



## Sandbar suspect gets probation in plea deal

21-year-old Brian Justin Godwin was released after almost 20 months in jail



"It's just nice to be out. I'm glad it's over — to get it all behind me."  
Brian Godwin



Photos by DEBORAH SILVER • deborah.silver@scripps.com

**Top:** Kippy Godwin, center, Brian Godwin's mother, holds her rosary at the Martin County Courthouse on Monday afternoon. Circuit Judge Steven J. Levin accepted Godwin's no contest plea to the lesser charge of manslaughter and sentenced him to six years probation. Brian's half-brother, David Godwin, left, and his father, Charles Godwin, right, sit in the courtroom with Kippy Godwin. **Above:** Brian Godwin, center, is flanked by his parents, as they leave the Martin County Jail after Brian was released from jail about 5 p.m. Monday. The 21-year-old spent the past year and eight months in jail, accused of delivering a brawl punch that killed Brett James McCarthy, although he insisted he did not.

BY MEGAN V. WINSLOW  
megan.winslow@scripps.com

### STUART —

If convicted of second-degree murder, Brian Justin Godwin could have spent life in prison.

But a plea deal with the State Attorney's Office ended his trial before it started Monday and allowed him to leave jail hours later with a sentence of probation.

It was perhaps the closest Godwin's family and the family of victim Brett James McCarthy could come to some sense of closure. The McCartys lost their 19-year-old son in 2006 to a brawl punch and Godwin, 21, has spent the past year and eight months in jail, accused of delivering the blow but insisting he did not.

"I feel sorry for the McCarthy family because I know they are hurting deeply," said Kippy Godwin, the defendant's mother. "But we're hurting deeply too because my son's life has also been ruined."

With each family's consent, Circuit Judge Steven J. Levin accepted Godwin's no contest plea to a lesser charge of manslaughter and honored the plea agreement by giving Godwin six years probation and a suspended seven-year prison sentence that will only be enacted if he violates his probation. After 3½ years, Godwin can

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Lynn McCarthy, left, Brett McCarthy's mother, comforts Katie Twombly, a good friend of Brett McCarthy, after the plea deal Monday afternoon that called for the release of Brian Godwin from the Martin County Jail. "I was there that day. I saw Brett fall into the water. I held him in my arms," said Twombly, 19, of Stuart.

### SPORTS, C1

## MAGIC LOSE GAME 2



## Food inflation could further challenge U.S. consumers

Costs of fuel, corn and soybeans may increase chicken, pork prices

BY ELLEN SIMON  
The Associated Press

Americans may be getting another helping of food inflation, and it seems likely to come from higher prices for chicken and pork.

Overall food inflation could double this year, lifted by the rising costs of fuel, corn and soybeans, some analysts predict.

Food inflation hit 4 percent last year, up from 2.4 percent in 2006. While beef prices were already high, chicken and pork prices didn't reflect record costs for feed and fuel. That's poised to change as chicken and pig producers who have been losing money slaughter more animals to decrease the supply and raise the prices they can charge.

Higher food inflation would further challenge shoppers who are already limiting themselves to sale items and store brands as they contend with the worst food inflation since 1990.

Mary Lee Rydzewski, a retired Amtrak engine dispatcher who lives in Cheshire, Conn., says she has already switched to store brands and sale items because of higher food prices. If they increase more, she plans to cut back again.

But Karen Leedahl, a pastor who lives in Latrobe, Pa., said she always bought store brands and shopped for sale goods. Two weeks ago, she started walking more than a mile round-trip to the grocery store instead of driving.

If prices increase more, "I'm kind of in trouble," she said. "I was already trying to save."

U.S. shoppers spent 5.8 percent of their income on food in 2006, according to the U.S. Department of Agriculture — a lower proportion than any other nation. In the United Kingdom, consumers spent 8.7 percent of their income on food, and in most of the world it's at least 10 percent.

