

FLORIDA LAW WEEKLY SEX CRIMES EDITION BY DENNIS NICEWANDER

Vol. 32, No. 21, May 25, 2007

Redding v. State, 32 Fla. L. Weekly D1298 (Fla. 5th DCA 2007):

State presented competent evidence inconsistent with defendant's theory that his three month old daughter died from accidental head injuries, including expert evidence that child's injuries couldn't have resulted from accident inside apartment, that child would not have sustained the type of injuries observed during autopsy if she accidentally fell from defendant's arms and hit box spring and carpeted floor as claimed by defendant and that injuries suffered by infant could not have been caused accidentally unless child was accidentally dropped from second story building.

State v. Fontaine, 32 Fla. L. Weekly D1288 (Fla. 4th DCA 2007):

Competent substantial evidence supported trial court's finding that, at time defendant disciplined child by striking him repeatedly with a belt, capacity of defendant to appreciate criminal nature of his conduct or to conform conduct to requirements of law was substantially impaired because of the effects of various medications defendant was taking as a result of serious accident and multiple surgeries.