

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

STATE OF FLORIDA,  
Plaintiff,

CASE NO. 052025CF019189AXXXBC

vs.

DAVID ARMSTRONG BARBER,  
Defendant.

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**NOTICE OF INTENT TO  
SEEK THE DEATH PENALTY**

Pursuant to Sections 775.082(1)(a) and 782.04(1)(b), Florida Statutes (enacted March 13, 2017) and Rule 3.181, Florida Rules of Criminal Procedure, the State of Florida, by and through the undersigned Assistant State Attorney, hereby gives written notice of its intention to seek the death penalty against the above-named Defendant, and further, provides the following list of aggravating factors found at Section 921.141(6), Florida Statutes, which the State intends to prove and believes can be proven beyond a reasonable doubt:

1. The capital felony was committed for pecuniary gain. Fla. Stat. s. 921.141(6)(f).
2. The capital felony was especially heinous, atrocious, or cruel. Fla. Stat. s. 921.141(6)(h).
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. Fla. Stat. s. 921.141(6)(i).

The State of Florida, by the filing of this notice, demands that defendant file within twenty (20) days, its notice of intent to present expert testimony of mental mitigation if the defendant intends to present, during the penalty phase of the trial, expert testimony of a mental health professional who has tested, evaluated, or examined the defendant in order to establish statutory or non-statutory mental mitigating circumstances.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

**E-MAIL** to OFFICE OF THE PUBLIC DEFENDER - FELONY, Attorney for Defendant, at  
BREVARDFELONY@PD18.NET this 2nd day of May, 2025.

WILLIAM SCHEINER  
STATE ATTORNEY

BY: /S KARI D. KIES

ASSISTANT STATE ATTORNEY

FLORIDA BAR NO. 0479233

2725 JUDGE FRAN JAMIESON WAY, BLDG D

VIERA, FL 32940

(321) 617-7510, Ext: 58468

Eservice: BrevFelony@sa18.org