



Virginia Mock Trial

2017 Tryout Information

How to try out

- Step 1: Sign up for a tryout time*
- Step 2: Fill out the online questionnaire*
- Step 3: Prepare your witness portrayal(s)*
- Step 4: If you're interested in being an attorney, prepare a 2-3 minute speech*
- Step 5: Attend your tryout!*

Step 1: Sign up for a tryout time

Tryouts will be held Friday, August 25; Saturday, August 26; and Sunday, August 27. Each tryout will last about 15 minutes. You can sign up on the Join page on our website, www.virginiamocktrial.org.

Step 2: Fill out the online questionnaire

When you sign up for a tryout time, please fill out our short online questionnaire. It's on [the same page](#) as the tryout sheet. We promise it's not too long; we just ask for a little background and contact info so that we can get in touch with you about your tryout.

Step 3: Prepare your witness portrayal(s)

Everyone who tries out must prepare at least one witness. If you want to be considered as an attorney, you must prepare *one of* three witnesses: (a) Dakota Mandsager; (b) Taylor Strombom; or (c) Robin Wheeler. If you don't plan to give a speech to be considered as an attorney, you'll *also* need to prepare another witness named Jan DeFoe

For this part of the tryout, a current program member will act as the attorney and ask you questions, just like you're testifying at a trial. Each witness has a brief script of 10-15 questions and answers, which you can find at the back of this packet. You should feel free to alter or expand on all the answers in the scripts we've written, and there are also a few questions in each script where we give you the chance to write an entire answer yourself. If you're trying out as an attorney, it's fine to have the script with you for your

witness portion. If you're trying out as a witness-only, we'd ask you to memorize at least one of the two scripts.

Be creative in preparing your witness(es)—come up with a character, wear a costume, use an accent. For tips about creating a great witness, see the one-page “Tips For Creating A Great Witness” sheet later in this packet.

Step 4: If you want to be considered as an attorney, prepare a 2-3 minute speech

You *do not* have to tryout as an attorney. But, if you want to, you'll *also* need to prepare a 2-3 minute speech. Specifically, we'd like you to write a closing argument for either the prosecution or the defense for a trial involving a fictional character. For example, in the past, we've had people defend Scar against charges of murdering Mufasa or prosecute Batman for violating an anti-vigilante law.

Be creative! You pick the crime, you name the defendant, and you tell us why s/he should or shouldn't go to jail. Feel free to make up any facts, witness testimony, or evidence that you'd like. Have fun with it.

Don't worry: we're not grading you on the format of your speech or your knowledge of the law. What we care about are your public speaking ability and your ability to develop a compelling argument. We're looking for presence, passion, persuasiveness, and poise. For that reason, we'd ask that you not use any notes when giving your speech.

Step 5: Attend your tryout!

Obviously, the most important part of the tryout process is ... the tryout. A few things to remember for the day of:

- Please arrive at least 5 minutes before your scheduled tryout time. Call our President, Liam Fineman at (561) 568-1933 if you're having any trouble.
- *Dress code:* If you want to be considered as an attorney, wear a suit if you have one. If not, no big deal: we'd suggest a collared shirt or blouse and slacks or a skirt. For witness tryouts, we strongly encourage costumes that fit whatever character you've crafted. Please arrive at your tryout dressed for whatever part you'd like to do first.

What happens next?

Our tryout process has two rounds. We'll let you know if you made it to the second round no later than the evening of Tuesday, August 29. The second round of tryouts will be Wednesday, August 30; Thursday, August 31; and Friday, September 1.

Questions?

Please contact our President, Liam Fineman at (561) 568-1933 or lcf2db@virginia.edu.

Prosecution Direct Examination of Dakota Mandsager

Skyler Sinclair was a college student involved in a drug operation with other members of her school. When Skyler learned that one of her accomplices, Jamie Robinson, was actually an undercover police officer, she arranged to meet Robinson at the Midlands Marina. The next day, Jamie Robinson was found beaten to death with a baseball bat. Dakota Mandsager never knew either of these people, but did see someone carrying a baseball bat down to the marina on the night of March 18, 2016, the night before Jamie Robinson was found dead. That same night, Robinson walked into Mandsager's store before walking down to the marina. Mandsager was potentially the last person to see Robinson alive.

1. Could you please introduce yourself to the member of the jury?
 - a. *Introduce yourself to us in character!*
2. Where do you work, M. Mandsagar?
 - a. *In this answer, you should name the convenience store where you work, but also describe something unique about your job. It can be something in your affidavit, but it doesn't have to be. Many of the best answers we've used for character witnesses can't be found in the affidavit.*
3. How did you end up working at Lande's Landing?
 - a. *You won't find an answer for this in the affidavit. Be creative! Try to give us a sense of who your character is in this answer.*
4. Where exactly is that store?
 - a. About 45 minutes from town. We're right next to the Midlands Marina.
5. Mr. Mandsagar, I want to talk to you about March 18th of last month. Were you working that night?
 - a. *After saying "yes, I was working," give us an explanation for how you remember being at the store that night. Again, this won't be a fact that you necessarily find in your affidavit so you should have fun with it.*
6. How many people did you see in or around your store that night?
 - a. Just two. One girl and one guy.
7. When did you first see the first person?
 - a. Just before 10 p.m. She pulled up in a silver Honda.
8. What happened next?
 - a. *Use this answer to discuss and describe, in detail, the ski mask that you see the woman put on.*
9. So what'd the defendant do after she put on that mask?
 - a. *Describe the baseball bat she pulled out of the trunk: What did it look like? Did she try to hide it or did she think she was safe because nobody was watching her?*
10. So what'd the defendant do after you saw her with that mask and bat?
 - a. She looked around, and then walked down the path . . . towards the Marina.
11. You mentioned seeing someone else that night, a man. When was that?
 - a. Just a few minutes after I saw the woman go down to the Marina.
12. Could you describe that man to the jury?
 - a. Yes. He came into the store. He was white, had short hair and was very tall. Easily over 6 feet.

