

REPRESENTING:

CHARLOTTE

COLLIER

GLADES

HENDRY

LEE



OFFICE OF THE STATE ATTORNEY

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*Stephen B. Russell*  
State Attorney

May 4, 2010

Chief Rob Petrovich  
Cape Coral Police Department  
P.O. Box 150027.  
Cape Coral, Florida 33915

Re: Officer Involved Shooting

Dear Chief Petrovich:

My office has completed the review of the investigation into the shooting death of Tyson Richardson, and the non-fatal shootings of Mike Borrell and Jarrett Mundle by members of the Cape Coral Police Department in an incident that occurred on December 20, 2009.

Based upon the evidence submitted, and the applicable law, I am convinced that the actions of the officers involved in this incident were a legally justifiable use of deadly force, in the defense of themselves and/or other officers. Therefore, my office will not be filing any criminal charges in this matter.

Memos by Assistant State Attorney Dean R. Plattner, and Chief Investigator Kevin L. Smith, which summarize our legal and investigative review of this matter are enclosed.

Please feel free to contact me if you have any questions or need further information on this.

Sincerely,

A handwritten signature in blue ink that reads "Stephen B. Russell".

Stephen B. Russell  
State Attorney

SBR/dlt  
Enclosure