

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 C. BENEFIELD

**AFFIDAVIT OF ASHLEY BENEFIELD IN SUPPORT OF MOTION TO DISQUALIFY
CIRCUIT COURT JUDGE STEPHEN M. WHYTE**

1. I am the accused in the above referenced matter and, based upon specific incidents detailed in the instant Motion to Disqualify, I believe I 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, my attorney requested Judge Whyte voluntarily recuse himself and step aside as a result of a public statement contained in the judge's September 18, 2023, Order concluding I was guilty of the murder of my husband, Douglass Benefield, on September 27, 2020. The judge ignored the request.

3. Additionally, on July 30, 2024, following completion of closing arguments, the jury was sent out to deliberate at approximately 3:50 pm. The judge never gave the jury any idea of how long they would be expected to work toward a verdict. At approximately 5:40 pm, we came back to court because the jury had a question. They wanted to know if Dr. Quintal, an important witness for me, had independently reached a conclusion about my husband being a violent, domestic abuser or, if Dr. Quintal's

characterization of my husband at trial, i.e., "super-controlling, real alpha male, jealous and intimidating, was the result of information provided to him by me.

4. Because of its importance to our defense, my lawyer requested the Court have Dr. Quintal's testimony read back to the jury. The judge refused and said the jury knew they could make such a request. Mr. Taylor objected and said there was no basis to assume the jury had such knowledge. The Court denied the request and, over my attorney's objection, told the jury that was a factual determination that the Court could not help the jury with.

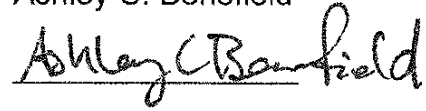
5. At approximately 9:45 pm, over 12 hours following the jury's arrival at court to begin the trial, the jury issued a note that said they were deadlocked. The State thought the judge should demand a resolution. My lawyer objected, saying they had been deliberating for less than six hours on a second-degree murder charge. Mr. Taylor also asked the judge to send the jury home for the evening so they could rest and return, the following day, ready to work. Instead, the Court sent the jury out to determine if they wanted to continue working or return in the morning. I felt the Court, for no apparent reason, was forcing the jury to reach a verdict, which came quickly after they said they wanted to keep working.

6. Following the verdict, which was clearly a compromise after an extraordinarily long day, the jury returned a verdict of manslaughter.

7. Following the verdict, my attorney addressed the Court, and requested my bond remain in effect. When my lawyer finished, Judge Whyte never even acknowledged anything Mr. Taylor said. The judge simply ordered I be taken into custody, got up, and walked away.

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

Ashley C. Benefield

A handwritten signature in black ink that reads "Ashley C. Benefield". The signature is written in a cursive style and is positioned directly below the printed name.