13. If I showed you a photograph, could you tell us whether that photograph shows the man you saw? (*We will provide the photograph, no need to worry about that*)
 - a. Of course
14. Your Honor, may I show the witness what's been entered as Exhibit 5, the photo?
15. Do you recognize what I just handed you?
 - a. Yes. This is the man I saw in the store. He bought a Gatorade and walked out.
16. After he left your store, where'd he go?
 - a. I watched him head down the path to the docs and never saw him again (*Pause, remember that this man is the person who was killed and you were probably the last person to ever see him alive*). He was walking down the same path the woman with the bat and mask went down just a few minutes before.

AFFIDAVIT OF DAKOTA MANDSAGER

1 After being duly sworn upon oath, Dakota Mandsager hereby states: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed.

3 I am the night manager at Lande’s Landing, a full stop convenience store located near the
4 Midlands Marina. We have everything at the Landing, from bait, to cigarettes, to a pretty good
5 liquor selection. We’re also not really busy because we’re so far out of town. Not many college
6 kids are going to drive the 45 minutes (if traffic is good) from Midlands State to stock up for
7 their toga parties. Plus, the cell phone reception is awful at the Marina, and college kids don’t
8 like venturing into the land without mobile internet.

9 I was working alone on the evening of Friday, March 18, 2016. Since it was a slow night,
10 I was sitting in the office reading a book. Around 9:45pm, a silver Honda Accord roared into the
11 parking lot. The driver got out and looked around. I got a clear look at this person’s face. It
12 didn’t look like there was anyone else in the car. The person was wearing a black shirt, black
13 pants, and flip-flops. I had never seen this person before. The person had been out of the car for
14 about 15 seconds before the person put on a dark-colored ski mask, took what looked like an
15 orange baseball bat out of the trunk of the car, and started down the path toward the dock. I
16 didn’t notice anything odd about how this person was walking, or anything like that. I wish I had
17 called the police right then—it’s not every day I see someone who looks like they’re about to rob
18 a bank in my parking lot—but I didn’t know there was going to be a murder that night.

19 I had a pretty awesome view. The office at the Landing, which is right behind the cash
20 register in the southeast corner of the building, has a nice big (bulletproof) window in it. From
21 the window, I can look out and see people in the parking lot. That’s nice because I have plenty of
22 time to get to the cash register when I see someone pull up. Even though it was dark, the parking
23 lot is ridiculously well-lit. Plus, I was pretty close. The silver Honda was about 50 feet from
24 where I was sitting in the office at Lande’s Landing. So, I wasn’t close enough to make out the
25 person’s eye color, but I definitely remember other things, like about how tall the person was.
26 We have one of those rulers on the door jam to exit the Landing, and I play a little “How Tall
27 Are You?” game with everyone who comes in ... just practicing for the day I’m inevitably
28 robbed.

29 About five or 10 minutes later, I saw a red minivan pull up. I saw two people inside. The
30 passenger got out and came into the store while the van pulled away. I had never seen this person

31 before, either. Inside the store, this second person picked out a blue Gatorade and came up to the
32 cash register. I'm kind of a talker when someone is checking out, and I was particularly curious
33 why someone would get dropped off—alone—at 10pm on a Friday in March. I introduced
34 myself to the person and they introduced themselves back as “Mickey Keenan.” This Keenan
35 person mentioned wanting to go fishing ... but that was odd to me, since Keenan didn't have a
36 fishing pole. I thought maybe the thing I saw the silver Honda person pull out of the trunk was a
37 fishing pole. I didn't mention the first person to Keenan, but I thought maybe they were going
38 fishing together. Keenan bought the Gatorade, walked out of the store, through the parking lot,
39 and down toward the path that leads to the dock. Usually, the only person at the Marina at night
40 is Sam Fisher, the hermit who lives on a houseboat at the Marina. I try to talk to Sam when Sam
41 comes in to the Landing to buy groceries—contact with other people is healthy!—but I think
42 Sam hates me. Sam has a reputation for spinning tall tales and stretching the truth. My gaming
43 group is always looking for more people, but I wouldn't want to put up with Sam's stories.

44 I did not see the person from the Honda or the person from the minivan again that night.
45 The docks are about 300 feet from the Landing and, because there aren't any lights down at the
46 dock, you can't see anything that goes on down there after sunset. It was also really foggy; I
47 couldn't see the water from my window that night, and I certainly didn't hear anything coming
48 from the docks that night. Probably around 10:30 pm or so—I was really engrossed in my book
49 and wasn't really paying much attention to the time—I noticed that the parking lot was empty.
50 I'm not sure when the Honda left. I just looked up from my book and noticed that the car was
51 gone.

52 Someone must have called the cops, because around 1am on March 19 one cop, Harley
53 Turner, came into the store and started asking questions. I was still wrapped up in my book. And
54 I didn't totally understand what Turner was asking about, so I said I hadn't seen anything
55 suspicious. (I didn't know I had seen anything suspicious!) Turner left a business card and told
56 me to call if I remembered anything that could be helpful. I stayed in the store the whole night
57 until I got off at 2am on March 19th.

58 I went home, but I couldn't fall asleep. I turned on the news and saw that a cop had been
59 killed. They showed the cop's picture, and I realized that it was Keenan, purchaser of blue
60 Gatorade. I realized I was probably one of the last people to see Keenan alive! I wanted to check

61 that the dead person was the Gatorade person, so I went back to the Landing to check the
62 security footage. It was the same person!

