

THOMAS R. COFFEEN
407 8th Avenue North
Tierra Verde, FL 33715

February 7, 2011

Honorable Nancy Moate Ley
14250 49th Street North
St. Petersburg, FL 33762

Re: State of Florida v. Stephen Coffeen
Case No. CRC 09-27209CFANO

Dear Judge Ley:

I am in need of your help. You are currently the assigned Judge in the above matter. The victim in that case is my father, who was murdered by my brother in December 2009. He is charged with murder in the second degree. The case is currently set for pre-trial conference on February 17, 2011 at 8:30 am.

I would request that you review the court file and in particular transcripts of the bond hearing that was held in February 2010. I am also enclosing news accounts of the incident. My brother is claiming he was insane at the time he smothered my father. I believe the prosecutors intend to agree that my brother was insane and resolve the case on that date. If that happens, justice will not be done because my brother was not insane.

Before police arrived my brother told me he killed our father in self-defense. When arrested by the police, my brother told them the same thing. If he knew enough to claim self-defense he knew killing our father out of anger, or for no reason at all, was wrong.

I also know that he had, over the past 10 years, exhibited and expressed anger and hostility toward my father and my family. Additionally, I had observed him prior to the murder and immediately thereafter and I can tell you he was not insane.

As I understand it, defense counsel hired a doctor to say my brother was insane because he had been drinking the caffeinated beverage, "Red Bull, and was sleep deprived at the time. According to the defense doctor, this combination led to a psychotic break. Rather than challenging this absurd claim, unfortunately, the prosecutors hired one single doctor to examine my brother, and he allegedly agreed with the defense doctor.

But my brother has no history of mental illness. I saw no indications of any psychotic break, whatever that means, and neither did the police. My brother was claiming self-defense at first, which suggests to everyone with common sense that he was aware he did wrong and was trying to cover it up. There is no corroboration that my brother was sleep-deprived or had been drinking Red Bull before he murdered our father – only my brother's bald claims after he had said already that it was self-defense. This is outrageous and if I did not know any better, I would say corrupt.

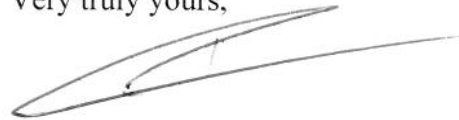
I have tried to contact Bernie McCabe and Bruce Bartlett about this matter, but they won't call me back. I am afraid that the State will not hire additional doctors to review this case. Why? I have spoken to several people, including veteran former prosecutors who say that accepting an insanity plea is NOT normal. So why are they doing this? Why haven't they interviewed me? Why won't they call me back? I was the first one to see my brother after he murdered our father and I can tell you he was not insane.

I am also afraid that if the State agrees that my brother was insane at the time, that he will be released in short order and then come after me and my family. His doctor has already testified at the bond hearing that he is okay as long as he gets sleep and does not drink Red Bull.

Please look into this matter for my family. I don't feel that he should be allowed to enter this plea and that the State should stipulate to it without first seeking opinions and counsel from other psychiatrists/psychologist. It seems preposterous that a person who immediately kills someone and then says he did it in self-defense would not know that he had committed a wrongful act.

And since when is being tired, and high on an energy drink, an excuse for cold blooded murder, anyway?

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Thomas Coffeen', with a long horizontal flourish extending to the right.

Thomas Coffeen

cc: Bernie McCabe, Esquire

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Lack of sleep and Red Bull lead to murder and insanity plea

Mike Deeson ■ 20 hrs ago

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St. Petersburg, Florida -- He killed his 83-year-old father by smothering him with a pillow, but Stephen Coffeen will not spend a day in prison. His attorneys are blaming lack of sleep and Red Bull for a psychotic episode. Tom Coffeen, Stephen's brother, is not happy.

Tom was in Orlando at Disney when he received a call from his brother, who was watching his elderly father. Tom Coffeen says Stephen told him to come home immediately. When Tom got to his father's home, Stephen wouldn't let him in and said they had to talk. Tom says he started screaming, "You killed him! You killed him!"

