

IN THE CIRCUIT COURT OF THE FOURTEEN JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR BAY COUNTY  
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NO.: 06-4016CF

vs.

HENRY DICKENS  
CHARLES ENFINGER  
[REDACTED]  
RAYMOND HAUCK  
[REDACTED]  
[REDACTED]  
KRISTIN SCHMIDT  
JOSEPH WALSH II

06-4016CFMA  
06-4016CFMB  
06-4016CFMC  
06-4016CFMD  
[REDACTED]  
06-4016CFMF  
06-4016CFMG  
06-4016CFMH

**NOTICE OF DISCOVERY**

THE STATE OF FLORIDA, in response to defense counsel's written Request for Discovery, pursuant to Rule 3.220 Florida Rules of Criminal Procedure, furnishes the following information:

1. Pursuant to Rule 3.220(b)(1)(i), Florida Rules of Criminal Procedure, the names and addresses of all persons known to the State of Florida to have information which may be relevant to the offense charged or any defenses thereto or to any similar fact evidence to be presented at trial under F.S. 90.404 (2) are as follows:

**Category A Witnesses** pursuant to Rule 3.220 (b)(1)(A)(i),  
F.R.CR.P.:

Steven Adamczyk  
108 Kristine Blvd.  
Panama city, Florida 32404

Dr. Vernard Adams  
Hillsborough County Medical Examiner  
401 South Morgan Street  
Tampa, Florida 33602

Dr. Jeffrey Appel  
Bay Medical Center  
615 North Bonita Avenue  
Panama City, Florida 32401

HAROLD BAZZEL  
CLERK OF CIRCUIT COURT  
BAY COUNTY, FLORIDA

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Dr. Julie Bayham  
Sacred Heart Hospital  
5151 N. 9<sup>th</sup> Avenue  
Pensacola, FL 32504

Brenda Booher  
Bay Regional Detention Center  
450 East 11<sup>th</sup> Street  
Panama City, Florida 32401

Vickie Burnett  
Department of Juvenile Justice  
2737 Centerview Drive  
Knight Bldg. Suite #206  
Tallahassee, Florida 32399-3100

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Bay County Sheriff's Office  
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Panama City, 32405

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Roy Davilla  
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Dr. Jason Foland  
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or  
Nemours Children's Clinic  
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Capt. Mike Thompson  
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9210 Florida Palm Drive  
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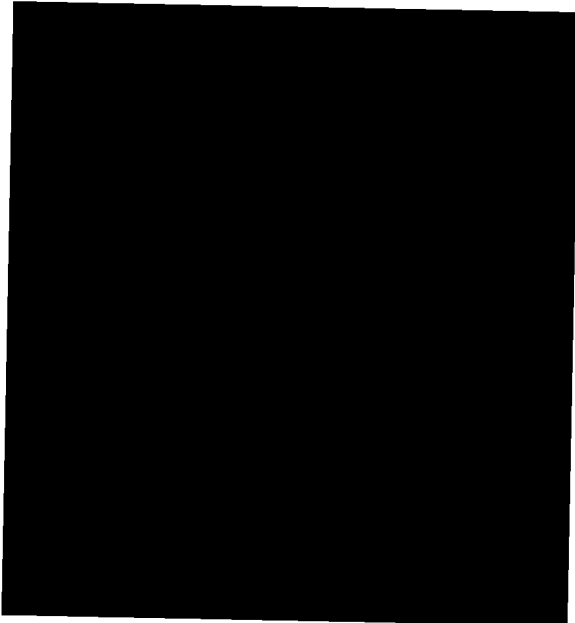
Cpl. Harry Hoover  
Hillsborough County Sheriff's Office  
2008 8<sup>th</sup> Avenue  
Tampa, Florida 33605

