

Hearing held for Brevard County man accused of shooting deputy

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Published on August 27, 2018

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BREVARD, Fla. -- A three day-long hearing began Monday in the case of a Brevard County man accused of shooting a sheriff's deputy during a raid in 2015.

- **Man accused of shooting deputy back in court**
- **John DeRossett fired at deputies during a 2015 prostitution sting**
- **Deputies were at DeRossett's home to arrest his niece**

John DeRossett is claiming "stand your ground" after being charged with attempted first-degree, pre-meditated murder of a law enforcement officer.

On August 20, 2015, deputy Casey Smith and two other deputies were at DeRossett's Port St. John home to arrest his niece Mary, a known prostitute.

DeRossett is arguing that he was in his own home, and that he didn't know the men, who were dressed in plain clothes.

"It's about what he knew, and whether it was reasonable, the actions that he took, was it reasonable under those circumstances," said Michael Panella, DeRossett's attorney.

When the shootout ended, both DeRossett and Smith were hit.

Smith survived after more than a month in the hospital and a dozen surgeries.

Prosecutors counter the defense's claim for immunity -
- saying the defendant knew the men were officers and tried to kill them.

This type of hearing is out of the ordinary -- the state does not have to prove its case.

That burden is on the defense.

"It caught him off guard then, and he's still reeling from the circumstances and fallout from it," Panella said.

It's expected there will be two more days of testimony -- and it will be up to the judge to proceed with a trial or dismiss the case all together.