According to Tom, Stephen, who lives in California and hadn't seen their father in more than 10 years, started saying, "Dad is evil. Dad is evil."

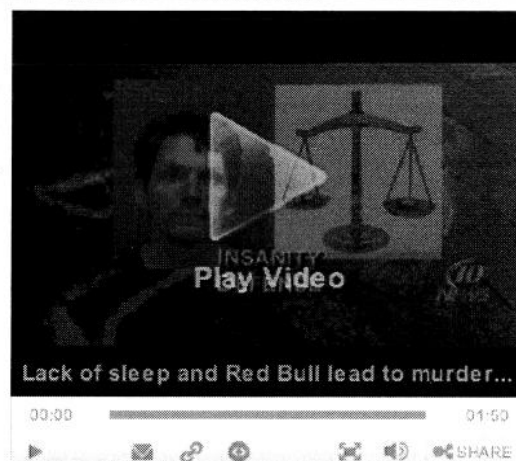
He says his brother then admitted that he did kill their father and said it was in self defense.

But after Stephen was arrested and charged with second degree murder, his high profile attorney changed from self defense to an insanity defense, saying the man snapped after arriving from California.

The defense said Stephen had a psychotic episode caused by sleep deprivation and he drank a Red Bull, causing him to snap.

Tom says that is absurd. But Pinellas Chief Assistant State Attorney Bruce Bartlett says their psychologist agrees. Now, the defense is saying Stephen is fine and OK now.

And while both the defense and the state agree the insanity defense is appropriate in



Stephen Coffeen

Mike Deeson Video Stories

..... this case, a former Pinellas prosecutor who successfully convicted several people on first degree murder charges says the plea is a farce.

Meanwhile, Tom says his brother is an intelligent man who is very manipulative. He believes Stephen is telling the psychologists what they want to hear.

If the judge accepts the deal, Stephen Coffeen will go to Chattahoochee mental institution for a minimum of six months. Tom says he will be out on the streets in six months and he believes his brother will come after him to finish the job.

Mike Deeson, 10 News

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this is absolutely pathetic ~ according to this defense ... anyone suffering from insomnia can murder someone and get away with it ~ this man is a serious danger to society and no doubt will be in the headlines again after he is released

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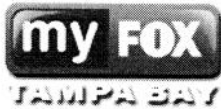


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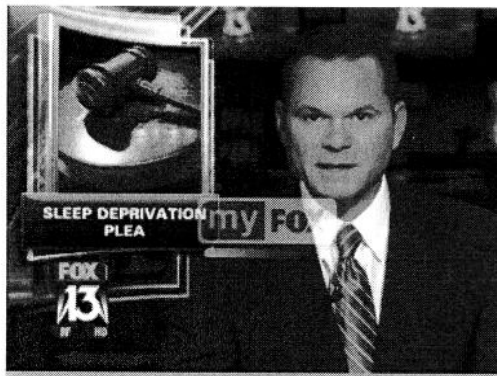
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Murder suspect's odd defense

 Updated: Saturday, 05 Feb 2011, 10:28 PM EST
 Published: Saturday, 05 Feb 2011, 10:26 PM EST

 Jeremy Campbell
FOX 13 News

TIERRE VERDE - Could sleep deprivation and a can of Red Bull really have contributed to murder? That's the question a Pinellas County man is asking the court to consider in a case of family versus family. 83-year old Robert Coffeen was allegedly smothered to death at the hand of his son, Stephen Coffeen.

"I said you killed dad didn't you?" recalled Thom.

Coffeen found the body during a strange conversation with his brother at their dad's St Petersburg home.

"And so we're out in the street and I say, 'Is dad ok?' He says, 'Dad's not who you think he is', and he's saying different things, and we're walking down the street and he's saying dad is evil," said Coffeen.

An arrest report from December 2009 says Stephen claimed self-defense. He's scheduled to reappear in court in less than two weeks. Now the expected defense is insanity.

"They said he had this psychotic episode. He had sleep deprivation. He drank some Red Bull. He snapped. He kills my father," said Thom, "Really?"