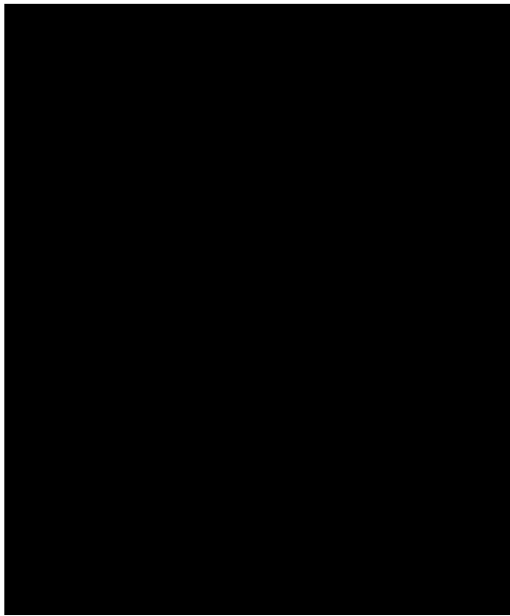
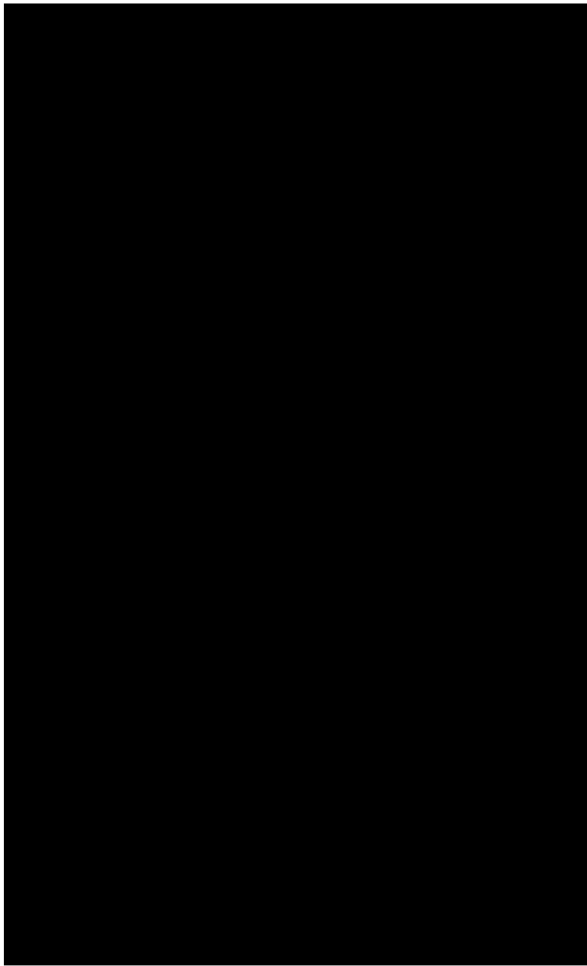
Detective Charles Keene  
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**Category B Witnesses** pursuant to Rule 3.220 (b)(1)(A)(ii),  
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Ramsden Air Force Base  
Germany

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Janie McGeorge  
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Don McKay  
Bay Regional Detention Center  
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Sheriff Frank McKeithen  
Bay County Sheriff's Office  
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Panama City, Florida 32405

Linda Milton  
Records Custodian  
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Dr. Andrea Minyard  
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Youngstown, Florida 32466

Sgt. George Pridgen  
Bay Regional Juvenile Detention Center  
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Felicia Reed  
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Sgt. Earl Rouhlac  
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Debra Sasser  
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Terry Sasser  
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Anthony Schembri, Secretary  
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Pensacola, Florida 32504

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Dr. Patricia Turner  
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5151 N. 9<sup>th</sup> Avenue  
Pensacola, Florida 32504

Shelley Vogt  
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Lisa Ward  
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Ms. Pasha Waters  
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Kelsey Welsh  
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Panama City, Florida 32405

Dr. Barbara Wolf  
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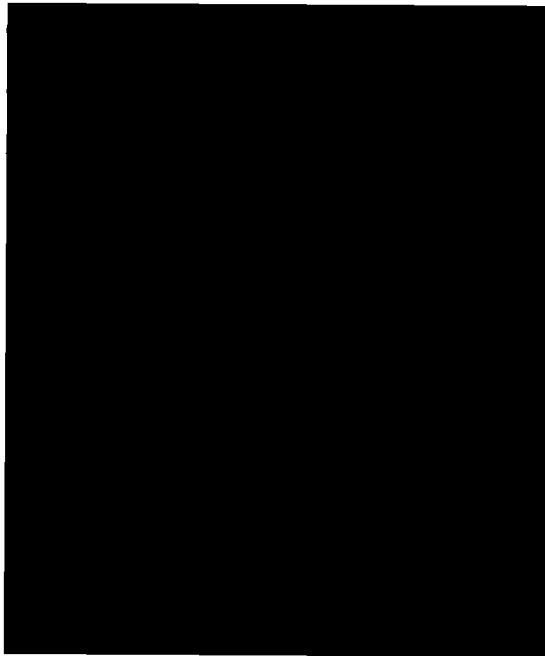
Castelder A. White  
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Terrance Winters  
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Panama City, Florida 32401

Lt. Joseph Wright  
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Jonathan Bouchard  
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Panama City, Florida 32401





**Category C Witnesses** pursuant to Rule 3.220 (b)(1)(A)(iii),  
F.R.C.R.P.:

Eber Brown  
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Steve Bushore  
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Christopher Crews  
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Benjamin Logue  
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Panama City, Florida 32405  
Stephen A. Master  
1439 2<sup>nd</sup> Street  
Southport, Florida 32409

2. Below is a list of the information and material within the State's possession or control which will be produced for defense counsel to inspect, copy, test and photograph:

A) Pursuant to Rule 3.220(b)(1)(B), Florida Rules of Criminal Procedure, Statements by persons whose names are furnished in compliance with Rule 3.220(b)(1)(i), Florida Rules of Criminal Procedure.

