: Clothes. Okay. And what were  
19 the clothes in?

20 MR. BRADLEY: Baskets, mother fucking garage  
21 bags.

22 AGENT SIMOCK: Garage bags, baskets. Were any  
23 of your clothes still inside a piece of furniture  
24 that was there at the motel?

25 MR. BRADLEY: A piece of what?

1           AGENT SIMOCK: Of furniture. You know what  
2 furniture is like a table, a chair, a dresser,  
3 anything like that.

4           MR. BRADLEY: Was that there?

5           AGENT SIMOCK: Yeah, were your clothes or were  
6 Andria's clothes in anything like that? You  
7 remember, we did talk to her. I wouldn't be asking  
8 you this if I didn't have an idea.

9           MR. BRADLEY: I (unintelligible).

10          AGENT SIMOCK: I mean, this is the least of  
11 anything, I'm just trying to make sure I get my  
12 timeline.

13          MR. BRADLEY: I feel you.

14          AGENT SIMOCK: Were you trying to take anything  
15 from the motel that may be somebody got mad at you  
16 for, somebody from the motel?

17          MR. BRADLEY: Was it the manager people?

18          AGENT SIMOCK: Yeah, manager people.

19          MR. BRADLEY: Was I mad at him?

20          AGENT SIMOCK: No, were they mad at you?

21          MR. BRADLEY: I guess with her.

22          AGENT SIMOCK: Okay. Were they mad at her?  
23 What were they mad at her for?

24          MR. BRADLEY: Because she had tried to take the  
25 mother fucking, the picture or some shit.

1           AGENT SIMOCK: A picture?

2           MR. BRADLEY: Yeah.

3           AGENT SIMOCK: So, she was trying to take some  
4 things from inside the motel?

5           MR. BRADLEY: And I told her what the fuck is  
6 you doing.

7           AGENT SIMOCK: Okay.

8           MR. BRADLEY: (Unintelligible) trying to get an  
9 apartment.

10          AGENT SIMOCK: Was she trying to get some  
11 things maybe for the apartment?

12          MR. BRADLEY: I don't need that shit in my  
13 apartment.

14          AGENT SIMOCK: But maybe she was trying to?

15          MR. BRADLEY: Yeah.

16          AGENT SIMOCK: So, what happened when the  
17 manager, the management, what happened when she was  
18 trying to take the things from the motel?

19          MR. BRADLEY: They were arguing.

20          AGENT SIMOCK: They were arguing? Was it a  
21 man, a woman?

22          MR. BRADLEY: A man.

23          AGENT SIMOCK: Okay. One, two, three or one  
24 man, two men, three men?

25          MR. BRADLEY: I think it was two.



1           AGENT SIMOCK: Two men. Okay. And what were  
2 they saying to Andria?

3           MR. BRADLEY: I told you she can tell you, I  
4 tell you that. When I come out I was what the fuck  
5 you doing. (Unintelligible). Mother fucker, you  
6 can't take that shit (unintelligible) and at the same  
7 time she oh, hurry up, hurry up. I'm like hurry up  
8 for what. I don't know what to take it out of there  
9 and this and that, I'm going to do my thing and  
10 leave, you hear me. So, when the dude came out going  
11 upstairs he's like hey, hey, hey, hey, what you do  
12 with that, what you do with that. She come out oh  
13 (unintelligible) for the night and put that shit in  
14 there.

15           AGENT SIMOCK: She was going to pay for the  
16 stuff she was taking?

17           MR. BRADLEY: Yeah, and there ain't even no  
18 point, she (unintelligible).

19           AGENT SIMOCK: Did they try to stop you at all,  
20 the managers?

21           MR. BRADLEY: I don't know the managers.

22           AGENT SIMOCK: The guy that was arguing with  
23 Andria, did he stop to you from leaving or tell you  
24 not to leave?

25           MR. BRADLEY: I didn't hear that, I was in the

1 car.

