

SUPREME COURT OF FLORIDA

Brant v. State

21 So. 3d 1276 (Fla. 2009) · No. SC07-2412 · Decided November 12, 2009

SUMMARY

The Supreme Court of Florida reviewed Charles Grover Brant’s convictions and death sentence arising from the murder and sexual battery of Sara Radfar. The court concluded that the death sentence was proportionate in light of the aggravating and mitigating circumstances and affirmed the convictions and sentences. The court also reviewed the sufficiency of Brant’s guilty plea to first-degree murder.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Quince, C.J.; Pariente, J.; Lewis, J.; Canady, J.; Polston, J.; Labarga, J.; Perry, J.
JURISDICTION	Florida
DECIDED	November 12, 2009
DOCKET	SC07-2412
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for first-degree murder, sexual battery, kidnapping, grand theft of a motor vehicle, and burglary with assault or battery, and from a sentence of death imposed after the defendant pleaded guilty and waived a penalty-phase jury.
STANDARD OF REVIEW	The Supreme Court conducted a de novo review of the legal sufficiency and voluntariness of the guilty plea, examining the record for competent, substantial evidence supporting the plea. It independently conducted proportionality review of the death sentence by considering the totality of the circumstances and comparing the case with factually similar capital cases.
PRECEDENTIAL VALUE	published binding opinion of the Supreme Court of Florida
PARTIES	Charles Grover Brant v. State of Florida

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review
- plea bargaining

PRACTICE AREAS

criminal law

capital punishment

criminal procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether Brant's death sentence was disproportionate in light of the aggravating and mitigating circumstances.
2. Whether the record established that Brant knowingly, intelligently, and voluntarily pleaded guilty to first-degree murder.
3. Whether the evidence was sufficient to support the first-degree murder conviction following the guilty plea.

HOLDINGS

1. The death sentence was proportionate because the weighty aggravating circumstances—the heinous, atrocious, or cruel aggravator and the commission of the murder during a sexual battery—outweighed the mitigating circumstances when the totality of the circumstances was compared with similar capital cases.
2. The guilty plea was knowingly, intelligently, and voluntarily entered, and competent, substantial evidence supported the first-degree murder conviction.

KEY QUOTATIONS

“The Court does not simply compare the number of aggravating and mitigating circumstances.” (21 So. 3d at 1284)

“Based on the cumulative pattern of the cases discussed above, we conclude that Brant's death sentence is proportionate.” (21 So. 3d at 1288)

“Based on the thorough discussion between the trial court, Brant, and Brant's counsel, we conclude that Brant knowingly, intelligently, and voluntarily entered his plea to first-degree murder, and the trial court properly accepted it.” (21 So. 3d at 1289)

FACTUAL BACKGROUND

Brant sexually battered and strangled Sara Radfar in her home, using multiple items to restrain and suffocate her. After the killing, he attempted to clean the residence, changed clothes, moved the victim's car, and concealed evidence; items belonging to the victim and other incriminating materials were later recovered from his garbage. Brant eventually admitted the crimes, and DNA evidence linked him to semen recovered from the victim. The penalty-phase evidence showed substantial methamphetamine dependence, mental-health conditions, childhood abuse, and other mitigating circumstances, but also evidence that he retained the ability to function and plan before and after the murder.

PROCEDURAL HISTORY

Brant pleaded guilty to all charged offenses in the trial court. The court accepted the pleas, adjudicated him guilty, conducted a bench penalty-phase proceeding after Brant waived a penalty-phase jury, and imposed a death sentence for first-degree murder, life sentences for sexual battery, kidnapping, and burglary, and five years for grand theft. The Supreme Court of Florida reviewed the convictions and death sentence on direct appeal, including the proportionality of the death sentence and the sufficiency of the guilty plea, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Spencer v. State, 615 So. 2d 688 (Fla. 1993)
- Taylor v. State, 937 So. 2d 590, 601 (Fla. 2006)
- Porter v. State, 564 So. 2d 1060, 1064 (Fla. 1990)
- Crook v. State, 908 So. 2d 350 (Fla. 2005)
- Cooper v. State, 739 So. 2d 82 (Fla. 1999)
- Morgan v. State, 639 So. 2d 6 (Fla. 1994)
- Kramer v. State, 619 So. 2d 274, 278 (Fla. 1993)
- Nibert v. State, 574 So. 2d 1059 (Fla. 1990)
- Orme v. State, 677 So. 2d 258 (Fla. 1996)
- Rogers v. State, 783 So. 2d 980 (Fla. 2001)
- Blackwood v. State, 777 So. 2d 399 (Fla. 2000)
- Spencer v. State, 691 So. 2d 1062 (Fla. 1996)
- Winkles v. State, 894 So. 2d 842, 847 (Fla. 2005)
- Lynch v. State, 841 So. 2d 362, 375 (Fla. 2003)
- Koenig v. State, 597 So. 2d 256, 257 n. 2 (Fla. 1992)
- Ocha v. State, 826 So. 2d 956, 965 (Fla. 2002)