YES. See Discovery Documents numbered 1 through 24,224.  
B) Pursuant to Rule 3.220(b)(1)(C), Florida Rules of Criminal Procedure, written, recorded and/or oral statements of the accused.

YES. See police reports, PAR reports, use of force reports, transcripts, sworn statements, and recorded interviews. Also see Attachment "A".

- C) Pursuant to Rule 3.220(b)(1)(D), Florida Rules of Criminal Procedure, written recorded and/or oral statements of the co-defendants.

YES. See police reports, PAR reports, use of force reports, transcripts, sworn statements, and recorded interviews. Also see Attachment "A".

- D) Pursuant to Rule 3.220(b)(1)(E), Florida Rules of Criminal Procedure, recorded Grand Jury minutes containing testimony of the accused.

NONE.

- E) Pursuant to Rule 3.220(b)(1)(F), Florida Rules of Criminal Procedure, tangible papers or objects obtained from or belonging to the accused.

NONE.

- F) Pursuant to Rule 3.220(b)(1)(G), Florida Rules of Criminal Procedure, material or information provided by a confidential informant.

NONE.

- G) Pursuant to Rule 3.220(b)(1)(H), Florida Rules of Criminal Procedure, electronic surveillance, pursuant to Chapter 934, Florida Statutes, of the premises of which the accused was a party, and documents relating thereto.

NO.

- H) Pursuant to Rule 3.220(b)(1)(I), Florida Rules of Criminal Procedure, whether there has been any search or seizure and any documents relating thereto.

NONE.

- I) Pursuant to Rule 3.220(b)(1)(J), Florida Rules of Criminal Procedure, reports or statements by experts, including results of physical or mental examinations and of scientific tests, experiments or comparisons.

YES. See reports of Dr. Charles Siebert, Dr. Vernard Adams, Dr. John Downs (CV and Report), Dr. Thomas Andrew (CV and Report), Dr. Wayne Duer, and Dr. Bruce Goldberger, and Steve Martin (CV and Report). Also see sworn statements by Dr. Charles Siebert and Dr. Barbara Wolf.

J) Pursuant to Rule 3.220(b)(1)(K), Florida Rules of Criminal Procedure, tangible papers or objects intended for use at hearing or trial which were not obtained from or belonged to the accused.

YES.

Videotape of orientation and incident January 5, 2006, collected from Bay Boot Camp.

Video of incident enhanced at Honeywell NASA Marshall Space Flight Center (3 enhanced videos on DVD).

Recorded interviews of defendants.

Recorded interviews of witnesses (see reports).

Transcripts of recorded interviews.

Bay Boot Camp Use of Force Log.

PAR reports written by defendants.

Recording of 911 Call.

Video from Bay Regional Detention Center January 5, 2006.

Still image of Martin Anderson from Bay Regional Detention Center video January 5, 2006. (Identification made and signed by Robert Anderson).

Still image of Martin Anderson from Bay Regional Detention Center video January 5, 2006. (Identification made and signed by Gina Jones).

Photographs of Bay Boot Camp.

Ammonia Inhalant Box

Paper towels and seroquel pills collected from Bay Regional Detention Center

Videotapes of physical assessments, orientation and training (prior to January 5, 2006), collected from Bay County Boot Camp.

Policies, including BCSO Use of Force Policy, Behavioral Matrix, CJSTC Standards, and PAR Policy.

Medical Records.

X-Rays.

Photographs of Martin Anderson at hospital.

Autopsy photographs.

Audio recordings of Criminal Justice Appropriation Committee hearings February 15, 2006, February 23, 2006 and March 17, 2006.

DJJ/BCSO Boot Camp Contracts, DJJ Correspondence and QA Reports (Documents on CD-ROM)

3. Pursuant to Rule 3.220(b)(2), Florida Rules of Criminal Procedure, the following material information is within the State's possession or control which tends to negate the guilt of the accused as to the offense charged:

YES. See report and sworn statement by Dr. Charles Siebert.

4. In addition, please be advised that any information contained in reports or other materials provided to you pursuant to your request for discovery is deemed to be included in this response even if not specifically noted above.

5. At a time mutually convenient to the State of Florida and defense counsel, the State will disclose to defense counsel and permit him to inspect, copy, test and photograph all information and material within the State's possession and control pursuant to Florida Rules of Criminal Procedure 3.220(b)(iii) through (xi).

