

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND FOR
OSCEOLA COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 49-2020-CF-000149

Plaintiff,

DIVISION: 201

vs.

ANTHONY JOHN TODT

Defendant.
_____ /

**NOTICE OF INTENT TO SEEK THE PENALTY OF DEATH AS TO COUNT 1 OF THE
INDICTMENT AND VICTIM ZOE ELIZABETH TODT**

THE STATE OF FLORIDA hereby notices the defendant and the Court that, based upon the information available at this time, as to the facts of this offense and the defendant's prior record, sufficient aggravating circumstances do exist to justify the imposition of the death penalty as to this defendant in this case. Therefore, the State will be requesting the imposition of the death penalty should the defendant be convicted in this case.

Pursuant to section 782.04(1)(b) of the Florida Statutes, the State intends to prove and has reason to believe it can prove beyond a reasonable doubt the following aggravating circumstances:

1. The defendant was previously convicted of another capital felony or of a felony involving the use or threat of violence to the person. § 921.141(6)(b), *Fla. Stat.*
2. The capital felony was especially heinous, atrocious, or cruel. § 921.141(6)(h), *Fla. Stat.*
3. The capital felony was a homicide and was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification. § 921.141(6)(i), *Fla. Stat.*
4. The victim of the capital felony was a person less than 12 years of age. § 921.141(6)(l), *Fla. Stat.*
5. The victim of the capital felony was particularly vulnerable due to advanced age or disability, or because the defendant stood in a position of familial or custodial authority over the victim. § 921.141(6)(m), *Fla. Stat.*

I CERTIFY that a copy hereof has been furnished to Peter C. Schmer, PDADPS1@circuit9.org and Division201@circuit9.org, 2 Courthouse Square, Suite 1600, Kissimmee, FL 34741 by e-mail on this 25th day of February, 2020.

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