2 AGENT SIMOCK: You didn't what?

3 MR. BRADLEY: I didn't hear.

4 AGENT SIMOCK: Oh, you didn't hear.

5 MR. BRADLEY: They was outside talking.

6 AGENT SIMOCK: Okay.

7 MR. BRADLEY: That's what I'm saying.

8 AGENT SIMOCK: Who was driving, you or Andria?

9 MR. BRADLEY: I was driving.

10 AGENT SIMOCK: Okay. And did she get into --  
11 was the vehicle that crashed, did she get into that  
12 one?

13 MR. BRADLEY: Yeah.

14 AGENT SIMOCK: Where did she get in, the  
15 passengers side?

16 MR. BRADLEY: Yeah.

17 AGENT SIMOCK: In the front or the back?

18 MR. BRADLEY: The front.

19 AGENT SIMOCK: Okay. And then what happened?

20 MR. BRADLEY: I'm sitting there, she talking to  
21 them outside, they talking, I don't know what they  
22 saying, they talking outside, and she got in the car  
23 and she's like come on, let's go, let's go.

24 AGENT SIMOCK: And did you go?

25 MR. BRADLEY: I can't hear what they talking

1 about so yeah.

2 AGENT SIMOCK: When you -- when you were going,  
3 and remember, we talked to Andria, both of us did and  
4 she was very honest.

5 MR. BRADLEY: Yeah.

6 AGENT SIMOCK: Did he -- did you hit either one  
7 of them with the vehicle?

8 MR. BRADLEY: No.

9 AGENT SIMOCK: Or run over something off them?

10 MR. BRADLEY: No, sir.

11 AGENT SIMOCK: You sure?

12 MR. BRADLEY: If I hit somebody, I'm going to  
13 hit somebody.

14 AGENT SIMOCK: Okay.

15 MR. BRADLEY: I ain't (unintelligible). I want  
16 you to call the dude.

17 THE WITNESS: Okay. What's that?

18 MR. BRADLEY: I said I want you  
19 (unintelligible) if I remember.

20 AGENT SIMOCK: Okay. You mean the guy from --  
21 the manager?

22 MR. BRADLEY: Yeah.

23 AGENT SIMOCK: What do you want me to tell him?

24 MR. BRADLEY: Whatever you want to tell him.

25 (Unintelligible) if I hit him with the crazy bitch

1 doing all (unintelligible).

2 AGENT SIMOCK: How long after this thing with  
3 the manager at the motel behind the I-Hop did you  
4 meet up with the deputy with the shooting? How much  
5 longer after that happened was it that you met up  
6 with the deputy that you shot.

7 MR. BRADLEY: I think it was like twenty  
8 minutes.

9 AGENT SIMOCK: Okay. So, it was a short time  
10 later, fair to say? Not very long?

11 MR. BRADLEY: Um-hmm.

12 AGENT SIMOCK: Did you think when the deputy  
13 was pulling you over that it might have something to  
14 do with what happened at the motel?

15 MR. BRADLEY: I didn't know that if anything  
16 somebody would calling the police or anything like  
17 that.

18 AGENT SIMOCK: Okay.

19 MR. BRADLEY: I ain't no if I no person, what  
20 do I need to.

21 AGENT SIMOCK: You don't know if you hit the  
22 person?

23 MR. BRADLEY: I'm saying like --

24 AGENT SIMOCK: I'm asking. I'm asking. I  
25 thought that's what you said, that's why I wanted to

1 clarify it.

2 MR. BRADLEY: I was saying with the  
3 (unintelligible) ain't going to be no pussy or  
4 whatever and be trying to (unintelligible), I'm going  
5 to hit you. You feeling me. And if he's saying oh,  
6 he hit me and this and that, that's what I.

7 AGENT SIMOCK: Did they say they were going to  
8 call the sheriff's office?

9 MR. BRADLEY: I was in the car.

10 AGENT SIMOCK: Did she -- did Andria tell you  
11 that they were calling the sheriff's office?

12 MR. BRADLEY: I can't tell you.

13 AGENT SIMOCK: All right. Is it safe to say  
14 that you left pretty much in a hurry?

15 MR. BRADLEY: That's really what she telling me  
16 to go. I don't who called who, I'm in the car. You  
17 feeling me. If I (unintelligible) and we arguing  
18 over whatever or they arguing and she's saying lets  
19 go, lets go, I sat there like what's up.

