

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT, IN AND  
FOR MANATEE COUNTY, FLORIDA**

**CRIMINAL DIVISION**

**STATE OF FLORIDA**

**v.**

**Case No. 2020-CF-003014**

**ASHLEY BENEFIELD**  
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**AFFIDAVIT OF NEIL G. TAYLOR IN SUPPORT OF MS. BENEFIELD'S MOTION TO  
DISQUALIFY CIRCUIT COURT JUDGE STEPHEN M. WHYTE**

1. I am counsel for Ashley Benefield in the above referenced matter and, based upon specific incidents detailed in Ms. Benefield's Motion to Disqualify, I believe she cannot, and will not, receive fair treatment at any subsequent hearing and/or sentencing before the Honorable Stephen M. Whyte.

2. Specifically, on July 22, 2024, I requested Judge Whyte voluntarily recuse himself and step aside because of a public statement contained in his September 18, 2023, Order concluding Ms. Benefield was guilty of the murder of Douglass Benefield on September 27, 2020. That request was ignored.

3. Additionally, on July 30, 2024, following completion of closing arguments, the jury retired to deliberate at about 3:50 pm. The judge never gave the panel any indication of how long they would be expected to work toward a verdict, however, at approximately 5:40 pm, the parties assembled to address the first of the jury's questions. Referring to a critical Defense witnesses' testimony (Dr. Jason Quintal), the jury wanted to know if Dr. Quintal had independently reached a conclusion about the victim that was consistent with the victim being a violent, domestic abuser or, if Dr.

Quintal's characterization of the victim at trial, i.e., "super-controlling, real alpha male, jealous and intimidating, was the result of information provided by Ashley Benefield.

4. I believed it was an easy question to answer and, given its significance to the Defense, requested the Court simply have Dr. Quintal's rather brief testimony read back to the jury. The Court refused and insisted the jury knew they could request to have the testimony read back. I objected and said there was no basis to assume the jury knew that. The Court denied the request and, over my objection, told the jury that was a factual determination that the Court could not help the jury with.

5. The next question from the panel came at approximately 9:45 pm, over 12 hours following the jury's arrival at court to begin the day's proceedings. The jury declared they were deadlocked. The State suggested the Court deliver an Allen Charge, to which I vehemently objected, the panel having deliberated at that point less than six hours on a second-degree murder charge. I also asked the judge to send the jury home for the evening so they could return the following day when they were fresh. Instead, the Court sent the jury out to determine if they wanted to continue working or return in the morning. I believed then – and am convinced now – that the Court was unnecessarily pressuring the jury to reach a verdict, which they did approximately 30 minutes later.

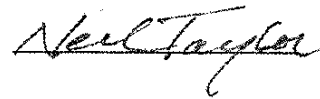
6. Following what was a painfully obvious compromise verdict – clearly reflective of a panel that was heading into its' 14<sup>th</sup> hour of dedication to task and wanted to be done with it rather than return in the morning – the jury returned a verdict of manslaughter.

7. Following rendition of the verdict, I addressed the Court, pursuant to *Rule 3.691* of the *Florida Rules of Criminal Procedure* and the case of *Younghans v. State*,

90 So. 2d 308 (Fla. 1956) for post-trial bond. The Court heard my argument, ordered Ms. Benefield remanded, and never so much as acknowledged anything I said before leaving the bench. In short, my request was ignored.

8. Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true.

Neil G. Taylor, Esq.

A handwritten signature in cursive script that reads "Neil Taylor". The signature is written in dark ink and is positioned below the typed name.