

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

CASE NUMBER: 19-00723-CFFA FELONY

STATE OF FLORIDA

Plaintiff

vs.

BENJAMIN SEAN ALLEN

Defendant

STATE'S DISCOVERY EXHIBIT

The State of Florida, pursuant to the Defendant's Notice of Discovery under Rule 3.220, Florida Rules of Criminal Procedure, discloses the following:

1.	3.220(b)(1)(A)	Names and addresses – See attached Witness List	<u>YES</u>
2.	3.220(b)(1)(B)	Witness statements	<u>YES</u>
3.	3.220(b)(1)(C)	Defendant Statements	<u>YES</u>
4.	3.220(b)(1)(D)	Co-Defendant Statements	<u>TBD</u>
5.	3.220(b)(1)(E)	Recorded grand jury testimony of defendant	<u>NO</u>
6.	3.220(b)(1)(F)	Papers or objects obtained from defendant	<u>YES</u>
7.	3.220(b)(1)(G)	Material or information provided by confidential informant	<u>NO</u>
8.	3.220(b)(1)(H)	Electronic surveillance of conversations	<u>YES</u>
9.	3.220(b)(1)(I)	Search and seizure	<u>YES</u>
10.	3.220(b)(1)(J)	Reports or Statements of Experts	<u>YES – WILL BE SUPPLEMENT ED UPON RECEIPT</u>
11.	3.220(b)(1)(K)	Papers or objects not obtained from defendant.	<u>YES</u>

12. 3.220(b)(1)(L) Any tangible paper, objects or substances in the possession of law enforcement that could be tested for DNA. YES

All tangible objects as provided by Rules of Criminal Procedure 3.220(b)(1)(F) and 3.220(b)(1)(K), unless "NONE" indicated below, may be inspected, photographed and tested during the regular and ordinary business hours after 48 hours written notice at: FLAGLER COUNTY SHERIFFS OFFICE

The State demands Notice of Alibi in compliance with Rule 3.200 F.R.Cr.P. The offense charged occurred on 07/12/2019 between the hours of 0001 and 2359, in the vicinity of FLAGLER County, Florida.

This document will serve as authorization for Attorney for Defendant, or his designated representative, after timely written notice to the State, to conduct the said discovery of tangible objects, in the above-styled cause.

I DO HEREBY CERTIFY that a copy hereof has been furnished to the office of GERALD S BETTMAN, 5515 PHILLIPS HIGHWAY, JACKSONVILLE, FL 32207 by hand/mail/bin on August 14, 2019.

R.J. LARIZZA
STATE ATTORNEY

s/JENNIFER L DUNTON
ASSISTANT STATE ATTORNEY
FLORIDA BAR #: 0014274
2446 DOBBS ROAD
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Plaintiff

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Defendant

WITNESS LIST

Category A witnesses present during defendant/co-defendant statements:

1. JORGE G FUENTES, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
2. MARK MOY, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
3. JOHN-JACK CASTANHEIRA, 1001 JUSTICE LANE, BUNNELL, FL 32110
4. *4 WITNESSES LISTED UNDER SEPARATE CONFIDENTIAL FILING AS MURDER EYE WITNESSES

Other Category A witnesses:

LAY WITNESSES:

1. ROBERT JOSEPH LITTLE, 15 WESTFORD LANE, PALM COAST, FL 32164
2. TAMARA EUALLEE NATTO, 17 BRITTANY LANE B, PALM COAST, FL 32137
3. DAVID M SHUTE, 25 WESTFORD LANE, PALM COAST, FL 32164
4. JACK BROS, 13 RAEMOND LANE, PALM COAST, FL 32164
5. BRETT BUNTING, 46 PALM LEAF LANE, PALM COAST, FL 32164
6. DEBRA MELAINE GONZALEZ, 34 WEST FORD LANE, PALM COAST, FL 32164
7. CARRIE BELL SMITH, 10 WESTFORD LANE, PALM COAST, FL 32164
8. ROSANNA VINCI, 204 SOUTH FLAGLER AVENUE, POST OFFICE BOX 36, FLAGLER BEACH, FL 32136

LAW ENFORCEMENT:

9. DARRELL BUTLER, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
10. ANDREW CANGIALOSI, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
11. TROY CAVAS, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
12. DAVID EDMONDS, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
13. BRIAN FINN, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
14. FREDERICK GIMBEL, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
15. KENNY GONCALVES, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
16. ARTHUR HORLER, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
17. DENNIS LASHBROOK, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
18. GEORGE HRISTAKOPOULOS, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
19. DAVID LICHTY, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
20. EVAN MCCARTHY, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
21. LAURA MCKINLAY, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
22. SHANE P MEEHAN, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
23. MICHAEL DAVID MILLER, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110

24. DIEGO MORALES, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
25. RICHARD PETKOVSEK, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
26. LAINIE WEIBLING RITTENOUR, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
27. AGUSTIN RODRIGUEZ JR, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
28. J GIBSON SMITH, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110