63 At this point, it was about 7:30 in the morning, and I immediately called Turner. Turner
64 asked me a bunch of questions and I answered them. Turner told me to “preserve the evidence”
65 and not delete anything, so I didn’t. But somebody did. I’m pretty sure it was Mrs. Lande, my
66 boss. When Turner came out to the Landing at about 10:15am to get the surveillance video and I
67 didn’t have it, I could tell Turner was mad. I also told Turner about the silver Honda—and that a
68 person had gotten out wearing a ski mask and flip-flops just before the murder. I told Turner that
69 the person who left the silver Honda was right on the cusp of being 21 or 22 years old ...
70 definitely someone you have to card before you sell them a bottle of Woodward’s Reserve. I told
71 Turner about the mask, the flip-flops, and the baseball-bat-looking thing that the person was
72 carrying. I checked for receipts, too, and gave the receipt for the purchase to Turner.

73 Turner asked me to come into the station on Sunday, March 20. Turner said that the
74 police needed me to identify the person that I saw get out of the Honda that night. I was really
75 excited to be the person who goes to the station to identify the murderer. But it wasn’t like TV at
76 all—I was expecting to get to sit behind one of those mirrors and stare out at a half-dozen people
77 and pick the perp. But that’s not what happened.

78 I got to the police station around lunch time. Turner had me sit at a table and told me that
79 I would look at six different pictures one at a time, and, once I looked a picture, I couldn’t look
80 at it again. Turner said that the perpetrator may or may not be in the stack of photos, so I
81 shouldn’t feel bad if I said that the person I saw wasn’t there. I looked really hard at all six of the
82 pictures—probably for like five whole minutes—before I said that Picture 3 was the person that I
83 saw. I was pretty sure I picked the right person then, and I’m still pretty sure today. Like an 8/10.
84 Turner said Turner would call me if Turner needed anything else.

85 I’ve followed the publicity that surrounds this case. I know now that the person that I saw
86 at the scene—and the person that I identified at the police station—is Skyler Sinclair. If asked to
87 identify Sinclair as the driver of the Honda in court, I’m sure I could do so. To tell you the truth,
88 it makes me feel good to know I can help put a murderer away.

89 Of the documents and exhibits I have been shown in this case, I am familiar only with the
90 following: Exhibit 11 is a map of the Midlands Marina. It is accurate, though I only know what a
91 couple of the letters mean—“D” is Lande’s Landing, and “E” is where I saw the silver Honda

92 park. I think “C” might be Sam’s houseboat, but I’m not sure, because Sam has never invited me
93 aboard. Exhibit 12 is the receipt for Mickey Keenan’s purchase on March 18, 2016. Exhibit 1 is a
94 picture of a ski mask, and it looks like the ski mask worn by the first person I saw on March 18,
95 2016—I’m talking about the person who got out of the silver Honda. Exhibit 2 is a flip-flop that
96 looks like one of the flip-flops that the same person was wearing, but I’m not totally sure.
97 Exhibit 5 is the same picture of Mickey Keenan that I saw on the TV news.

98 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
99 statement, I was told I should include everything that I know may be relevant to my testimony,
100 and I followed those instructions. I know that I can and must update this affidavit if anything
101 new occurs to me until the moment before opening statements begin in this case.

102
103
104
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106
107

Dakota Mandsager

Duly Subscribed and Sworn By Me on this, the 24th day of March, 2016:

Jones Moeller
Notary Public

Defense Direct Examination of Taylor Strombom

Skyler Sinclair was a college student involved in a drug operation with other members of her school. When Skyler learned that one of her accomplices, Jamie Robinson, was actually an undercover police officer, she arranged to meet Robinson at the Midlands Marina. The next day, Jamie Robinson was found beaten to death with a baseball bat. Taylor Strombom is a classmate of Sinclair's. The purpose of this *defense-side* direct is to give Sinclair an alibi for the time of the murder.

1. Could you please introduce yourself to the members of the jury?
 - a. *Introduce yourself to us in character!*
2. Are you in school?
 - a. Sure am! I am a sophomore at Midlands State University.
3. What do you study at Midlands State?
 - a. *In this answer, you should tell us about what you plan to study while there. It can be something mentioned in your affidavit, but it doesn't have to be. Many of the best answers we're used for character witnesses can't be found in the affidavit.*
4. Do you know someone named Skyler Sinclair?
 - a. I do. *(Tell us how you met Skyler. Include the base answer from the affidavit but feel free to expand on that!)*
5. How well would you say you know Skyler?
 - a. *Be creative! Give us some examples.*
6. I want to talk about the evening of March 18th, where were you that night?
 - a. I was at a music concert for class. With Skyler.
7. Why were you and Skyler at a concert?
 - a. Well, Skyler and I are in this class together – Music in the Midlands. We have to go to two concerts a semester, write a paper... that's how we get our grade.
8. When was the first time you saw Skyler that night?
 - b. Right before the concert began, so 8 p.m. I was sitting in my seat and I saw Skyler sit down 3 rows in front of me.
9. Was that the only time you remember seeing Skyler that night?
 - c. No. I saw her again at end of the concert.
10. What was she doing?
 - d. Our teacher has this sign-in sheet to prove we were at the concert. Skyler signed it right before I did.
11. Do you remember what time it was when you saw Skyler sign that sheet?
 - a. Well the concert was two and a half hours long... so it had to be about 10:30 at night.
12. M. Strombom, between 8 pm and 10:30 that night, did you ever see Skyler leave the concert?
 - a. No. Not at all. She was sitting just three rows ahead of me...the whole time.

AFFIDAVIT OF TAYLOR STROMBOM

1 After being duly sworn upon oath, Taylor Strombom hereby states: I am 20 years old and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed.

