

STATE OF FLORIDA

vs.

CLASSIFICATION: FELONY

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY,
STATE OF FLORIDA, IN THE
YEAR OF OUR LORD TWO THOUSAND
AND SIX

CASE NO. 06-00463-CFFA

BRIAN CHRISTOPHER WOTHERS
a/k/a BRIAN WOTHERS,
W/M DOB: 02/04/1982

SS#: [REDACTED]

FILED IN THE OFFICE OF THE
CLERK OF CIRCUIT COURT
Flagler County, Florida

JUN 7 2006

INDICTMENT

THE SPRING TERM GRAND JURY in and for Flagler County, Florida, Seventh Judicial Circuit of the State of Florida, empanelled and sworn to inquire and true presentment make, hereby, in the name of and by the authority of the State of Florida brings this prosecution and makes the following charges in TWO (2) counts:

COUNT I

CHARGE: FIRST DEGREE MURDER, in violation of F.S. 782.04(1)(a)1 and/or F.S. 782.04(1)(a)2, a Capital Felony, and F.S. 775.087(1)&(2)

SPECIFICATIONS OF CHARGE: In that BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, on or about the 26th day of May, 2006 at or near Palm Coast, within Flagler County, Florida, did then and there unlawfully, from a premeditated design to effect the death of one JEFFREY DAVID MAXWELL, a human being, kill or murder JEFFREY DAVID MAXWELL by shooting him with a firearm, and during the commission of such felony the said BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, carried, displayed, used, threatened to use, or attempted to use a weapon or firearm, to-wit: a DPMS A-15 rifle, and/or during the course of the commission of said felony or attempt to commit said felony BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, discharged a firearm, as defined in F.S. 790.01 to-wit, a DPMS A-15 rifle, and as a result of the discharge death was inflicted upon JEFFREY DAVID MAXWELL; and/or in the alternative, BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, while engaged in the perpetration of or attempt to perpetrate Robbery, did kill and murder JEFFREY DAVID MAXWELL by shooting him with a firearm and during the commission of such felony murder the said BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, carried, displayed, used, threatened to use, or attempted to use a weapon or firearm, to-wit: a DPMS A-15 rifle, and/or during the course of the commission of said felony or attempt to commit said felony BRIAN

CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, discharged a firearm, as defined in F.S. 790.01 to-wit, a DPMS A-15 rifle, and as a result of the discharge death was inflicted upon JEFFREY DAVID MAXWELL.

COUNT II

CHARGE: ARMED ROBBERY WITH A FIREARM OR DEADLY WEAPON, in violation of F.S. 812.13(1)&(2)(a) and 775.087(1)&(2), a life felony

SPECIFICATIONS OF CHARGE: In that BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, on or about the 26th day of May, 2006 at or near Palm Coast, within Flagler County, Florida, did unlawfully by force, violence, assault or putting in fear, take certain property of value, to-wit: money and/or credit card/s, and/or wallet the property of JEFFREY DAVID MAXWELL as owner or custodian, with the intent to deprive JEFFREY DAVID MAXWELL of his rights to the property or benefit therefrom, from the person or custody of JEFFREY DAVID MAXWELL, and in the course of committing said robbery, carried a firearm, to-wit: a DPMS A-15 rifle, and/or during the course of the commission of said felony or attempt to commit said felony BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS, discharged a firearm as defined in F.S. 790.01, to-wit, a DPMS A-15 rifle and as a result of the discharge death was inflicted upon JEFFREY DAVID MAXWELL.

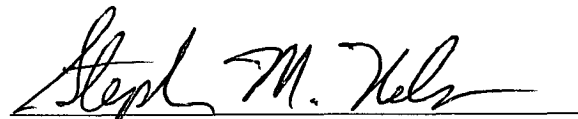
A TRUE BILL



Foreperson

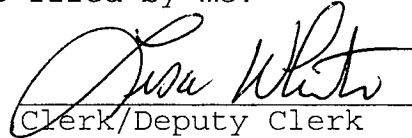
Spring Term 2006 Grand Jury
Flagler County, Florida

I STEPHEN M. NELSON, the undersigned Assistant State Attorney, as authorized and required by law, have advised the Grand Jury returning this Indictment against BRIAN CHRISTOPHER WOTHERS, a/k/a BRIAN WOTHERS.



Stephen M. Nelson
Assistant State Attorney
Seventh Judicial Circuit
State of Florida

This Indictment presented by the aforesaid Grand Jury in open court this 7th day of June, 2006, and on the 7th day of June, 2006, at the hour of 3:20 PM was filed by me.

A handwritten signature in cursive script, appearing to read "Lisa White", is written over a horizontal line.

Clerk/Deputy Clerk
of the Circuit Court
Flagler County, Florida