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## **Suspected murderer returns to Gilchrist County; *Separate murder trial continues today in Trenton;* **Murder trends in the Tri-County Area****

**By Jeff M. Hardison © Oct. 31, 2018 at 11:28 a.m.**

**TRENTON** – A man suspected of two counts of first-degree murder in 2015 returned to the Gilchrist County Jail last Wednesday (Oct. 24) from a Florida prison for a court appearance, according to records.

He has **not** been tried for those two murders yet, and trial for those killings is not anticipated until 2019, according to information obtained on Wednesday (Oct. 31). There is a trial under way in Trenton for a different murder from 2013, according to records.

David Wheeler, 39, of Cross City was listed in the Gilchrist County Jail log on Wednesday (Oct. 24) as being placed there for two murder charges and an armed burglary charge in Gilchrist County, according to information sent Tuesday (Oct. 30), because the GCSO sends its weekly jail log listings to HardisonInk.com on Mondays or Tuesdays as a professional courtesy.

Wheeler had been transported for case management or other court-oriented purposes, from the state prison where he currently resides.

An investigation by the Florida Department of Law Enforcement and the Gilchrist County Sheriff's Office and Florida Department of Law Enforcement that started after a double homicide in Bell on Nov. 5, 2015 led to the charges of two counts of first-degree murder, according to information released from the GCSO and other sources on Oct. 30 and 31.

Kevin Lawrence Staley was 49, and Kevin Justice Staley was 19, according to records, when they were found dead on Nov. 5, 2015, in a mobile home on Gilchrist County Road 340.

The FDLE and GCSO's preliminary investigation revealed the deaths were the result of "deliberate criminal acts," according to records, and since that start of the cases, they continue to sojourn through the system of Florida jurisprudence.

About two years after the two men's bodies were found in 2015, on April 28, 2017, a grand jury in Gilchrist County indicted Wheeler for the two murders.

A week ago, today, on Wednesday, Oct. 24, Wheeler was listed as a Gilchrist County Jail resident for two counts of first-degree murder and one count of armed burglary of a conveyance or structure, according to records provided by the GCSO on Oct. 30.

Eighth Judicial Circuit State Attorney William Cervone said today (Wednesday, Oct. 31) that his office has filed notice with the court that he intends to seek the death penalty against Wheeler if Wheeler is convicted for the two murders.

The jury for the Wheeler murder trial will be able to decide if the state proved beyond reasonable doubt that Wheeler not only murdered the two Staleys in 2015, but given that guilt is proved, then the jury will deliberate and rule on whether Wheeler is to be executed, according to Florida law. The jury rules as to whether execution is going to occur in Florida.

The presiding judge may override a jury's ruling that a convicted murder is to be executed, and there is a relatively strong appellate process that begins the instant a person is sentenced to death in Florida.

This case of two counts of first-degree murder is "tortuously plodding along" in the

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judicial system, Cervone said on Wednesday. It is not unusual for a defense attorney to take special care when handling a case where the defendant faces possible execution, Cervone said.

There is no trial date set for the two murder cases against Wheeler, Cervone said. As for this suspected killer and suspected armed burglar being in the Gilchrist County jail rather than in his prison cell, Wheeler has a presumption of innocence still on the two murder charges and the armed burglary charge.

On Wednesday, another murder trial was active in Eighth Judicial Circuit Court in Trenton.

Michael Darnell Porter of Archer, was arrested Aug. 3, 2013 for the alleged murder of Joyce Burrow.

In this case, Porter is charged with raping the woman and then killing her by running over her with a truck in 2013, according to records.

Among the murders in Gilchrist County so far in 2018, were the horrific assassinations of two members of the GCSO in April, when Sgt. Noel Ramirez, 29, and Deputy Taylor Lindsey, 25, were killed while they ate lunch in Trenton.

The FDLE and several counties' and municipal law enforcement agencies from around Florida helped the GCSO deal with that tragedy.

The FDLE provides records of law enforcement agencies' activities, when those agencies provide the FDLE with information. Sometimes, the uniform crime reporting methodology presents numbers that seem peculiar.

The mission of the FDLE is "To promote public safety and strengthen domestic security by providing services in partnership with local, state, and federal criminal justice agencies to prevent, investigate, and solve crimes while protecting Florida's citizens and visitors," according to its own statement. Used in this statement "citizens" can be defined as "residents."

As for murders recorded in the Tri-County Area, where those numbers are not skewed by definition of "murder," the FDLE records reviewed Wednesday (Oct. 31) show two counties of the three counties chose against providing the FDLE with records on two years.

The FDLE records of murders from 1995 through 2017 show 1999 was an unusual year for Dixie County when there were six murders, and 2014 was an unusual year for Gilchrist County when there were seven murders. The 2014 tally resulted from one incident.

That suspect of the six murders and one suicide in Bell is Don Charles Spirit, 51.

Don Spirit shot one son to death in a hunting accident in 2001, according to records.

Don Spirit killed six children, ranging in ages from three months to 10 years old, and his daughter, before committing suicide in 2014.

The victims then were Sarah Lorraine Spirit, 28; Kaleb Kuhlmann, 11; Kylie Kuhlmann, 9; Johnathon Kuhlmann, 8; Destiny Stewart, 5; Brandon Stewart, 4; and Alanna Stewart, a couple of months old (born in June).

Don Spirit was released from a Florida prison in February of 2006 after serving three years related to the shooting death of their son, Kyle Spirit.

Don Spirit had pleaded guilty to a charge of possession of a firearm by a convicted felon two years after Kyle Spirit, 8, was killed during a hunting outing, according to records.

In the Tri-County Area (with Levy County and Gilchrist County in the Eighth Judicial

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Circuit and Dixie County in the Third Judicial Circuit), murder is very rare.

## **Gilchrist County**

### **Murders**

#### **According to FDLE**

#### **Records**

1995-2005 - zero

2006 - 1

2007 - 0

2008 - 2

2009 - 2

2010 - 1

2011 - 1

2012 - 0

2013 - 1

2014 - 7

2015 - GCSO Did Not  
Report To FDLE

2016 - GCSO Did Not  
Report To FDLE

2017 - 0

## **Levy County**

### **Murders**

#### **According to FDLE**

#### **Records**

1995 - 1

1996 - 3

1997 - 1

1998 - 2

1999 - 3

2000 - 1

2001 - 1

2002 - 0

2003 - 2

2004 - 1

2005 - 3

2006, 2007, 2008 - 0

2009 - 1

2010 - 0

2011 - 1

2012 - 0

2013 - LCSO Did Not  
Report To FDLE

2014 - LCSO Did Not  
Report To FDLE

2015 - 3

2016 - 1

2017 - 2

## **Dixie County**

### **Murders**

#### **According to FDLE**

#### **Records**

1995 - 1

1996 - 1

1997 - 0

1998 - 1

1999 - 6

2000 - 0

2001 - 0

2002 - 1

2003 - 1

2004 - 1

2005 - 0

2006 - 1

2007 - 2

2008 - 0

2009 - 0

2010 - 1

2011 - 0

2012 - 0

2013 - 1

2014 - 3

2015 - 1

2016 - 1

2017 - 1