

Immunity hearing continues for Brevard man accused of shooting at deputies

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Published on August 28, 2018

Featured on <https://www.mynews13.com/>

BREVARD COUNTY, Fla. — It's day two in the **immunity hearing** against a man facing three counts of first degree attempted murder against three deputies.

- **John DeRossett faces 1st-degree attempted murder charges**
- **He's accused of shooting at 3 deputies; 1 of them was hit**
- **DeRossett's attorney is arguing self-defense was used**

As a 68-year-old John DeRossett handcuffed walks into court, his niece Mary Ellis, who's at the center of everything, visibly held back tears and took the stand.

The state argued the house where the shooting happened was lit well enough for her to recognize a couple of the agents, and that they identified themselves as agents.

Ellis claimed the lights were off and an undercover agent grabbed her arm when she was inside the house.

According to court documents, undercover law enforcement came to DeRossett's house during an undercover prostitution sting involving Mary. The state and Ellis agree that she did use the house sometimes to do business.

Cell phone conversations presented as evidence to the judge claims Ellis knew an undercover posing as a customer was coming to her house.

During the sting, an undercover Brevard County Sheriff's Office deputy took the stand saying he did identify himself as an agent who was dressed in civilian clothing at the time, and when he tried to arrest Ellis, she started screaming for her uncle.

When DeRossett entered the picture, the defense claims gunfire was exchanged between the defendant and deputies because he thought two men were abducting his niece.

BCSO Agent Casey Smith almost lost his life that day, and DeRossett along with his niece were also hit.

“This is a guy who heard his loved one screaming for help, dragged into a yard in the dark; what would you do?” asked Defense Attorney Michael Panella.

If DeRossett is found guilty of all charges he could spend the rest of his life in jail, but the defense is asking the court to grant immunity to bar their client from further prosecution based on self-defense.

Panella claims DeRossett couldn't have known they were undercover law enforcement, since it was dark outside. And without any priors, he couldn't have recognized the agents either.

Panella also says the undercover agents didn't identify themselves as law enforcement to DeRossett, and they reportedly didn't have a warrant to arrest Ellis on prostitution charges.

“No they didn't, and that's a fact,” Panella says.

An undercover Brevard County deputy at the time the shooting took the stand. He said his first undercover operation was in 2015.

The deputy says he did identify himself to Ellis as an agent but does not recall if anyone did once DeRossett entered the picture.

Panella is hoping the hearing will determine that their client did not know he was shooting at deputies, and that he was acting in self-defense.

It will be up to Judge Robin Lemonidis to provide a written opinion for a motion to dismiss the charges based on Florida's self-defense laws.