

Circuit Court – Criminal
Jury Trials – Viera
March 31, 2014

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

The Court Deputy opened court according to law. (8:37am)

STATE OF FLORIDA
Plaintiff,
VS

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

Brandon Lee Bradley ,
Defendant.

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

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

All parties were present and ready to proceed.

Court heard from counsel regarding State's motion for instruction regarding diminished capacity.

Court heard from counsel concerning defense's motion for compulsory judicial notice.

Court made a ruling on defense's motion on the record.

Court heard from counsel concerning State's request for expert witness, Dr. Patricia Zapf, to sit in on testimony by defense expert witness, Dr. Jacqueline Olander.

Court granted State's request.

Court is at rest to allow defense counsel to confer with their client. (8:55am)

Defense indicated that the defendant will not testify in his defense.

Court held colloquy with defendant and his right not to testify. (8:58am)

Court made rulings on the record.

Court spoke with counsel regarding scheduling issues with witnesses.

Defense counsel ore tenus motioned the Court regarding sequestration of the jury during deliberation.

Court heard argument from counsel.



MAP



State vs. Brandon Bradley
05-2012-CF-35337-AXXX-XX
March 31, 2014

Defense counsel withdrew their motion and agreed to waive sequestration of the jury during deliberation.

Court instructed the court deputy to bring the jury into the courtroom. (9:07am)

Court recognized the following jury in the box:

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

Court read instructions to the jury.

Defense witness #6, Dr. Jacqueline Olander, was called, sworn, and testified. (9:12am)

Bench conference. (10:01am)

All parties were present and ready to proceed.

Witness remained on the stand.

Testimony continued.

Bench conference. (10:04am)

All parties were present and ready to proceed.

Witness remained on the stand.

Testimony continued.

Bench conference. (10:08am)

All parties were present and ready to proceed.

Witness remained on the stand.

State vs. Brandon Bradley
05-2012-CF-35337-AXXX-XX
March 31, 2014

Testimony continued.

Bench conference. (10:15am)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

Bench conference. (10:15am)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

Court recessed for a short break. (10:31am)

Court reconvened. (10:51am)

All parties were present and ready to proceed.

Court instructed the court deputy to bring the jury into the courtroom.

Court recognized the jury in the box.

Witness remained on the stand.

Testimony continued.

Court recessed for lunch. (11:54am)

Court reconvened. (1:22pm)

All parties were present and ready to proceed.

Court and counsel spoke briefly regarding jury instructions.

Court instructed the court deputy to bring the jury into the courtroom.

Court recognized the jury in the box.

Defense rested. (1:27pm)

Bench conference. (1:27pm)

All parties were present and ready to proceed.

State vs. Brandon Bradley
05-2012-CF-35337-AXXX-XX
March 31, 2014

Jury remained in the box.

State rebuttal witness #1 Dr. Bruce Goldberger was called, sworn, and testified. (1:28pm)

Bench conference. (1:45pm)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

Bench conference. (2:06pm)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

Bench conference. (2:07pm)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

Bench conference. (2:08pm)

All parties were present and ready to proceed.

Jury remained in the box.

Witness remained on the stand.

Testimony continued.

State rebuttal witness #2, Dr. Patricia Zapf, was called, sworn, and testified. (2:28pm)

Court is in a short recess. (3:06pm)

Court reconvened. (3:25pm)

All parties were present and ready to proceed.

State vs. Brandon Bradley
05-2012-CF-35337-AXXX-XX
March 31, 2014

Court instructed the court deputy to bring the jury into the courtroom. (3:26pm)

Court recognized the jury in the box.

Witness remained on the stand.

Testimony continued.

Bench conference. (4:00pm)

All parties were present and ready to proceed.

Jury remained in the box.

State exhibits "Gk", "Gl" and "Gm" now received, marked, and filed in evidence as #181, #182, and #180 over objections from the defense.

State exhibits #181, #182, and #183 were published to the jury. (4:10pm)

Bench conference. (4:16pm)

All parties were present and ready to proceed.

Jury remained in the box.

State rests. (4:21pm)

The Court spoke briefly with the jury and released the jury for the day with instruction to return to jury duty at 8:30am on April 1, 2014 and to honor their oath. (4:22pm)

Defendant made a motion for Judgment of Acquittal and directed verdict for count 1.

Court heard arguments of counsel.

Court denied the motion.

Bench conference. (4:24pm)

Court and counsel held a charge conference. (4:30pm)

Court is in recess for the day. (5:34pm)