

Victim's mother: 'You are a murderer'

GUILTY
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Seven stab sounds. Two slashes to the throat.

State prosecutors relied heavily on the horrific manner of Carlton's death in their quest to obtain a first degree murder conviction against her former husband.

A 12-person jury composed of seven women and five men deliberated for approximately two hours and 40 minutes Wednesday afternoon, Jan. 25, before returning a guilty verdict. (see related story.)

Burns, 47, was sentenced to life in prison without the possibility of parole, and was fingerprinted and led away in handcuffs within minutes of the jury delivering its verdict.

Burns -- who asserted he was acting in self-defense when he swung the knife that delivered the fatal blows after wrestling it from Carlton when she attacked him first -- showed no emotion when the verdict was read.

Family members on both sides of the aisle broke into silent tears.

The two-day trial ended a two-year, eight-month "purgatory" the victim's family has endured since receiving the fateful call on May 9, 2020, that Carlton had been found stabbed to death in the home she shared at times with her former husband, with whom she had an on-again, off-

again relationship.

During the sentencing proceedings, Carlton's cousin, Amy Cope, who was overcome with emotion, asked her daughter Abbi to read a statement.

"I remember the first time I ever laid eyes on you in Deal's with our beloved Lori. The smile she carried that day, and every day, was one of sincere happiness. Months later, when I officially got to spend some time with you and Lori, I remember the tight, sincere hug you gave me when you said with a smile, and I quote, 'She will never have to worry about a man putting his hands on her.'

"I hugged you and said, 'I sure hope not,'" Cope said. "You then said, 'I am going to take care of her and Jeffrey.' Many times since that day I have seen the disrespect you showed her. I would ask why she tolerated such disrespect from you, but Lori always defended your behavior.

"I also remember many times Lori reaching out for help because you broke her phone or took the debit card or money. Even in those times when she would ask for help, she never said a hateful word about you. That in itself shows her character.

"She was a kind, loving peacemaker. I can't think of one person on this earth who would have an ill word to say about her. How dare you get up in front of this court

and family to portray her as anything but the loving person she was. You are a coward, a liar and useless to society. Shame on you for taking Lori from all of us. Shame on you for putting your elderly mother, who needs you, through this.

"I am a Christian and I will find a way to forgive you, but I hope all of the remaining days of your life are nothing less than a nightmare for what you have done not only to Lori, but our entire family. Once again, you were proven to be a liar, just as you were the very first time I met you," Cope concluded.

Carlton's mother, Patricia "Trish" Shiflett, then faced Burns and said, "You made my life a living nightmare, and it will always be that way for the rest of my life. All I ever see every day is Lori lying in a pool of blood and Eli covered in blood crying for his mama."

Shiflett, shaking with emotion, faced Burns head on and continued, "I didn't realize when she left my house that day that would be the last time I would see her. She came to my house after work as usual to pick up Eli for the weekend to go stay at her house in Perry. We told her to drive safely and we would see her Sunday evening. Fast forward to May 9, 2020, approximately 7:40 a.m. I heard the words, 'I'm sorry to have to tell you this, but your daughter is dead'."

Shiflett repeated the words again and again: "I'm sorry to have to tell you this, but your daughter is dead. I'm sorry to have to tell you this, but your daughter is dead."

"A mother's worst nightmare just came true for me. Those words will haunt me forever. I immediately thought about the baby, my grandson, Eli, eight months old. I asked, 'What about the baby?' The deputy told me he was fine, he was at the hospital. Don't worry," Shiflett said.

She shared that the infant, who was found by deputies covered in blood at the foot of his mother's body, "was traumatized by it. It took me about a month to get him to sleep all night again. He would wake in his sleep crying out...you left him there with his mother's dead body, crying and covered in blood. What he must have thought in his little mind -- 'Why won't mama pick me up? Why won't she hold me? Why won't she comfort me?'"

"What went through Lori's mind? Was she begging for her life? I'm sure. Was she begging for her baby's life to be spared? I'm sure...Lori did not deserve this one bit. She had not one mean bone in her body. She always looked for the good in people, including you, no matter what you did."

Shiflett shared that Lori's father "died the same death

-- stabbed and bled to death. How do you think that makes me feel? I have to live with the fact that her father died and bled to death and that our first-born child was killed the same way. I have two nightmares exactly alike because of cowards... People say I'm the strongest woman they know. No, I'm not. I'm broken inside.