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INSIDE: Senators ask EPA for halt on ethanol plans. A8

### MYANMAR

## CYCLONE KILLS 10,000 IN ONE TOWN



The Associated Press

Residents fetch water in the wake of Tropical Cyclone Nargis in Yongon, Myanmar, on Monday. The storm left hundreds of thousands of people without clean drinking water. Media reports 10,000 people were killed in one town. **STORY, A5**

## Committee nominee upsets some airport watchdogs

BY GEORGE ANDREASSI  
george.andreassi@scripps.com

**STUART —** The nomination of former Martin County Commissioner Marshal "Bud" Wilcox to the Airport Noise Advisory Committee is upsetting some airport watchdogs, who blame Wilcox for the increase in jet traffic, noise and fumes at Witham Field.

"It gets sometimes so ridiculous you have to laugh," said Dave Shore, president of the Witham Airport Action Majority. "The problems we have today are a result of his shepherding airport growth. It's kind of ironic that this man now is going to sit on the committee that is trying to deal with all of the

**ON THE WEB**  
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problems at the airport."

But several aviation enthusiasts said Wilcox would be an asset to the committee because of his experience as a commissioner, a pilot and a retired executive with the Port Authority of New York and New Jersey, which runs three major airports. He also lives near Witham Field.

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### MARSHAL 'BUD' WILCOX

**Hometown:** Sewall's Point  
**Elected office:** Martin County commissioner, 1992-2000  
**Previous elected offices:** Morris Township, N.J., School Board  
**Previous employer:** Port Authority of New York and New Jersey  
**Military experience:** Navy  
**Education:** Dartmouth College; Rutgers University, MBA, 1955  
**Immediate family:** Wife, Joan; daughters, Marsha, Susan, Lydia and Nancy



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## SANDBAR

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file a motion to terminate the probation early. He must pay \$14,000 restitution to the McCarthy family and \$4,000 to a trust fund.

McCarthy died from a head injury sustained during an Aug. 27, 2006, fight at a Stuart sandbar, and detectives arrested Godwin a few days later. As many as 100 people were involved in the fight, many of whom had been drinking alcohol throughout the day. While numerous witnesses said Godwin was the one who punched McCarthy and knocked him unconscious, others said another man struck McCarthy with a full beer can.

The last time New York residents James and Lynn McCarthy heard from their son, he was happily settling into a new life in Stuart and eagerly beginning a new job. A week later, they disconnected Brett from life support.

"The defendant, Brian Godwin, took the life of someone he didn't know or care about and who did nothing to him," James McCarthy said, struggling to read a statement through tears. "His name was Brett McCarthy. And we don't ever want him to forget that."

"The defendant, Brian Godwin, took the life of someone he didn't know or care about and who did nothing to him. His name was Brett McCarthy. And we don't ever want him to forget that."

### James McCarthy, victim's father

Defense attorneys Heidi Perlet and Marc Shiner said prosecutors approached them about striking a deal when the first trial ended abruptly in January. The judge at the time, Larry Schack, said a mistrial was necessary because jurors accidentally read unedited transcripts mentioning Godwin's prior criminal record on drug charges, but other problems plagued the case from the start.

Some witness statements and printed photo line-ups identifying McCarthy's attacker could not be found for trial, and defense attorneys accused the lead detective on the case, Michael Dougherty, of destroying evidence that could exonerate Godwin.

"Obviously the state had a very weak case, or no case at all, and they realized that," Shiner said after Monday's hearing. "Unfortunately, the truth of who killed Brett McCarthy is never going to come out thanks to the Martin County (Sheriff's Office)."

McCarthy's parents and Assistant State Attorney Theodore Roodhof said they adamantly support Dougherty and his handling of the case.

"Detective Dougherty is a good detective," Roodhof said. "I've known him for years. I also believe, obviously — I took this case to trial — that I had credible witnesses. I wouldn't have filed an information against the defendant unless I believed that. I had witnesses who were there and saw him ... we got the right guy. There's no doubt in my mind."

After hours spent in a jail waiting room following Monday's hearing, Kippy Godwin looked away from television news coverage of the case to see her son standing before her.

For the first time in nearly 20 months, he gave her a hug.

"It's just nice to be out," he said, leaving the jail. "I'm glad it's over — to get it all behind me."

## FOOD

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But the U.S. portion seems certain to rise, as chicken and pig producers say prices have to go up as feed costs increase.