3 I am a sophomore at Midlands State University. I'm involved in a lot of extracurricular
4 activities at MSU, but the most important to me is Mu Tau, my co-ed Student Social
5 Organization. I'm currently the Social Chair for Mu Tau. Next year, I'm going to run for
6 president, to make Mu Tau great again! Joining Mu Tau is the best thing that happened to me
7 since I've been at MSU.

8 I know Skyler Sinclair, but not really, really well. Skyler was my pledge parent when I
9 was rushing Mu Tau, but we haven't really hung out since. Skyler lives with Alex Everett, who
10 is also in Mu Tau, but I've only been over to Skyler's and Alex's apartment a couple of times.
11 It's a nice place. It's in Bulldog Apartments, which is the nice apartment complex that is part of
12 the residence hall system. It is right next door to the Watt Performing Arts Center on campus.
13 The best part about living in Bulldog is that the Resident Assistants never come around to check
14 on anything, or so I'm told.

15 I think Skyler and Alex use the lack of RA supervision to run their little side business.
16 Skyler never explicitly mentioned it to me when I was rushing Mu Tau. But last December, as I
17 was studying for finals, I needed something to stay awake and alert. I asked my friend Payton if
18 she preferred Red Bull or 5 Hour Energy. She told me that she had a better idea: Adderall. I
19 talked with Skyler, and Skyler hooked me up with a few pills for free. They kept me awake and
20 helped me ace the final for my Philosophy of Adele class. Let me be clear, though. I wasn't
21 using Adderall like the other people at MSU; I was using it just to help with finals. It worked, but
22 I swear I never ever went and bought any from Skyler (or anyone else). I think Red Bull is
23 delicious. I should also say that I have no idea if Skyler and Alex were working with Malcolm or
24 not. I've seen the news and heard the rumors: Malcolm is the organized crime lord of Midlands.
25 No one crosses Malcolm and lives to tell about it. I just can't believe Skyler and Alex would be
26 in the same league as that guy.

27 In the spring of 2016, Skyler was enrolled in my Music in Midlands class. I say
28 "enrolled" because Professor Harris called Skyler's name on the first day of class (Skyler
29 skipped ... it was syllabus week after all), and I saw Skyler in class a couple of other times.
30 There are about 60 people in the class, so you can't always tell whether Skyler skips class or not.

31 But, when I see Skyler, I always sit next to Skyler in class. I even thought of asking Skyler for
32 some more Adderall. But, Skyler had high prices, and Skyler didn't cut deals for anyone that
33 Skyler couldn't use for a favor later on.

34 Alex wasn't in my class, and I only saw Alex again once we started winter practices for
35 our intramural softball team. Skyler, Alex, and I all play on the Mu Tau team. It's a long walk to
36 the intramural fields for games, and Skyler usually drives us since neither Alex nor I have a car
37 on campus. Skyler has a great parking spot in the lot right behind the Watt Performing Arts
38 Center. Skyler's car, a silver Honda with a Midlands Marauder's plate MSUBOSS, is always
39 parked in that lot. Skyler doesn't let anyone else drive the car, not that Alex would want to—
40 Alex grew up in New York City and is terrified of driving. I'm positive that Alex has never
41 driven a car before.

42 The Mu Tau team is pretty decent—well, Alex is really good, but the team isn't very
43 good. Alex is taller than Skyler—about 3 inches taller, probably. Alex is also a much better
44 athlete (though Skyler is the only person on our team who bats left-handed, which can throw
45 some pitchers for a loop). Alex has a lucky orange bat that Alex always uses, and Alex won't let
46 anyone else touch it. Alex is really superstitious like that. I have literally never seen anyone
47 other than Alex touch that bat. Alex stores the bat (in its bag) in the trunk of Skyler's car.

48 We thought we had a shot at winning the league this year because Alex is so good, but
49 that all came to a screeching halt the first week in February. We were practicing indoors in the
50 Rec Center when Alex stepped funny and fell to the floor. I felt sorry for Alex. (Bawling on the
51 gym floor in front of all of your friends isn't a good look on anyone.) Alex had surgery to repair
52 Alex's ACL right after that.

53 In March of 2016, it seemed like Alex and Skyler were feuding with each other. I saw
54 both of them at Mu Tau's annual Cops and Robbers party on the evening of Friday, March 11.
55 (Skyler was the robber wearing all black, a black ski mask, and black flip-flops ... Skyler loves
56 flip-flops; Alex wore a cheap cop uniform that Alex probably bought from Toby's Supplies.) I
57 heard Skyler and Alex screaming at each other. I'm not sure if they were arguing over their
58 apartment, their business, or what. I heard Skyler say to Alex, "With Mickey not doing anything
59 and you taking over my job, it looks like you're trying to get rid of me. I won't allow that." Alex
60 said, "Sounds like I need to watch my back." Skyler just looked at Alex with a weird look and
61 said "I'll do better than that" and walked away. I didn't see them together again that night.

62 Alex got off crutches in the beginning of March 2016, but up until the last time I saw
63 Alex (around March 15, 2016), Alex was limping around like Alex's left leg was on fire.

64 The evening of Friday, March 18, 2016, I attended a live musical performance for the
65 Music in Midlands class at the Watt Performing Arts Center on the Midlands State University
66 campus. As part of the class, you have to go to two on-campus concerts (one before midterm and
67 one after midterm) and write papers connecting the concerts back to your personal experiences. I
68 procrastinated, so I was stuck going to the last concert before the break: a solo performance of a
69 man with his sitar. I was less than thrilled.