"It seems like a bad dream. It has been a long two years and eight months to finally get justice. What does justice look like to me? Life in prison and you sitting behind bars thinking about what you have done. I see no remorse from you. All I see is smugness...you sit there like a model citizen

all dressed up in your nice suit, but you are a murderer.

"The media is here covering this trial, but it's not for your 15 minutes of fame or anyone else's benefit. It's to bring attention to my daughter and to let people know her life mattered and to get justice for her. She is the important one here.

"I want you pay for what you did by spending the rest of your life in prison. Anything less is not justice," Shiflett said.

"So you can appeal all you want. I'll be following that. Don't think I'm going to be gone after today...I'm sure you'll probably hear from me again," she concluded.



Kenneth Brian Burns (left) was fingerprinted, placed in handcuffs and escorted from the courtroom shortly after receiving a life sentence.

State attorney: 'There is no justification'

SWINGING
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The case began more than two years ago when Taylor County Sheriff's Office (TCSO) deputies responded to a burglary alarm at Burns' residence on Foley Cut-Off Road. They found the back door to the home open and could hear a baby crying inside. A search of the home revealed the body of Carlton, 40, in the back bedroom with her eight-month-old son, Eli, at her feet.

During testimony at the trial, it was revealed that Carlton had been stabbed seven times and her throat slashed twice. The baby was not injured.

Some 36 hours after the body was found, Burns returned to the home wearing nothing but a pair of blood-stained jeans. He was immediately taken into custody and subsequently charged with Carlton's murder.

In pre-trial proceedings in late 2022, Burns' former attorney Lucas Taylor announced his client intended to present an insanity defense. However, just two weeks before the trial was set to begin in October, Taylor withdrew, citing an "irreconcilable conflict."

During opening statements this week, Tallahassee defense attorney Nathan Prince presented a self-defense case, arguing that Burns was justified in using deadly force when he stabbed Carlton after she attacked him first with a knife.

Burns himself took the stand, telling jurors he had known Carlton since "2011-12" and that they were married in 2012. After divorcing in 2017, they continued to see one another "on and off."

Burns stated he was working as a lineman in California in 2020, but returned home to Perry after being laid off due to the pandemic (COVID).

During the course of relocating back to Perry, he borrowed \$3,000 from Carlton, he testified.



Assistant State Attorney Will Washington displayed the victim's shirt for the jury with Assistant State Attorney John Weed (not pictured) noting the lack of slash marks on the garment.

home while she worked in Tallahassee and stayed with her mother during the week, Burns said.

On the night in question (May 9, 2020), Burns testified he had gone to a friend's house for a bonfire and returned home around 2:30-3 a.m.

"At some point after you arrived home, did you and Ms. Burns get engaged in a verbal argument?" Prince asked.

"We did. At first we started arguing about how late I stayed out and then it carried on until it led into the fact she kept on pushing about that and I told her I was tired of all the arguing and stuff and I wanted her to leave," Burns testified.

"What did Ms. Burns do when you told her to leave?" Prince asked.

"She said she wasn't going anywhere, she said that I owed her money and she wasn't leaving until I paid her her money," Burns testified.

"And what happened after that?" Prince asked.

"Well, initially I told her if she kept messing with me that I wasn't going to pay her a f---ing thing and she needed to leave. She got mad. I turned and walked away. That's when she struck me in the back of the head. When I turned around, she had a knife in her hand and was coming toward me

swinging," Burns said.

Burns stated the knife was his "Kershaw work knife with a multi-tool attached to it" and that it had a blade that was "about five to seven inches" long.

"You said that she swung the knife at you at that point. What did you do when she swung the knife at you?" Prince asked.

"At that time, I tried to grab her hand and the knife in it, and regained the knife. I got stuck two, maybe three times, I'm not really sure," Burns said.

He said they continued "tussling" for the knife and "at some point I got possession of the knife and she continued to try to take the knife from me, and at that point I just started swinging to keep her from taking the knife from me cause I didn't want to get stabbed anymore. I just started swinging until she didn't come anymore."

"So you said you started swinging. You mean stabbing and slicing that's what happened?" Prince asked.

"Yes," Burns said.

Prince asked if there was any "break" in the "hand fighting" for the knife and Burns replied, "No."

"You said she was trying to take the knife from you. What exactly do you mean by that? What was she doing to take the knife?" Prince asked.

"She was reaching to get the knife still as I was pulling back from her. She was reaching to come at me to take the knife. She wasn't yielding," Burns said.