His brother does not believe Stephen is insane, partly because he reemerged in the family's life shortly before their father's death. Of course an insanity plea is much more complex than a lack of sleep or claiming the Red Bull made him do it. Stephen is represented by The Law Offices of Tragos & Sartes. They declined to talk about the case specifically, but did offer some general information on how an insanity plea is used.

"The insanity at the time of the offense is normally a perfect storm where all sorts of factors come into play all at once, all at the same time causing the break down," explained George Tragos.

"You have to actually not know what you are doing is criminal. The second part about it is when you are not guilty by reason of insanity what winds up happening is most individuals end up going to a state mental hospital somewhere," added Peter Sartes.

But Thom Coffeen worries after rehabilitation his brother will be released. He's speaking out now to spotlight his case.

"I don't want to be on TV right now. I don't want to be on camera, but I feel I have to for my father, for my family," he said.

Stephen Coffeen will appear in court on February 17th.

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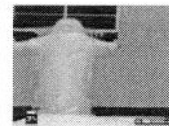
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St. Petersburg man unhappy that his brother might be found not guilty of murdering their father

By Curtis Krueger, Times Staff Writer
In Print: Saturday, February 5, 2011

ST. PETERSBURG — Thomas Coffeen is grieving over a family tragedy: Police say his brother killed their father in a bizarre incident in 2009 by smothering him.

But now Coffeen has something else to worry about: Prosecutors say evidence appears to show that his brother was insane at the time of the killing, and therefore not guilty by reason of insanity.

But Thomas Coffeen wonders: If something led his brother Stephen to kill one family member, could it happen again?

"I would be in extraordinary fear for my family" if his brother was released after mental health treatment, Coffeen said. "I have four young children. ... This guy could be out on the street in six months."

Coffeen is angry and wants a face-to-face meeting with Pinellas-Pasco State Attorney Bernie McCabe or his chief assistant, Bruce Bartlett.

"I'm not giving up," he said. "I'm going to (Florida Attorney General) Pam Bondi. I'm going to Gov. Rick Scott. I'm going as far as it goes."

Lawyers say it's rare to use the insanity defense and even rarer for it to be successful. But the issue recently has come into some of the Tampa Bay area's highest-profile crimes.

Observers have speculated that an insanity defense might be used in the case of the Tampa mother recently accused of fatally shooting her two teenage children. It will be used in the case of a woman accused of shooting her co-worker at a Tarpon Springs Publix. And just last month, the Pinellas-Pasco State Attorney's Office agreed that a soldier on leave from Iraq was not guilty of attempted murder because he was insane when he stabbed a friend.

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Attorney George Tragos, who represents Thomas Coffeen's brother Stephen, said it's right for his client to be declared not guilty because doctors for both the prosecution and the defense "have come up with the same conclusion, that he was legally insane at the time of the crime." Tragos also represents the woman accused in the Publix shooting.

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Bartlett confirmed that doctors on both sides had reached that conclusion. The circumstances of the crime also raise doubts about Stephen Coffeen's mental state, he said.

"I don't like the situation that I find myself in," Bartlett said. But he added: "I don't have many other options legally."

Asked whether the State Attorney's Office would agree that Stephen Coffeen is not guilty by reason of insanity, Bartlett said, "That's the direction it's headed."

A hearing is scheduled for Feb. 17.

If the state agrees to the insanity defense and a judge accepts it, it's likely the judge would order Stephen Coffeen into mental health treatment. That could be inpatient or outpatient treatment, and he could be released afterward — in a matter of years or even months.

"I absolutely do not believe he was insane," Thomas Coffeen said. He said he would like to see a more thorough investigation and have the state find additional doctors to evaluate his brother.

Robert Coffeen was 83, a retired English professor who had recently taken a fall and was using a walker. Stephen Coffeen, 42, is a computer technician who lives in California and had not come to visit his father in more than a decade, said Thomas Coffeen, 46, vice president of a St. Petersburg travel company.