70 I got to the Watt Center at 7:45pm. The place was packed, and I didn't see anyone from
71 my class when I arrived. Just as the lights went down, I thought I saw Skyler sitting three rows in
72 front of me. It was hard to tell because the person I think was Skyler was wearing all black, and I
73 only saw the back of this person's head. Some other people from class trickled in before the
74 music started. The concert was pretty dark ... just the man and his sitar under a single spotlight.

75 I didn't see Skyler at the concert's intermission, but I wasn't really looking for Skyler.
76 After the concert, I saw Skyler sign the sign-in sheet. Professor Harris doesn't go to the
77 concerts, so she uses a sign-in sheet that they put out at the end of the concert—that way you
78 can't just sign in and leave. (I don't think the professor has figured out that you can also just slip
79 in at the end and sign without sitting through the concert, but I wasn't going to burst her bubble
80 on that loophole.) I never got a chance to talk to Skyler at the concert. By the time I made it over
81 to the sign-in sheet, Skyler had vanished. There was only one name other than Skyler's on the
82 sign-in sheet when I signed it. I signed in right under Skyler. I then went back to my apartment,
83 and pulled an all-nighter working on the paper for my Music in Midlands class. I didn't leave my
84 apartment the rest of the night.

85 I heard that Skyler is accused of that murder at the Midlands Marina (a place I've never
86 visited), but I swear I saw Skyler at the beginning of that concert, and that was at 8:00pm. I
87 remember because I thought it was ridiculous that you would wear flip-flops to a concert! You
88 should dress up for things like this! But, Skyler wears flip-flops everywhere. I've never seen
89 Alex wear flip-flops. I also saw Skyler at the end of the concert, at about 10:30pm or so. I can't
90 say that I saw Skyler during the concert's intermission, but I wasn't really looking for Skyler.
91 Yeah, there weren't very many people from our class at the concert, but it was packed with other
92 people. Who knew that sitar music is so popular?

93 I am so ready for this case to be over. I like to watch Law & Order on TV, but
94 participating in real life is not so much fun. The only other time I've been in a courtroom was
95 when I got picked up for shoplifting in sixth grade. I wasn't technically convicted of a crime (so
96 I never have to check that box on job applications), but I was adjudicated delinquent. I've kept
97 my nose clean ever since.

98 Of the documents and exhibits I have been shown in this case, I am familiar only with the
99 following: Exhibit #1 looks like the ski mask that Skyler had at the Cops and Robbers party.
100 Exhibit #2 looks like flip-flops I've seen Skyler wear. Exhibit #4 is a picture of Alex's bat.
101 Exhibit #10 is the sign-in sheet that Skyler and I signed at the end of the sitar concert on March
102 18, 2016. The attorneys showed me the text of Stipulations #6 and #7, and they accurately
103 describe my friends Skyler and Alex.

104 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
105 statement, I was told I should include everything that I know may be relevant to my testimony,
106 and I followed those instructions. I know that I can and must update this affidavit if anything
107 new occurs to me until the moment before opening statements begin in this case.

108 *Taylor Strombom*

109
110 Duly Subscribed and Sworn By Me on this, the 25th day of March, 2016:

111 *Monica Davis*
112 Notary Public

Prosecution Direct Examination of Robin Wheeler

Skyler Sinclair was a college student involved in a drug operation with other members of her school. When Skyler learned that one of her accomplices, Jamie Robinson, was actually an undercover police officer, she arranged to meet Robinson at the Midlands Marina. The next day, Jamie Robinson was found beaten to death with a baseball bat. Robinson had been investigating the drug scheme with his/her wife/husband, Robin Wheeler. On the night before Wheeler's husband/wife was murdered, Wheeler dropped Robinson off at the marina; that was the last time Wheeler saw his/her wife/husband.

1. Could you please introduce yourself to the jury?
 - a. Hi, my name is Robin Wheeler.
2. What do you do for a living sir/ma'am?
 - a. I'm a police officer over in Polk County.
3. Where do you live?
 - a. I live in Midlands City, on the west side of town. My husband/wife and I bought our house there about 10 years ago.
4. Who is your husband/wife?
 - a. Jamie Robinson (*include the fact that he/she is now dead and how long it's been since your that night*)
5. How did you meet your husband/wife?
 - a. *The right answer to a good character question may not necessarily be in the affidavit. This is your chance to be creative.*
6. What did your husband/wife do for a living?
 - a. She/He was a police officer too. She/He worked for the Midlands State Police Department.
7. What kind of work did your husband/wife do with the MSPD?
 - a. He was in the undercover operations division. Before she/he died, we were actually investigating a drug trafficking case together at MSU, Midlands State University.
8. Can you tell the jury whether the name Skyler Sinclair ever came up during that investigation?
 - a. Well, sure. Sinclair was one of the students being investigated. Jaime had the lead on her.
9. Sir/ma'am, we need to walk through what happened on the day your husband/wife died.
 - a. I understand.
10. When was the last time you saw him/her?
 - a. It was a little before 10PM. I just dropped him/her off at the Midlands Marina.
11. Why did you go to the marina that night?
 - a. *Use the information from the affidavit and your own sense of Wheeler's character to describe why you drove your husband/wife to the marina that night.*
12. What happened when you got to the marina?
 - a. Jamie got out of the car, he walked into the store. And that ... was the last time I ever saw him.

13. What happened after you got home?

- a. *Use the information in the affidavit to explain the steps you took to figure out what happened to your husband/wife. You don't know what's happened at this point, but you are frantically trying to get answers.*

14. What happened next.

- a. *Explain to the jury that you now realize your husband/wife isn't coming home.*

AFFIDAVIT OF ROBIN WHEELER

1 After being duly sworn upon oath, Robin Wheeler hereby states: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed.

3 I am currently an investigator in the Polk County Police Department. I am also a
4 reservist in the Midlands National Guard, where I hold the rank of lieutenant colonel. I used to
5 work for the Midlands Department of Justice, but I came to the PCPD in 2008. I grew up in Polk
6 County and, after that horrible shooting in 2005, I wanted to help the department get back on its
7 feet. I am a certified peace officer.