"We heard testimony and saw pictures indicating a number of stabbing and incision injuries. Why did you inflict so many injuries? Why did you stab, slice so many times?" Prince asked.

"It all happened so fast I don't really know the details of the stabbing. She just kept coming, trying to take the knife, and I just continued stabbing, swinging until she didn't come at me. I was scared she was going to take the knife and stab me again," Burns said.

He testified that after Carlton fell to the floor, he took her baby from the bed and put him on the floor before fleeing the home.

Burns said he got in his truck and drove down Hwy. 27 East into a wooded area, where he spent the night after driving into a ditch and getting stuck due to driving with his headlights off.

He claimed he still had the knife in his hand, but dropped it at some point while running through the woods.

He said when he woke up the next day, he "locked the hubs" on his tires, put his truck in four-wheel drive and backed out of the ditch.

He then drove his truck and hid under a bridge on Hwy. 27 near the fire tower, where he slept in his truck that night, before returning to his residence the next day.

Burns testified he was "scared and wasn't sure what to do or what was going to happen."

Under a brief cross examination, Assistant State Attorney John Weed asked, "Once you got in the woods, you were in shock and scared, but you fell asleep?"

"Yes, cause it was late and I hadn't slept," Burns replied.

"Then you said you went to a bridge?" Weed asked.

"Yes, there's a bridge down by the fire tower that, when I was younger, I had engagements with women under there before when I was younger," Burns said.

"And you fell asleep again?" Weed asked.

"This was the next day,

the next night. Like I said, I was unsure of what to do because of what had occurred. I wasn't sure," Burns said.

"But you were able to sleep soundly?" Weed asked.

"I wouldn't say I slept soundly. I slept. I slept in the back of the truck. I tried to sleep. Don't know how much sleep I really got," Burns replied.

"Thank you. No more questions," Weed said.

In his closing argument, Weed gave an overview of the evidence and testimony presented by the state:

"This was murder, plain and simple. The defendant killed Lori Burns and there was not justification for that. This was not self-defense. The physical evidence shows it was not self-defense, and the defendant's story shows it was not self-defense. There was no justification for this murder."

"The defendant stabbed Lori seven times and cut her throat twice. That sounds like someone who hated someone. He testified it was self-defense, but the law says you may rely on your own conclusion to the credibility of any witness," Weed said.

"A juror may believe or disbelieve any or all of the testimony of any witness. You are not required to believe the defendant. You are not required to give his testimony any merit. You can use your own judgement. You don't have to believe him. I remind you he does have an incentive to lie, exaggerate or twist the facts in his favor. That incentive being he does not want to be convicted of murder," Weed stated.

"The physical evidence is overwhelming that the defendant's story is just not credible. He said once he took the knife from Lori, he just started swinging the knife. That is not what the evidence shows. There are no slashing marks anywhere on her body. The wounds were not from someone swinging. He was piercing that knife deep into her throat, through tissue, bone and cartilage, all the way to the point of the knife hitting her neck bone and vertebrae -- plunging the knife so deep that he severed her artery. Powerful in and

out stabs, not swinging. The defendant's story does not match up with the evidence," he said.

Weed pointed out there were no defensive wounds on Carlton's hands or forearms, adding that there were no chips, cracks or broken nails, stating she was "completely overwhelmed."

Weed disputed the defense's assertion that Burns had a wound on the back of his head allegedly from Carlton initiating the physical altercation after he told her to leave the home.

"The physical evidence does not lie...the defendant can, but the evidence does not," Weed added.

"Does it sound reasonable that she would attack him with her baby right there?" Weed asked.

"Lori did not deserve this. This was murder. There is no justification. The evidence shows what the defendant says did not happen. This was not self defense. This was an attack. How did he inflict all those wounds without Lori fighting back? He completely overwhelmed her to the point she had no chance to fight back. There is no other conclusion -- this was murder," Weed concluded.

LEGALS

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no further notice concerning the matter will be published, unless said continuation exceeds six calendar weeks from the date of the above referenced public hearing.

At the aforementioned public hearing, all interested parties may appear to be heard with respect to the special exception.

Copies of the special exception are available for public inspection at the Office of the City Manager, City Hall located at 224 South Jefferson Street, Perry, Florida, during regular business hours.

All persons are advised that if they decide to appeal any decision made at the above referenced public hearings, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may contact the City Manager's Office at 850.584.7161 Ext. 113 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 800.955.8770 (voice) or 800.955.8771 (TTY).