But in December 2009, Stephen Coffeen did come to St. Petersburg for a visit. During the visit, Thomas Coffeen went to Walt Disney World with his family, but Stephen Coffeen called and told him to come right back home. When Thomas Coffeen did, he eventually found that "my father was in a corner with a blanket over him and a pillow over his face."

At the time, police said Stephen Coffeen made odd statements when they arrived at the scene. Officer Ann Sener later recounted that Stephen Coffeen wanted to make sure his rental car was taken into evidence. He also asked officers to make sure no one touched anything inside his father's house because "it is going to show that he (the father) is the crazy one. It was self-defense. He got suffocated. I did it out of self-defense."

Sener also said he asked that police check out Thomas Coffeen's house because "I can tell you where there are my father's fingerprints to prove he is crazy. I did it to protect myself. My father tried to poison my brother's dog."

Curtis Krueger can be reached at (727) 893-8232 or ckrueger@sptimes.com.

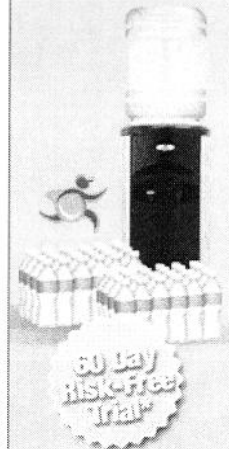
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Red Bull Is Part of Insanity
Defense in Florida Case

Feb. 7 2011 1:15 am | 466 views | 0 recommendations | 0 comments

Given that some people have been demanding warning labels on soft drinks on the theory that people don't know sugar can make you fat, I assume there will now be a similar call for warnings on energy drinks. Not about fatness, but rather because they might make you kill family members.

Those people would be able to cite the case of Stephen Coffeen, who confessed to killing his father in 2009, and is now asserting an insanity defense based at least in part on the argument that a "combination of Red Bull and exhaustion" led to a psychotic breakdown. Coffeen apparently acted very strangely when police arrived (not that he had been acting normally before that), so there is likely more to the plea than a claimed overconsumption of Red Bull. The drink is not mentioned at all in this report from Saturday's St. Petersburg Times, in fact. In an ABC news clip, however, Coffeen's attorneys seemed to concede that Red Bull is in the mix, though not the whole story.

The state's experts reportedly agree that Coffeen was legally insane at the time of the crime (meaning, in Florida, that he didn't know what he was doing was criminal), though it seems doubtful that Red Bull has anything to do with their view. That view is still a little puzzling because, initially, Coffeen claimed self-defense, which is an odd thing to claim if you don't think you've done anything wrong. None of the reports I've seen mention any specific disorder Coffeen allegedly has. In any event, because of the state's agreement, Coffeen is likely to be treated at a state mental hospital and then released.

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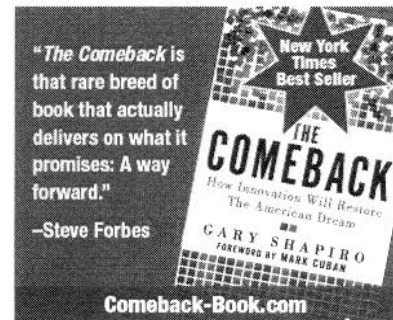
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Coffeen's brother is not too keen on this, saying he would be afraid for his own safety if his brother were released. What does he think of the Red Bull factor? "It's crap," he said. "I don't think the man even drank Red Bull." It's possible, though, that he had a secret Red Bull habit. Addicts often keep these kinds of things a secret.

This is at least the third time a caffeine/exhaustion defense has been tried, and would be the second success. Defendants were 1-1 with it last year. An Idaho man escaped vehicular-assault charges partly because he argued that lack of sleep and "two large coffees" had caused him to run two people over. He did have a form of bipolar disorder as well, though. Later in the year, a similar defense was floated in a Kentucky murder case, although ultimately that defendant did not argue the caffeine defense at trial. He may regret that now, since he was convicted by a jury that deliberated for just 90 minutes, and that probably included time to eat dinner.

Coffeen's fate (and possibly his brother's) will be decided at a hearing on February 17.

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