8 Jamie Robinson was my spouse. We met about a decade ago when we were canvassing
9 neighborhoods for a kidnapped kid named Bailey. We finally got married on June 27, 2015, after
10 dating for years. Like a lot of cops, Jamie could seem a little gruff and tough. But Jamie was
11 really a softie. We had talked about starting a family—we even bought a red minivan in January.

12 On the evening of March 18, 2016, the day of the murder, Jamie and I had dinner at our
13 home. Jamie testified in Avery Bancroft’s corruption trial that day, and I worked a routine case
14 on the south side. As we were finishing dessert, Jamie’s phone started to buzz. Jamie gave me a
15 look: I recognized that Jamie needed to do some undercover work, and I kept myself busy while
16 Jamie sent a couple of messages on a cell phone. When you’re involved with someone who has
17 to go undercover, you get used to the covert messages. Around 9:15 PM, Jamie told me that
18 Jamie needed to get to the Midlands Marina to meet one of the college students Jamie was
19 investigating. I pushed back a little bit; Jamie had been in court all day testifying, and I wanted
20 Jamie to stay at home and relax. But Jamie told me that the reason for that night’s meeting at the
21 docks was to introduce Jamie to Malcolm, the students’ supplier. Jamie said this was going to be
22 a “big break” in the case, since they were after “the big fish, not the little fish.”

23 Jamie said Jamie needed a ride to the Midlands Marina, and I dropped Jamie off around
24 9:55 PM. The Marina is a ways out of town, and it has gotten pretty run down the last few years.
25 It’s about a 30-minute drive from our house, and a 45-minute drive (in good traffic) from
26 Midlands State. When we arrived, I noticed a car parked outside Lande’s Landing, the
27 convenience store at the Marina. It had a Midlands Marauders plate, vanity number MSUBOSS.
28 There was no one in that car, and I didn’t see anyone inside the store, other than the clerk. I did
29 see an Apple laptop—I could tell based on the lit-up Apple logo on the cover—sitting on the
30 passenger seat in the car. I also noticed that whoever parked the Honda didn't do a very good job.

31 It wasn't parked straight in the space; it was at a slight angle and one of the tires was on the
32 parking line. As Jamie got out of the car, I said, "Be safe out there." Jamie flashed me a smile,
33 waved, and told me that Jamie was going to stop at Lande's Landing to grab a blue Gatorade
34 (Jamie's favorite) before heading to the Marina. Jamie told me not to wait up that night. I can't
35 remember whether Jamie said a coworker was going to pick Jamie up, or maybe Jamie planned
36 to take an Uber ... either way, Jamie had to see a judge about a warrant after Jamie finished at
37 the docks.

38 That day, Jamie and I had been texting frequently—we did that constantly. Usually stupid
39 stuff. Cop jokes. Snarky rants about how lawyers think they can do police work better than we
40 can. Stuff like that. I gave Harley Turner screenshots of the last few texts we sent. The one that
41 I'll never forget was sent as I was pulling away from the Marina. It was time-stamped 9:59 PM,
42 when Jamie said: "Love you, babe." Jamie was a nerd like that—always using good grammar
43 and capital letters and punctuation in text messages. Jamie used to gently tease me that I text like
44 a twelve-year-old, because I use abbreviations and acronyms and emojis.

45 When I got back to town from the Marina, I saw that I had a voicemail, text messages,
46 and several missed calls from Jamie's coworkers. The voicemail said that Jamie's cover had
47 been blown—by that sleazy, good-for-nothing, diva of a reporter: Regan Thomas. One of the text
48 messages had a link to the BNN web story that "outed" Jamie as "Mickey Keenan." Another
49 explained that the MSPD was pretty sure Bancroft's dirtbag defense attorney was responsible for
50 leaking Jamie's photo to the media.

51 I tried to warn Jamie, but I knew how poor the cell reception is at the Marina—I figured
52 they wouldn't get through. I seriously considered driving the 30 minutes back to the Marina, but
53 I knew that it would blow Jamie's cover if I (a known police officer) rolled up to chat with
54 someone helping college drug dealers. I sent Jamie messages to come home ASAP.

55 I was nervous, but not quite panicked, when I didn't hear from Jamie right away.
56 Undercover work means a lot of late nights. But as the night wore on, I started to worry more.
57 When the phone rang a little after 3:00 AM and I saw that it was Jamie's sergeant, my stomach
58 sank. My hands started to shake. All I remember is Sergeant Walsh saying "Robin, I'm so sorry."
59 I started crying and hung up.

60 Immediately after I hung up with Walsh, I remembered the silver Honda I saw in the
61 parking lot of Lande's Landing. I grabbed my laptop off the nightstand and ran the plates

62 through the Midlands Department of Transportation database. The plates matched a silver Honda
63 Accord registered to Skyler Sinclair, whose address was at Midlands State University. I wasn't
64 sure that car had anything to do with Jamie's death, but I passed the information along to the
65 investigators who were working the case, including Harley Turner, when I was interviewed. I
66 knew of Turner by reputation, but we didn't actually meet until Turner started working this case.
67 Turner works for the Midlands DOJ, which is administratively and functionally separate from
68 both the PCPD, where I work, and the MSPD, where Jamie worked.