"American consumers are only just beginning to feel the impact of sharply higher food prices," said Pilgrim's Pride Corp. Chief Executive Clint Rivers. The nation's largest chicken producer posted a wider quarterly loss Monday as it paid more for feed and took a restructuring charge.

Tyson Foods Inc., the world's biggest meat producer, forecasts that its expenses will rise \$1 billion this year, including \$600 million for corn and soybean meal and \$100 million on grain. The balance will come from higher prices for cooking oil, breeding and fuel costs, the company said. Last week Tyson reported a \$5 million second-quarter loss and withdrew its earnings outlook, saying feed prices were too volatile.

"I think food inflation has

### SENATORS ASK FOR HALT ON ETHANOL PLANS

Senate Republicans have asked environmental regulators to use their power to halt the country's plans to expand ethanol production amid rising food prices.

Twenty-four Republican senators, including presidential candidate Sen. John McCain of Arizona, sent a letter Friday to the Environmental Protection Agency suggesting it waive, or restructure, rules that require a fivefold increase in ethanol production over the next 15 years.

Farmers have responded to federal ethanol incentives by planting the largest crop of corn in 60 years, leaving fewer acres for soybeans, oats and other agricultural staples.

Tighter crop supplies means higher production costs for food processors of all types. In one recent example Pilgrim's Pride Corp., the nation's largest chicken producer, said costs rose \$200 million in the quarter on higher corn and soybean feed.

And Americans are paying those higher costs at the grocery store, where egg prices have jumped 40 percent in the last year and flour prices have risen 50 percent since January, raising the price of bread, cereal and other groceries.

The Associated Press

got to go up," said C. Larry Pope, president and chief executive of Smithfield Foods Inc., the world's largest pork producer, in a recent speech. "Everything that uses wheat, everything that uses corn, everything that uses corn syrup has got to go up."

The exception may be beef,

as already high beef prices may not see the increases that chicken and pork could, said Jim Hilker, an agricultural economist at Michigan State University. "I'm not sure beef prices will go up a lot, but they won't come back down."

## WITHAM

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"I think he has a good open mind, and he has expertise when it comes to transportation," said Cy Kissling, a leader of the Witham Aero Club, which nominated Wilcox for the committee post. "He lives in Sewall's Point. He's affected by noise as we all are in Sewall's Point."

Wilcox is one of two people whose nomination to the noise committee is expected to be voted on today by the Martin County Commission. The other is Deborah Cary, whose home is in a neighborhood greatly affected by airport noise.

Wilcox, who served as a county commissioner from 1992 until 2000, was among commissioners who voted to extend Runway 12/30 in the late 1990s. Many airport watchdogs blamed the extension for attracting more jets and the accompanying noise and air pollution.

County Commissioners Susan Valliere and Lee Weberman questioned whether Wilcox would be too controversial to serve on the Airport Noise Advisory Committee, which is made up of pilots, airport business representatives, homeowners affected by the noise

and elected officials.

"I don't know if it's a productive exercise to put such a lightning rod for controversy on the committee," Weberman said. "If Bud gets appointed to the committee, it may start being all about Bud and rehashing past mistakes."

Valliere said she opposes appointing Wilcox to the committee because that "would be like pouring kerosene on a fire. There's a very large segment of the population that does hold Mr. Wilcox responsible for a lot of the problems at the airport."

But Wilcox said the commission as a whole decided to extend Runway 12/30 in an attempt to revive a declining airport and promote economic development.

The increase in jet traffic at Witham Field has more to do with the growing popularity of chartered flights and other market conditions than the runway extension, Wilcox said.

Revamping the takeoff and landing patterns at the airport to keep jets further away from residential neighborhoods would improve the situation, Wilcox said. And he wants to lend his expertise to the effort.

"I think I can help," Wilcox said. "I think I can perhaps be a leavening on troubled waters."

"It gets sometimes so ridiculous you have to laugh. The problems we have today are a result of his shepherding airport growth. It's kind of ironic that this man now is going to sit on the committee that is trying to deal with all of the problems at the airport."

Dave Shore, president of the Witham Airport Action Majority

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