

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA,

2024-CF-790

v.

JERMAINE MANDELL WILLIAMS SR,

Defendant.

10 MOTION TO PRODUCE WRITTEN VICTIM IMPACT EVIDENCE
AND TO REQUIRE THE VICTIM IMPACT WITNESSES TO
READ THE STATEMENTS

The Defendant, Jermaine Mandell Williams Sr., by and through his undersigned attorney, and pursuant to *Fla. R. Crim. P.* 3.190 and Article I, Sections 2 (basic rights), 9 (due process), 16 (rights of accused), 17 (cruel or unusual punishment) of the Florida Constitution, and the Fifth (due process), Sixth (jury trial), Eighth (cruel and unusual punishment), and Fourteenth (due process) Amendments to the United States Constitution, hereby moves this Honorable Court to grant this motion and as grounds, state the following:

1. The Defendant has been charged with murder in the first degree and aggravated assault with a deadly weapon. The State has filed a notice of intent to seek the death penalty. Enhanced levels of due process are therefore required.

2. While preserving these and other previous objections, the Defendant requests the defense be presented with a written version of the victim impact evidence of the witnesses the State intends to present, in advance of them being called.

3. Providing this material and directing the victim impact witnesses to read their statements in lieu of extemporaneous testimony will help to minimize the risk improper areas will be testified about. Otherwise, there is a heightened risk of a violation of the Defendants rights pursuant to Article I, Sections 2 (basic rights), 9 (due process), 16 (rights of accused), 17 (cruel or unusual punishment) of the Florida Constitution, and the Fifth (due process), Sixth (jury trial), Eighth (cruel and unusual punishment), and Fourteenth (due process) Amendments to the United States Constitution.

4. Such a procedure will give the defense an opportunity to make necessary objections in advance of the witness testimony, so the Court can make the appropriate rulings outside the presence of the jury and without undue disruption. Likewise, this procedure will avoid the prejudicial effect of having to interrupt an already sympathetic witness with objections during their testimony. Indeed, it is likely if an objection is necessary during the testimony, as a practical matter, the objection will be of little value because the cat will already be out of the bag and the damage will already have been done.

5. This procedure is requested in order to help insure as fair of a presentation of this necessarily inflammatory evidence as possible and helping to minimize the risk of a potential mistrial.

6. Further, the State suffers no prejudice in the Court granting this request.

WHEREFORE, the Defendant, Jermaine Mandell Williams, respectfully requests this motion be granted.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished by electronic mail to The Office of the State Attorney, this 21ST day of APRIL, 2025.

/S/ JUNIOR BARRETT
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