69 Dealing with Jamie's death has been hard. I have always known being a cop was
70 dangerous, but I still can't believe Jamie is actually gone. I come from a family of blue bloods—
71 everyone works in or near law enforcement. My dad, his sister, and their dad before them were
72 cops. My mom was an Assistant District Attorney in the Midlands District Attorney's Office.
73 Even my eccentric cousin Dexter is a blood-spatter analyst in Miami. I wish Jamie had stayed on
74 the white-collar crime task force. Those guys are crooks and thieves, and Bancroft was obviously
75 corrupt, but at least he didn't kill anyone. To be totally honest, I had a bad feeling about this
76 college case from the get-go. Jamie started working on it as soon as Bancroft was arrested, right
77 around April or May of 2015. Jamie worked the case all summer and fall.

78 Harley Turner showed me the search-warrant application found on Jamie at the Marina
79 that night. The affidavit accurately describes everything I knew about the case from Jamie. The
80 short version is that two students at Midlands State were drug dealers, selling Adderall and other
81 "study" drugs. Jamie was after their supplier: Malcolm, Midlands's most notorious drug dealer.
82 Part of Malcolm's operation involves getting college kids hooked on entry-level drugs, like
83 Adderall and painkillers, and then slowly introducing them to "harder" drugs. Malcolm and his
84 "staff" are suspected in several homicides over the past three years, and Jamie's job was to
85 infiltrate the ring to take Malcolm down. In the spring of 2015, Jamie decided that starting at the
86 very edge of the ring—with college kids who deal prescription study drugs—was the easiest way
87 into the organization. Jamie went undercover in the summer of 2015 as a tech wiz, and I know
88 the long-term plan was to flip the kids and get them to turn on Malcolm.

89 The whole thing seemed dangerous to me, but Jamie said that, after taking down
90 Bancroft, a couple of college kids were nothing to worry about. It was the supplier that was the
91 real bad guy, especially if it was cartel- or gang-related. Despite my spouse's bravado, I do think
92 Jamie was a little rattled in the weeks leading up to the murder. On March 12, 2016, Jamie

93 showed me an e-mail to applefritter33@kmail.com from a midlandsstate.edu address, which
94 Jamie said belonged to one of the suspects. I remember thinking it was odd the e-mail was from
95 Sinclair, because Jamie always said the other student—not Sinclair—seemed dangerous. I
96 provided that e-mail to Turner when Turner interviewed me after Jamie’s funeral on the 20th.

97 After the threatening e-mail, Jamie mostly pretended like nothing was wrong, but I could
98 tell Jamie was worried. Spouses know these things. Even though Jamie never told me anything
99 more about the threat, I saw Jamie do things like triple-check that our doors were locked at night
100 and circle around the block to make sure we weren’t being tailed. Multiple law enforcement
101 agencies, including the PCPD and MSPD, believe Malcolm and his syndicate have been
102 involved in the killing of material witnesses. Malcolm is also rumored to have put a price on the
103 heads of police officers. It is well documented that Malcolm “inspires” loyalty with the very real
104 possibility that anyone who is disloyal disappears. This is all a long way of saying that I thought
105 Jamie was being paranoid at the time. Now I know that Jamie was right.

106 I am familiar with only the following exhibits: #5 Photograph of Jamie Robinson; #6
107 Search Warrant Application; #7 E-mail to applefritter33@kmail.com; #11 Map of Midlands
108 Marina; #13 BNN Report; #14 Robinson-Wheeler Text Messages; #16 License Plate Report. On
109 the map of the Marina, I recognize that “D” is Lande’s Landing and “E” is approximately where
110 I dropped off Jamie on March 18, 2016. The silver Honda that I saw parked outside Lande’s
111 Landing was also located approximately near “E.”

112 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
113 statement, I was told I should include everything that I know may be relevant to my testimony,
114 and I followed those instructions. I know that I can and must update this affidavit if anything
115 new occurs to me until the moment before opening statements begin in this case.

116
117 Robin Wheeler

118
119 Duly Subscribed and Sworn By Me on this, the 24th day of March, 2016:

120 Brian Van Sant
121 Notary Public

Prosecution Direct Examination of Jan DeFoe

Skyler Sinclair was a college student involved in a drug operation with other members of her school. When Skyler learned that one of her accomplices, Jamie Robinson, was actually an undercover police officer, she arranged to meet Robinson at the Midlands Marina. The next day, Jamie Robinson was found beaten to death with a baseball bat. Jan Defoe was the crime scene investigator who analyzed the physical evidence found at the scene of the murder. The point of this direct is to explain the surfaces where blood was found and the scientific process used to match portions of that blood to Skyler Sinclair.

1. Could you please state your name for the record?
 - a. Sure. I'm Jan DeFoe.
2. What do you do for a living, sir/ma'am?
 - a. I'm a crime scene investigator with the Midlands Crime Lab.
3. How long have you worked there?
 - a. About four years now.
4. What sort of educational background do you have?
 - a. *Use the report to describe your background to the jury.*
5. What was your role in the investigation of the defendant, Skyler Sinclair?
 - a. It was my job to analyze the *blood evidence* in this case and determine whether it could link *M. Sinclair* to the scene of Officer Robinson's death.
6. So what sort of blood evidence did you collect?
 - a. Three types. Blood spatter from the *dock* where Officer Robinson's body was found, blood from the *bat* that we recovered near that scene, and blood from a *mask* that we recovered near M. Sinclair's apartment.
7. M. Defoe, let's focus first on the blood you found on the bat.
 - a. Alright
8. What condition was the bat in when you and your team found it?
 - a. There was a four-by-six-inch bloodstain on the barrel of the bat and a half-centimeter side stain on the handle.
9. So what'd you do next?
 - a. I compared the blood sample from the bat to samples we obtained from Jamie Robinson during the autopsy and Skyler Sinclair after her arrest.
10. How'd you compare them?
 - a. I used something called a polymerase chain reaction, or a PCR test.
11. What's a PCR test?
 - a. *Try to describe the PCR test in the easiest way possible. However, still try to make sure you cover all of the important functions the test serves.*
12. How does it do that?
 - a. *A great answer to a question like this will typically use an analogy to explain the science more easily. Using the report and what you learn about PCR, come up with a good analogy in this answer.*

13. So what'd you find when you compared the blood on the bat to those samples you got? Let me show you. As you can see, it was an identical match to Jamie Robinson.
 - a. We found two matches. On the barrel, Jamie Robinson. And on the *handle*, Skyler Sinclair.