FDLE ANALYSTS:

29. CORAL HEISLER, 921 NORTH DAVIS STREET, BUILDING E, JACKSONVILLE, FL 32209
30. CHRISTOPHER RISHEL, 921 NORTH DAVIS STREET, BUILDING E, JACKSONVILLE, FL 32209

MEDICAL EXAMINER:

31. DEANNA OLESKE, MEDICAL EXAMINERS OFFICE, 4501 AVENUE A, ST AUGUSTINE, FL 32084

Category B witnesses:

Category C witnesses:

1. DANIEL WESLEY THOMAS, 7 WESTFORD LANE, PALM COAST, FL 32164
2. LINDA SUE THOMAS, 7 WESTFORD LANE, PALM COAST, FL 32164
3. TERESA SALGADO, FLAGLER COUNTY INMATE FACILITY
4. CHRISTOPHER SANTOIANNI, 1001 JUSTICE LANE, BUNNELL, FL 32110
5. DANIEL LAVERNE, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
6. AUSTIN CHEWNING, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110
7. PAUL BOVINO, 901 EAST MOODY BOULEVARD, BUNNELL, FL 32110

Similar fact evidence/FS 90.404(2): N/A

EXHIBITS:

Order to Take Juvenile Into Custody	(1 page)
Juvenile 707	(3 pages)
Notice of Transfer to Adult Court	(1 page)
Juvenile Arrest Report 7/14/19	(2 pages)
Booking Card 7/14/19	(1 page)
Indictment	(1 page)
Interim Presentment	(1 page)
Memo to Clerk	(1 page)
Capias	(1 page)
Arrest Report 8/1/19	(2 pages)
First Appearance Form 8/2/19	(1 page)
Notice of Invocation of Rights	(2 pages)

FCSO REPORTS:

D/S A. HORLER	(4 pages)
D/S A. CHEWNING	(3 pages)
D/S C. SANTOIANNI	(3 pages)
D/S D. LaVERNE	(3 pages)
D/S D. LICHTY	(3 pages)
D/S D. EDMONDS	(3 pages)
D/S E. MCCARTHY	(3 pages)
D/S J. GIBSON	(3 pages)
D/S S. MEEHAN	(3 pages)

DET. PETKOVSEK	(3 pages)
DET. CASTANHEIRA	(1 page)
DET. CANGIALOSI	(3 pages)
DET. MORALES	(4 pages)
CPL. B. FINN	(3 pages)
D/S G. SMITH K9	(1 page)
D/S T. CAVAS K9	(2 pages)

CAD NARRATIVE	(6 pages)
CRIME SCENE LOG	(3 pages)
INCIDENT REPORT/CAD NARRATIVE	(2 pages)
PHOTOS OF DEFENDANT	(3 pages)
PHOTOS OF FORD VEHICLE	(5 pages)
ME OFFICE PROPERTY RECEIPT	(1 page)
ME DEATH INVESTIGATION REPORT	(1 page)
WITNESS STATEMENT – D. SHUTE	(1 page)

FDLE CASE TRACKING FORM	(2 pages)
FDLE FIREARMS REPORT 7/29/19	(2 pages)
FDLE BIOLOGY REPORT 7/31/19	(2 pages)
FCSO EVIDENCE/PROPERTY RECEIPTS	(6 pages)

MEDIA/DISKS:

Toll Bridge Footage	(1 DVD)
Teresa Salgado Interview	(1 CD)
Nicholas & Nathaniel Varol Interviews	(2 DVDs)
Daryin Newsome Interview	(1 DVD)
Meadow Willis Interview	(1 DVD)
Benjamin Allen Interview	(2 DVDs)
Lichty Dash Cam	(1 CD)

The State will amend and supplement with additional responses as necessary.

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DEMAND FOR RECIPROCAL DISCLOSURE

COMES NOW the State of Florida through its undersigned Assistant State Attorney, pursuant to Florida Rules of Criminal Procedure, Rule 3.220(d) and demands the following reciprocal disclosures:

1. Within fifteen (15) days after receipt by the defense of the State's Discovery Exhibit, a written list of all witnesses and their addresses whom the defense expects to call as witnesses at the trial or hearing.
2. Within fifteen (15) days after receipt by the defense of compliance by the State with Florida Rules of Criminal Procedure, Rule 3.220(b), the State reciprocally demands:
 - (a) The recorded, signed or written statement of any person whom the Defendant expects to call as a witness.
 - (b) Reports or statements of experts made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments or comparisons.
 - (c) Any tangible papers or objects which the defense counsel intends to use in the hearing or trial.

I HEREBY CERTIFY that a true copy hereof has been furnished to the Office of GERALD S BETTMAN, 5515 PHILLIPS HIGHWAY, JACKSONVILLE, FL 32207, by hand/mail/bin this on August 14, 2019.

s/JENNIFER L DUNTON

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