

Trayvon's Shooter Appears in Court
CNN April 12, 2012 Thursday, Jane Velez-Mitchell

Now, before we get to the attorney, let's listen to his client. One person who called 911 the very night that Trayvon Martin was shot, this is a potential, crucial witness. Listen to this.

(BEGIN VIDEO CLIP)

ASHLEIGH BANFIELD: Before those couple of seconds at the moment the gun shot went off, what happened with the larger man?

UNIDENTIFIED FEMALE: Oh, obviously the other man, the boy was dead, and the other person got up and was walking away from the body.

(END VIDEO CLIP)

VELEZ-MITCHELL: All right. Derek Brett, you're the attorney for that witness who is anonymous at this point. The charging document says that Zimmerman disregarded the police dispatcher and continued to follow Martin, and Zimmerman confronted Martin and a struggle ensued. What did your witness see?

DEREK BRETT, ATTORNEY FOR WITNESS: She actually saw the struggle actually going on. She saw two men lying on top, literally of one another in this darkened area on this grassy area. Not -- it wasn't a sidewalk. It was a grassy area. The entire struggle took place on a grassy area.

As the struggle continued to ensue, she was watching as the gunshot went off, and in fact, she believed that she had actually heard multiple shots. That's always been a source of -- for issue over the past couple of weeks. And then she saw -- she saw one individual get off the other individual, and that individual eventually walked into -- better into her line of sight, and that individual was...

VELEZ-MITCHELL: OK, question.

BRETT: That individual was George Zimmerman.

VELEZ-MITCHELL: OK. So the person on top of the other guy -- George Zimmerman was on top of the other guy? Then the gun shot rings out or a shot, and then George Zimmerman gets up?

BRETT: George Zimmerman gets up, walks -- walks in the -- walks in the direction of my client's view. And she at that time is able to see that it is -- excuse me, an Hispanic male who turns out to be Zimmerman. Yes.

[Commentary by guests deleted]

VELEZ-MITCHELL: All right, Derek Brett, you are an attorney for someone who says that she witnessed the confrontation between these two men. You heard Zimmerman's -- one of his lone public defenders Frank Taaffe saying oh, these witnesses are basically blowing hot air. What's your response to that, Derek?

DEREK BRETT, ATTORNEY FOR WITNESS: You know the witnesses saw what they saw. My client wanted to get out her statement for the sake of doing that. She did it once in order to maximize her privacy. She heard -- she believes that she heard Trayvon Martin actually give out this excruciating yell. Mr. Taaffe better watch out if he's going to be talking with Mr. Zimmerman, too, because he can be called in as a witness right now.

The problem is, Jane, and I have to say this. The state's investigators never really got into this; did not even swear my client in. And the concern is when you're relying upon in Florida an information instead of an indictment, if the same state investigators didn't swear anyone in, then these are grounds to dismiss this entire action. Beyond the immunity defense that they'll have on a motion to dismiss, there are a lot of things going on here and it's absolutely fascinating. But that doesn't guarantee that this isn't going to end up in a trial. My prediction is it won't.