

# Prosecutors waive death penalty for man charged with first-degree murder of stepson



Allen Eyestone/The Palm Beach Post

D'Andre Bannister, charged in the killing of 4-year-old Tarquez Woodson, is shown in a February court appearance.



Scott Wiseman/The Palm Beach Post

The casket of 4-year-old Tarquez Woodson is carried to its burial place at Royal Palm Cemetery in 2002.



Tarquez Woodson died in August 2002 in his Riviera Beach home. He had bruises all over his body, torn internal organs and brain damage.



Tarquez Woodson died in August 2002 in his Riviera Beach home. He had bruises all over his body, torn internal organs and brain damage.

By [Susan Spencer-Wendel](#)

Palm Beach Post Staff Writer

Updated: 2:45 p.m. Tuesday, March 9, 2010

Posted: 12:02 p.m. Tuesday, March 9, 2010

WEST PALM BEACH — One of the state's oldest death penalty cases — languishing in court for more than seven years — is no longer a death penalty case at all.

Prosecutors have waived seeking the ultimate penalty against D'Andre Bannister after Bannister's primary defense attorney, Evelyn Ziegler, recently withdrew citing serious health reasons.

Bannister's case is set for trial in June, and appointing a defense lawyer who is certified to serve as first-chair in a death penalty case to represent him now may well have resulted in further delay, said a second Bannister's defense attorney, Ron Chapman.

Bannister is charged with first-degree murder in the death of his stepson, 4-year-old Tarquez Woodson, whom Riviera Beach police believe Bannister beat to death in August 2002.

He has been jailed ever since. Delays and changes in judges and prosecutors have caused his case to be one of the longest-pending in Florida.

Chapman now will step in as Bannister's primary defense attorney, assisted by Gregg Lerman, who a judge appointed this week to help. Lerman said prosecutors Cheryl Caracuzzo and Terri Skiles agreed to waive death after being assured by Chapman that the case will be tried in June.

"The bottom line is the case is so old, and they don't want it to drag out any longer," Lerman said.

In the end, the delay could end up saving Bannister's life.

Lerman said that family members of the child were present in court and were said to be agreement with waiving the death penalty.

Tarquez died with bruises all over his body, torn internal organs and brain damage.

susan\_spencer\_wendel@pbpost.com