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## Family faults shooting inquiry

**Authorities are criticized for the way they have handled a shooting death in a car that involved a gun owned by a corrections officer.**

By KATHERINE GAZELLA, Times Staff Writer  
© St. Petersburg Times  
published March 22, 2002

TARPON SPRINGS -- Although the State Attorney's Office has not finished its investigation into a September shooting death in Tarpon Springs, an attorney for the family of the young man who died is asking for a special prosecutor to be appointed because the family doubts the fairness of the investigation.

Attorney John Trevena on Thursday hand-delivered a letter to Pinellas-Pasco State Attorney Bernie McCabe's office regarding the Sept. 2 death of Shawn McMillan. Tarpon Springs police ruled the death was the result of an accidental, self-inflicted shooting, and the medical examiner's office labeled it a suicide.

McMillan's family has accused police of covering up for the owner of the gun, a state corrections officer.

"At a minimum, we're looking at a grossly incompetent investigation," Trevena said. "Something much more sinister is possible."

McCabe said Trevena's request is "ridiculous," especially since the State Attorney's Office investigation isn't complete. He said it is a "pretty safe bet" he won't ask the governor to appoint a special prosecutor, something he would do only if he had a



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conflict in a case.

"I'm the elected prosecutor," McCabe said. "I don't have a conflict. He knows I don't have a conflict. He's just trying to get his name in the paper again."

His office's investigation of the case is nearly completed, he said. Once it is done, the investigation and the results of a Florida Department of Law Enforcement report in the case will be released.

McCabe also rejected Trevena's assertion that the State Attorney's Office has "a repeated pattern of protecting law enforcement at any cost."

"There's certainly a lot of cops out there that we've prosecuted that wouldn't agree with that," McCabe said.

Trevena said he was "astonished" that a Tarpon Springs police officer had informal discussions with the State Attorney's Office about whether to charge the man -- who was in the car in which McMillan was shot -- with culpable negligence manslaughter.

McCabe said it is standard procedure for police officers to discuss such matters informally with his office.

Trevena said he talked to a local television news producer who has looked into the case, and that McCabe told the producer McMillan's family would not be happy with the result of the investigation. McCabe said he has not discussed the results of the investigation with the producer, but said not everybody will be happy with the results because most decisions his office makes do not please everybody.

"So now we need a special prosecutor because someone has opined what they think the decision is going to be?" McCabe said.

Tarpon Springs police Chief Mark LeCouris said the case has been looked into at length in the past 5 1/2 months: first by his department, then by the FDLE and the State Attorney's Office.

"This case is probably more thoroughly investigated than most major cases," LeCouris said.

growing case

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The Tarpon Springs police investigation into the case began early in the morning of Sept. 2, when McMillan was shot. He had been at bars in the area and was being driven home by Daniel Nordmark, a corrections officer and acquaintance of McMillan, and Nordmark's sister-in-law, Rita Nordmark.

Somehow, Nordmark's gun went off, killing McMillan.

Based on the blood in the back seat of Rita Nordmark's car and the absence of blood on Dan Nordmark's shirt, as well as other evidence, Sgt. Allen MacKenzie, a veteran detective, determined that McMillan shot himself.

The Nordmarks said the gun went off when McMillan handed the gun from the back seat to Nordmark in the front passenger seat of the car.

McMillan's mother, Dunedin attorney Michaela Mahoney, disagrees with that version of events. She said police are covering for Daniel Nordmark, and that he lied to police about where he and her son were the night of the shooting.

She also said Nordmark should have been charged for handling the gun while intoxicated and allowing her son to handle the gun after he had been drinking. She said witnesses saw Bernie Dillman, Nordmark's friend, fire the gun in a parking lot earlier in the night and that he should be charged for discharging a gun in a public place.

Mahoney has criticized the Police Department for not doing gunshot residue tests and for not taking fingerprints from the gun. Police said residue tests would indicate only whether Nordmark had held the gun, not whether he fired it. Police said they tried to take fingerprints but were not able to lift any from the gun.

Mahoney has filed a wrongful death lawsuit against Nordmark. The suit is pending.


Nordmark and Dillman could not be reached for comment Thursday.


McMillan was a 1999 graduate of FSU, a student lobbyist and a student at Nova Southeastern University

School of Law for a year. He served as a student intern, messenger and Senate page to high-profile politicians, including former Senate President Toni Jennings and former lawmaker Curt Kiser. He was back in the area and had planned to start a new job at American Express a few days after the shooting.

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