6. Pursuant to Rule 3.220(d)(1), Florida Rules of Criminal Procedure, the State of Florida expects a written list of the names and addresses of all witnesses whom defense counsel expects to call as witnesses at the trial or hearing of this case within seven days after receipt of the witness list furnished by the State of Florida.

7. Pursuant to Rule 3.220(d)(2), Florida Rules of Criminal Procedure, the State of Florida expects a disclosure of the items set forth in subsections (i)-(iii) of Rule 3.220(d) within fifteen days after the corresponding disclosure by the State of Florida.

8. In addition to the above, be advised of the following: Discovery documents have been numbered and are available for copying by the defense. Discovery documents are numbered 1 through 24,224. The

following documents will be submitted for in camera review: Documents 607 - 1256, 3789-4443, and 17273-17431. All other documents are available for copying by the defense. Included in documents 1 through 24,224 are FDLE reports, autopsy reports, transcripts of interviews, Hillsborough County Sheriff's Office Reports, SAO investigator reports, Use of Force Reports, medical records, and sworn statements. Boot Camp contracts, DJJ correspondence and QA reports on CD-ROM have not been numbered. Regarding statements of the accused, see law enforcement reports, PAR reports and use of force reports, sworn statements, and interview witnesses listed. Also see Attachment "A". All witnesses listed in police report and additional witnesses may be called to testify. (See reports and discovery documents).

I HEREBY CERTIFY that a copy of the foregoing Notice of Discovery has been furnished to Walter B. Smith, Deputy Public Defender, attorney for Charles Enfinger, at 115 East 4<sup>th</sup> Street, P.O. Box 580, Panama City, Florida 32402-0580; Jonathan Dingus, attorney for [REDACTED], at 527 Jenks Avenue, Panama City, Florida 32401; and Robert Pell, attorney for Joseph Walsh II, at 514 Magnolia Avenue, P.O. Box 651, Panama City, Florida 32401, via U.S. mail on this 12th day of January, 2007.

Respectfully submitted,

MARK A. OBER  
STATE ATTORNEY



MICHAEL C. SINACORE  
ASSISTANT STATE ATTORNEY  
FLORIDA BAR #0868523

**ATTACHMENT "A"**

Regarding statements of the accused, see law enforcement reports, PAR reports, use of force reports, sworn statements, recorded interviews, and interview witnesses listed. Also, refer to the following discovery documents:

**Sgt. Henry Dickens**

98-113                    Interview by Robert Hall.

**DI Charles Enfinger**

63-77                    Interview by Robert Hall.

**Sgt. Patrick Garrett**

133-146                 Interview by Robert Hall.

4551-4554               PAR Report.

5850-5852               PAR Report.

**Sgt. Major Raymond Hauck**

38-39                    Statements made to Robert Hall, Bethany Harris and Mark Walton.

114-126                 Interview by Robert Hall.

4558-4560               Information Report.

4567a-4568a             Information Report.

4633a                    CCC Daily Report.

4635a-4637a             Inspector General's Incident Report Form.

4817-4819               Inspector General's Incident Report Form.

12797-12798             Information Report.

16696-16700             DJJ Incident/Complaint Forms.

22717-22740             Sworn statement by Capt. Jim Stanford regarding Hauck explaining incident while viewing video.

22253-22254             Sworn statement by Mark Walton regarding Hauck explaining use of ammonia on Martin Anderson.

22332; 22339

Sworn statement by Capt. Thompson regarding Hauck notifying him of use of force and collapse.

23107-23109

Sworn statement by Chantelle Dishman regarding information stated by Sgt. Major Hauck on call to DJJ hotline reporting incident with Martin Anderson.



**DI Ray McFadden**

78-97                      Interview by Robert Hall.

**Nurse Kristen Schmidt**

157-178                    Interview by Robert Hall.

413-416                    Interview by Robert Hall.

417-421                    Interview by Robert Hall.

4542-4547                 Nurse's notes.

4569a-4574a              Nurse's notes.

13216-13218 Interview by Bay County Sheriff's Office.  
22366-22369 Sworn statement by Captain Thompson regarding questioning Schmidt about the use of ammonia at the boot camp.  
23510-23530 Sworn statement by Dr. Shairi Turner regarding phone interview with Schmidt.

**Cpl. Joseph Walsh**

42-62 Interview by Robert Hall.  
392-399 Interview by Matt Herring.  
4549 PAR Report (page 2 of 2).  
4555-4557 Information Report.  
4657-4659 PAR Report.  
4564a-4566a Information Report.  
4821 PAR Report (page 1 of 2).  
5848-5849 PAR Report.