

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR POLK COUNTY**

**CASE NO: 53-2019-CF-000178-A000-XX  
DIVISION: F9**

**RECEIVED AND FILE**

**MAR 27 2024**

**STATE OF FLORIDA,**

**STACY M. BUTTERFIELD, CLERK**

**Plaintiff,**

**vs.**

**DAVID MARSHALL MURDOCK,**

**Defendant**

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**VERDICT – PENALTY PHASE**

**WE THE JURY** find as follows as to David Marshall Murdock in this case:

**A. Aggravating Factors**

**WE THE JURY** unanimously find the State proved beyond a reasonable doubt that David Marshall Murdock was previously or contemporaneously convicted of a felony involving the use or threat of violence to the person (the Attempted Second Degree Murder of Sanda Lee Andrews). (select only one)

YES

NO

**WE THE JURY** unanimously find the State proved beyond a reasonable doubt that the First Degree Murder was committed while David Marshall Murdock was engaged or was an accomplice in the commission of, an attempt to commit, or flight after committing or attempting to commit any burglary. (select only one)

YES

NO

**WE THE JURY** unanimously find the State proved beyond a reasonable doubt that the First Degree Murder was especially heinous, atrocious, or cruel. (select only one)

YES

NO

**WE THE JURY** unanimously find the State proved beyond a reasonable doubt that the First Degree Murder was committed in a cold, calculated, and premeditated manner, without any pretense of moral or legal justification. (select only one)

\_\_\_\_\_ YES

X\_\_\_\_\_ NO

If you, the Jury, answered NO to every aggravating factor listed you have completed your deliberations. The foreperson should date and sign at the end of this form.

If you, the jury, answered YES to any aggravating factor listed in Count 1, proceed to Section B.

**B. Jury Recommendation**

If fewer than 8 jurors vote for the death penalty, your recommendation must be for a penalty of life in prison without the possibility of parole.

If 8 or more jurors vote for the death penalty, your recommendation must be for the death penalty.

**SELECT ONLY ONE:**

**WE THE JURY** have unanimously found the State proved one or more aggravating factors. Each of us has considered whether one or more mitigating circumstances exist. Each of us has weighed whether the proven

aggravating factor(s) is/are sufficient and whether the proven aggravating factor(s) outweigh(s) any proven mitigating circumstances. We have further considered whether David Marshall Murdock should be sentenced to life in prison without the possibility of parole or death. (select only one)

✓

**WE THE JURY** find David Marshall Murdock should be sentenced to **LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE.**

JB

JB

JB

**WE THE JURY** find by a vote of     to     that David Marshall Murdock should be sentenced to **DEATH.**

**DATED** this 27<sup>th</sup> day of March, 2024, in Polk County, Florida.

*Dina Batehama*

**FOREPERSON SIGNATURE**

JB

1769294

**FOREPERSON JUROR IDENTIFICATION NUMBER**