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STUART ATTORNEYS TO DEFEND TEEN IN TEACHER'S DEATH

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Source:

STUART - Two area attorneys hired to represent the 13-year-old youth accused of shooting Lake Worth Middle School teacher Barry Grunow said Sunday that Grunow's death was an accident. The family of Nathaniel Brazill discharged the seventh-grader's public defender Friday, opting to retain Stuart-based trial lawyers Robert Udell and **Lance Richard**.

Richard and Udell insist the death of the popular 35-year-old English teacher was the culmination of a string of mishaps that left Grunow dead from a single .25-caliber bullet and a popular student in a juvenile detention center facing first-degree murder charges.

Udell, 51, and Richard, 37, joined forces last year to overturn a second-degree murder verdict against Okeechobee resident Ryan Harris. When Udell and Richard retried the case, they persuaded a West Palm Beach jury to convict Harris, now 23, of manslaughter charges.

Harris had been accused of planning the murder of a former girlfriend in 1995.

Udell was less successful in his defense of Anthony Spann, who was convicted June 23 of the 1997 carjacking and murder of Kazue Perron.

Udell and Richard declined to discuss the financial terms they came to with Brazill's family.

Brazill was sent home from school on the morning of May 26 for pulling a prank involving water balloons. The youngster returned with a loaded, .25-caliber semiautomatic Raven handgun he'd taken from the home of a family friend. Although Grunow played no part in Brazill's earlier misadventure, when the youth showed up outside Grunow's classroom attempting to visit two girls, police said, he fired a single bullet into Grunow's face, killing the popular teacher.

Richard said reports that Brazill bragged to friends that he'd return to the school with a gun to shoot someone were false.

"He didn't go in there intending to kill Barry Grunow," said Richard. "It was definitely an accident."

"It is our contention that the gun malfunctioned," said Richard, who plans to have the gun tested.

"There are a lot of people who want their 15 minutes of fame and will do or say anything to be in the spotlight. He went back to Barry Grunow's class to see the two girls - he didn't go back there to shoot anybody. The real, underlying message is that this kid had access to a gun."

Udell said the defense attorneys intend to focus Brazill's trial on the manufacturers of so-called "Saturday night specials," cheap handguns that are commonly used in street crime.

"That's one of the reasons I took this case," said Udell, who has tried 70 murder cases. "I'm convinced that the real story here is the ongoing availability of cheap handguns. He used a 'Saturday night special,' a piece of . . . These

cheap handguns remain too easily accessible in America today. We need to learn something from this tragedy."

Richard said the attorneys agreed to take the case on Friday after meeting with Brazill's family. They met their young client for the first time Sunday.

"After the shooting he didn't run off and hide somewhere," Richard said. "He approached a police cruiser, went to the cops and said, "Did you hear about the accident?""

Grunow, a Palm Beach Gardens native, transferred to Lake Worth Middle to be close to his wife Pam and two children, and to be active in Lake Worth, friends and family said. Grunow's death traumatized the central Palm Beach County community of 30,000, and the effects of Grunow's death was felt far beyond Florida's borders.

Both Richard and Udell said that, although Brazill's home life was rocky at times, he came from a family that loved, encouraged and cared for him. He was an honor student with a perfect attendance record.

"He comes from a family of faith," Richard said, "but he lived in a neighborhood where handguns aren't all that uncommon. He did get a lot of support from his family. His family is in complete shock."

In spite of the domestic difficulties in Brazill's home - his mother filed a series of domestic complaints against men - he was a good student who aspired to enter the law enforcement profession.

"There definitely were domestic problems in the home," Richard said, "yet the amazing thing is this kid wanted to become a secret service agent. He made A's and B's in school."

A grand jury is scheduled to decide next week whether to indict Brazill on murder charges and try him as an adult. Udell said he will consider the rare and risky move of having his client testify before the grand jurors. If indicted, anything Brazill says at the hearing could be used against him.

The public defender initially appointed to represent Brazill said he wasn't surprised to learn of Brazill's new lawyers.

"It looked promising for Nathaniel," Assistant Public Defender Randy Berman said. "A junk gun with a hair trigger, no animosity for the teacher, a good kid - it looked promising."

The attorneys agreed that such a high-profile case can't hurt their practices, but they said they hope the publicity could spark tighter gun control measures.

"I'm happy to have this case," Richard said. "It's in the media spotlight, and has gotten national attention. And hopefully we can make an impact to cause better gun control. This young man is a good kid. If you ever get to meet this kid, it'll break your heart."

Udell's sentiments echoed Richard's.

"One of the reasons I took this case was because I feel strongly about better gun control," Udell said. "The real story is that this tragedy didn't have to occur."

The Cox News Service contributed to this report.