20 AGENT SPADAFORA: Well, we asked her about that  
21 and she said that you ran his foot over and then you  
22 stopped and you asked if he's straight. You did stop  
23 and ask if he was straight and then you peeled away,  
24 that's what she said.

25 AGENT SIMOCK: Which shows you had some concern

1 for they guy.

2 AGENT SPADAFORA: Yeah, she did say that.

3 MR. BRADLEY: Well, I swear to god I don't  
4 remember hitting him.

5 AGENT SPADAFORA: Could it have happened and  
6 you don't remember?

7 MR. BRADLEY: Yeah, I stopped and I be like,  
8 you feeling me, like I remember (unintelligible). If  
9 I want to be nasty and nasty, I can be nasty but I  
10 don't like that shit.

11 AGENT SIMOCK: Well, maybe you backed over him  
12 again. I mean, it wasn't like you tried to back over  
13 him again.

14 MR. BRADLEY: I can understand but --

15 AGENT SPADAFORA: She was saying that they  
16 came -- I'll demonstrate. You're driving and they  
17 came out ho, ho, ho and you tried to go between them,  
18 was that -- did you dry to drive between two people?

19 MR. BRADLEY: Between two people?

20 AGENT SPADAFORA: Yeah?

21 MR. BRADLEY: It was here, they was here, I was  
22 on the outside.

23 AGENT SIMOCK: Right. You went around the  
24 outside?

25 MR. BRADLEY: We both were here.

1           AGENT SIMOCK: So, you just hit one of them  
2 that was on the outside, the one that was closer to  
3 the passengers side.

4           MR. BRADLEY: Hit. I don't -- see, that's --  
5 don't throw words in my mouth, sir.

6           AGENT SIMOCK: I'm asking.

7           MR. BRADLEY: Fighting fire.

8           AGENT SIMOCK: At any time during this  
9 interview if I say something that's not true,  
10 correct me. Okay. Just stop me and say, hey, man  
11 that's not right.

12           Now, going -- the truck you were driving, where  
13 did you get that from?

14           MR. BRADLEY: My friend.

15           AGENT SIMOCK: What's his name?

16           MR. BRADLEY: I got all the papers in my  
17 pocket.

18           AGENT SIMOCK: Did you buy the truck from him  
19 or borrow it or?

20           MR. BRADLEY: I borrowed it.

21           AGENT SIMOCK: You borrowed it from him?

22           MR. BRADLEY: Um-hmm.

23           AGENT SIMOCK: Okay. The papers were in the  
24 pocket?

25           MR. BRADLEY: Yeah, in my back pocket,

1 registration, insurance, all that.

2 AGENT SIMOCK: What's his name? Do you know  
3 his name?

4 MR. BRADLEY: I don't know his name.

5 AGENT SIMOCK: White dude, black dude?

6 MR. BRADLEY: White.

7 AGENT SIMOCK: White dude?

8 MR. BRADLEY: Um-hmm.

9 AGENT SIMOCK: And you don't know his name?

10 MR. BRADLEY: Huh-uh.

11 AGENT SIMOCK: And whose -- did you make any --  
12 did you call anybody, you know, after the deputy was  
13 shot, did you make any phone calls, call anybody?

14 MR. BRADLEY: No, my phone -- I don't even know  
15 where my phone is.

16 AGENT SIMOCK: Who's Yellow?

17 MR. BRADLEY: Yellow?

18 AGENT SIMOCK: Who's that?

19 MR. BRADLEY: I know Jeff, I don't know no  
20 Yellow.

21 AGENT SIMOCK: Who do you know?

22 MR. BRADLEY: Jeff.

23

24

25

(CONTINUED TO VOLUME VII)