

The affiant, a seasoned law enforcement officer, someone who has written thousands of police reports, refuses to testify that Zimmerman was a racist. Even this officer knows how absurd it sounds to say that Zimmerman intended to stalk and murder a black person, and he called the police to inform them he was about to commit murder, and to either come join the fun or arrest him so he could have food and shelter for the remainder of his life. Moreover, this officer is friends with officers on SPD. He knows they did a

OFFICE OF THE STATE ATTORNEY
FOURTH JUDICIAL CIRCUIT OF FLORIDA
WWW.SAO4TH.COM



TEL: (904) 630-4767
FAX: (904) 630-2933

**ANGELA B. COREY
STATE ATTORNEY**

STATE OF FLORIDA VS. GEORGE ZIMMERMAN

EIGHTEENTH JUDICIAL CIRCUIT, SEMINOLE COUNTY FLORIDA

AFFIDAVIT OF PROBABLE CAUSE – SECOND DEGREE MURDER

Before me, personally appeared T.C. O'Steen and K.D. Gilbreath, who after being **duly sworn**, deposes and says:

Your affiants, Investigators T.C. O'Steen, and Dale Gilbreath are members of the State Attorney Office – Fourth Judicial Circuit, **appointed in this case by State Attorney Angela B. Corey**, who was assigned this case under Executive Order of the Governor 12-72.

Investigator O'Steen was previously employed by the Jacksonville Sheriff's Office, and has 35 years of law enforcement experience, including 20 years handling homicide investigations. Investigator Gilbreath was previously employed by the Jacksonville Sheriff's Office, and has 36 years of law enforcement experience, including 24 years handling homicide investigations.

Your Affiants, along with other law enforcement officials have taken sworn

statements from witnesses, spoken with law enforcement officers who have provided sworn testimony in reports, reviewed other reports, recorded statements, phone records, recorded calls to police, photographs, videos, and other documents in detailing the following:

Arizona Watermelon Drink, not iced tea. See crime scene photograph.

On Sunday 2/26/12, Trayvon Martin was temporarily living at the Retreat at Twin Lakes, a gated community in Sanford, Seminole County, Florida. That evening Martin walked to a nearby 7-11 store where he purchased a can of iced tea and a bag of skittles. Martin then walked back to and entered the gated community and was on his way back to the townhouse where he was living when he was profiled by George Zimmerman. Martin was unarmed and was not committing a crime.

Assuming a suspect is a criminal is not illegal. One is entitled to think what he or she wants. The state cannot prosecute you for your thoughts, even racist thoughts.

GZ is being prosecuted for his feelings?

In what way? Does not aver it was based on race or that it was illegal profiling.

Zimmerman who also lived in the gated community, and was driving his vehicle observed Martin and assumed Martin was a criminal. Zimmerman felt Martin did not belong in the gated community and called the police. Zimmerman spoke to the dispatcher and asked for an officer to respond because Zimmerman perceived that Martin was acting suspicious. The police dispatcher informed Zimmerman that an officer was on the way and to wait for the officer.

Compare with defendant who said to media contact that "the police officer ordered Zimmerman to not to pursue Trayvon Martin."

The affiant, an experienced police officer, knows that he is under oath in this document and is NOT willing to perjure himself, especially since he knows that this document will be critically examined by federal agents and U.S. attorneys.

Is this the state prosecuting Zimmerman for his speech? If this is stricken by a Judge, what does the state have left in the affidavit to support a murder charge, even though the document is insufficient if these statements remain.

During the recorded call Zimmerman made reference to people he felt had committed and gotten away with break-ins in his neighborhood. Later while talking about Martin, Zimmerman stated "these assholes, they always get away" and also said "these fucking punks".

DeeDee told State Attorneys that Martin told her he was NOT going to run. And she said she did NOT hear him

What does THIS mean?

During this time, Martin was on the phone with a friend and described to her what

running.

was happening. The witness advised that Martin was scared because he was being followed through the complex by an unknown male and didn't know why. Martin attempted to run home but was followed by Zimmerman who didn't want the person he falsely assumed was going to commit a crime to get away before the police arrived. Zimmerman got out of his vehicle and followed Martin. When the police dispatcher realized Zimmerman was pursuing Martin, he instructed Zimmerman not to do that and that the responding officer would meet him. Zimmerman disregarded the police dispatcher and continued to follow Martin who was trying to return to his home.

Again, none of these actions are illegal conduct, nor do they constitute the foundation for a crime.

In any event, there's no evidence that Trayvon Martin did any of these things.

Zimmerman confronted Martin and a struggle ensued. Witnesses heard people arguing and what sounded like a struggle. During this time period witnesses heard numerous calls for help and some of these were recorded in 911 calls to police. Trayvon Martin's mother has reviewed the 911 calls and identified the voice crying for help as Trayvon Martin's voice.

Again, notice that the officer is not willing to put his career on the line by lying in this affidavit. Did Corey discuss with the officer if he could be more "assertive" in his affidavit?

Zimmerman shot Martin in the chest. When police arrived Zimmerman admitted shooting Martin. Officers recovered a gun from a holster inside Zimmerman's waistband. A fired casing that was recovered at the scene was determined to have been fired from the firearm.

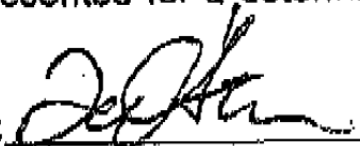
But are not the facts set forth in this sworn statement the most pertinent facts, to support the charge, the best evidence, so to speak?

Assistant Medical Examiner Dr. Bao performed an autopsy and determined that Martin died from the gunshot wound.

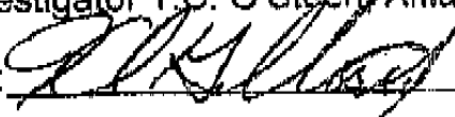
The facts mentioned in this Affidavit are not a complete recitation of all the pertinent facts and evidence in this case but only are presented for a determination of Probable Cause for Second Degree Murder.

The affidavit does not make any mention of exculpatory evidence that the state had in its file, such as the pics of Zimmerman's injuries, and witness testimony that established Trayvon Martin as the aggressor and multiple witnesses who said it was Zimmerman yelling for help (including so the officers whom he assumed were nearby and on scene could find where he was).

Further investigation: Do these investigators know State Attorney Wolfinger and did they discuss their having to submit this affidavit. This is a small law enforcement community

By: 

Investigator T.C. O'Steen, Affiant

By: 


were everyone knows each other.

These two law enforcement officers perhaps even sought Wolfinger's counsel on what to do about this, saying that Corey was bound and determined to charge Zimmerman and had demanded these officers write an affidavit that would hold up past the charging stage. Wolfinger probably told them to simply make vague statements so not to commit perjury.

Investigator Dale Gilbreath, Affiant

Sworn to and subscribed before me

This 11th day of April, 2012.



Notary Public, State of Florida at Large

My Commission expires:

6/10/14



