



Mark M. O'Mara
Board Certified Criminal Trial Specialist
Board Certified Marital and Family Law Specialist
Certified Family and Circuit Civil Mediator

Bert Barclay
Randy Lambert
Caitlin Reese

May 15, 2020

Via Certified Mail

Return Receipt No. 9414810898765059611655

Phil Archer
State Attorney, 18th Judicial Circuit
101 Eslinger Way
Sanford, Florida 32772-8006

RE: *Homicide of Adrein Green*

Dear Mr. Archer:

I've been retained to represent the interests of Andrea Green regarding the homicide of her juvenile son, Adrein, and the events surrounding it, to include the investigation that is being undertaken by law enforcement and your office. Please accept this as my request, on behalf of Ms. Green and pursuant to Art. 1, §16, Fla. Const., that we be kept informed of all progress being made in the investigation into his death, including but not limited to, the substance of those investigations and initial or preliminary results of those investigations.

Please accept this as our demand that you maintain all notes, data, evidence gathering, recordings, telephone calls, emails, blog entries, voice mails, text messages, messages from all social media platforms, and storage media, such as hard disks, floppy disks and any type of backup hardware or 'cloud' or remote storage. This includes all internal communications within the State Attorney's office and communications to and from the State Attorney's office and any law enforcement agencies, the general public, and media outlets.

While we certainly intend to withhold final judgment until the investigation is complete, please also accept this as the family's strong position that the homicide of Adrein was unnecessary and unjustified, as evidenced by the shooter in his 911 call in which he indicated he was trying to *scare away* the person on his property. There is absolutely no justification nor any statutory protection for a person that shoots another person in the back in order to "scare them off." I trust that you and law enforcement will conduct a thorough investigation into Adrein's killing. When that investigation is complete, I strongly request that you present the evidence to the Grand Jury to determine if an indictment is warranted.

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Phil Archer
May 15, 2020
Page Two

Much has been reported that Adrein's shooter was a *victim* in this case. My concern is that Adrein is a victim, yet he has not been afforded any rights provided to victims. It should also be noted that, Adrein's rights as a victim extend to his mother. Art. 1, §16(e), Fla. Const. defines victim as:

...a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed. The term "victim" includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon a showing that the interest of such individual would be in actual or potential conflict with the interests of the victim...

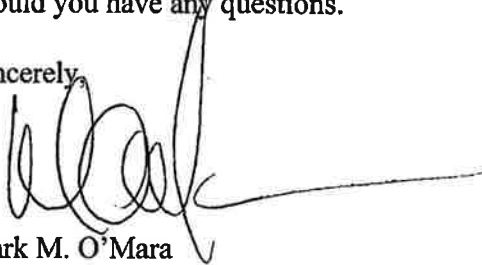
Should this matter be presented to the Grand Jury, I request that I have an opportunity to make a presentation on behalf of Adrein. It is my belief that the 2018 Constitutional Amendment to Art. 1, §16, Fla. Const., otherwise known as Marsy's Law, permits a victim to be heard by the Grand Jury. Pertinent sections are:

(b)(6)(b)....The right to be heard in any public proceeding involving pretrial or other release from any form of legal constraint, plea, sentencing, adjudication, or parole, and any proceeding during which a right of the victim is implicated.

(b)(6)(c).. The right to confer with the prosecuting attorney concerning any plea agreements, participation in pretrial diversion programs, release, restitution, sentencing, or any other disposition of the case.

Thank you in advance for your assistance with this matter. Please do not hesitate to contact me should you have any questions.

Sincerely,



Mark M. O'Mara

MMO/rel

cc: Daniel Faggard, Assistant State Attorney
Chief Cecil Smith, Sanford Police Department
Sheriff Dennis Lemma, Seminole Co. Sheriff's Office