

US JUSTICE: Prosecution outlines case against Zimmerman in killing of Trayvon Martin

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Global Research, April 15, 2012

[World Socialist Web Site](#) 15 April 2012

Region: [USA](#)

Theme: [Law and Justice](#)

George Zimmerman appeared in court for the first time Thursday after being arrested in connection with the killing of Trayvon Martin. Special Prosecutor Angela Corey announced Wednesday that Zimmerman, 28, is being charged with second-degree murder.

Zimmerman is charged with killing Martin as the 17-year-old African-American youth walked through a gated community in Sanford, Florida on February 26. Zimmerman's arrest followed weeks of protests led by the young man's parents, Sybrina Fulton and Tracy Martin, demanding the shooter be brought to justice.

To prove a charge of second-degree murder, prosecutors must show that Zimmerman committed an "imminently dangerous" act showing a "depraved" lack of regard for human life. Unlike a charge of first-degree murder, premeditation does not need to be proved. A second-degree murder conviction carries a mandatory sentence of 25 years and a maximum sentence of life in prison.

During Thursday's hearing, Zimmerman spoke only briefly, and did not enter a plea. That will happen at his formal arraignment, which is tentatively set for May 29. Zimmerman's new attorney, Mark O'Mara, said his client would plead not guilty. O'Mara has requested bond hearing on April 20, at which time he will request Zimmerman be released on bail.

Zimmerman claims that he shot Martin in self-defense. Police and the state attorney initially refused to arrest or charge Zimmerman. Citing Florida's "Stand Your Ground" law, which allows individuals to use deadly force in public places without an obligation to retreat, Sanford police released Zimmerman and said they had no evidence to counter his self-defense claim.

In court papers filed Thursday, prosecutors contend that Zimmerman followed and confronted Martin after being told by a police dispatcher not to do so. The "Affidavit of Probable Cause—Second Degree Murder" was prepared on the basis of statements from witnesses and police officers and a review of "recorded statements, phone records, recorded calls to police, photographs, videos, and other documents."

The three-page brief states that following a visit by Trayvon Martin to a nearby convenience store, the young man "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."

The affidavit says that Zimmerman, who was driving through the neighborhood, "assumed

Martin was a criminal.” It states that Zimmerman related in a recorded call while referring to Martin: “these assholes, they always get away,” as well as “these f—ing punks.”

The brief states that Martin was on the phone with a friend at the time, who told investigators that Martin was “scared because he was being followed through the complex by an unknown male and didn’t know why.” (Martin’s parents say this phone witness was their son’s girlfriend in Miami.)

According to the affidavit, Martin tried 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 car and pursued Martin on foot, despite being told not to do by the dispatcher. “Zimmerman confronted Martin and a struggle ensued,” the brief notes.

Witnesses reported hearing arguing and “what sounded like a struggle” and “numerous calls for help.” The brief states that “Trayvon Martin’s mother has reviewed the 911 calls and identified the voice crying for help as Trayvon Martin’s voice.”

Zimmerman shot Martin once in the chest, and the medical examiner determined that Martin died from this gunshot wound. Zimmerman admitted to police arriving on the scene that he had shot Martin, and the officers recovered a gun from a holster inside Zimmerman’s waistband.

At another brief court hearing on Friday, Seminole County Circuit Judge Jessica J. Recksiedler disclosed that her husband, an attorney, works in the same firm as Mark NeJame, a criminal lawyer who had been previously contacted by Zimmerman for representation. While NeJame did not take on Zimmerman as a client, he has now been hired by CNN to provide analysis on the case.

Defense attorney O’Mara raised concerns that the judge’s indirect connection to NeJame could compromise her role in a case that is bound to come under “intense scrutiny” in the coming months. Recksiedler requested that O’Mara and prosecutors file motions outlining their views on the potential conflict of interest.

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