**Official Report of
Midlands Department of Criminal Investigation
DCI Criminalistics Laboratory**

Agency: Midlands Department of Justice	Offense: Murder
Case #: MDOJ-16-1940	Offense Date: 3/18/16
Officer: Harley Turner	Criminalist: DeFoe
Suspects: Skyler Sinclair	Victim(s): J. Robinson

Background

1. My name is Jan DeFoe. Since 2012, I have held the position of Criminalist in the Criminalistics Laboratory for the Midlands Department of Criminal Investigation (MDCI). The MDCI Lab is the only accredited criminal forensics laboratory in the State of Midlands and the Lab supports law enforcement agencies statewide. The Criminalistics Laboratory is a separate administrative unit within the MDCI and our chain of command is separate from that of investigating officers. The MDCI also has statutory authority independent of the Midlands DOJ, though we frequently consult with and support Midlands DOJ prosecutions.
2. I hold an M.A. in Forensic Science from the Pennsylvania State University and a Bachelor of Science degree in Physics from Occidental College. In addition to my official responsibilities for the MDCI, I am an Adjunct Professor at Midlands State University where I teach Introduction to Forensic Science. I have published 4 peer-reviewed papers relating to blood spatter analysis and latent print identification. My Master's Thesis was titled "Best Practices for the Collection of Plastic Print Evidence."

Preliminaries

3. At 11:45PM on March 18, 2016, I was contacted by Investigator Harley Turner of the Midlands State Department of Justice about a potential homicide at the Midlands Marina. (Although the Midlands DOJ is a separate law enforcement agency from the MDCI, the Criminalistics Laboratory works frequently with DOJ investigators.) I immediately went to the scene to collect evidence, arriving at approximately 12:15AM on March 19. At the scene, I examined blood spatter on the dock.
4. At 6:10PM on March 19, 2016, Turner directed me to the Midlands Marina to collect additional evidence. When I arrived, I spoke to Sam Fisher who informed me that Fisher had spotted a softball bat under some brush. When I arrived, I noted bloodstains on the handle and barrel of the bat. Fisher informed me that at no point did anyone, including Fisher, touch the softball bat. Forensic tests, including DNA testing, revealed no evidence of contamination beyond what would be expected from an object left in the woods for one day. Still, the condition of the bat is such that it is unable to be handled or shown in court. I did photograph the bat in my lab (Exhibit #4). Three feet toward the path from where the bat was found, I saw a shoeprint in the mud. I photographed the shoeprint (Exhibit #3).

5. Turner and I also executed a search warrant at the Everett-Sinclair apartment on the MSU campus at 1:00AM on March 31, 2016. From a sealed garbage bag in the dumpster outside the apartment, I recovered a black ski mask (Exhibit #1) and a pair of flip-flops (Exhibit #2). There were no ski masks or flip-flops found inside the apartment. Visual inspection of the trash bag suggested that it was the same color and brand as the garbage bags located under the sink in the kitchen of the Everett-Sinclair apartment.
6. I am familiar with the map of the Midlands Marina (Exhibit #11). Point "A" is the location of the blood spatter and Point "C" is where I collected the bat and shoeprint.
7. Though I subjected the ski mask, flip-flops, and bat to all available forensic tests, I found no hairs (or hair follicles) in or on the ski mask. As for the flip-flops, the left flip-flop contained no usable forensic evidence and the only forensic evidence of note on the other (right flip-flop) is described below. There was no usable DNA profile on the flip-flop and no mud or other material (beyond the stain described below) that identified the whereabouts of this flip-flop at any point in time. The bat contained no usable fingerprints.

Shoeprint

8. There was one usable footprint found in the mud at the Midlands Marina. The print was a plastic print, as opposed to a latent print, simply meaning that it was visible to the naked eye. The print was located east of the trail and north of the Midlands Marina dock. The shoeprint was 11.25" in length and 4.5" in width at its widest point.
9. Upon locating the shoeprint, I photographed it. I provided one of these photographs as Exhibit #3. I then took a casting of the shoeprint using dental stone. If shoeprints are left on flat or removable surfaces, a shoeprint can be collected using a gelatin lifter or fingerprint powders, essentially treating the shoeprint as a giant fingerprint. In situations like this, where the print is a three-dimensional one, a better approach is to make a cast (essentially a three-dimensional model) of the print.
10. Normally, it is difficult to match an individual shoeprint to a particular shoe, since commercial manufacturers produce thousands of shoes with the same tread pattern. Three characteristics of treads are used to match shoes to their prints:
 - a. Class characteristics are the features of a shoe made by a manufacturer that distinguish one model of footwear from others.
 - b. Wear characteristics are imperfections in the tread of the shoe caused by normal usage.
 - c. Individual characteristics are imperfections in the tread of a shoe, caused either by errors in the manufacturing process or usage that damages the sole of the shoe.Individual and wear characteristics—if they are unique to a particular shoe—can be used to match a shoeprint to an individual shoe.
11. There were three notable individual characteristics of the shoeprint I examined: one approximately in the middle of the shoeprint and two toward the top. I also noted a significant wear characteristic: wear to the lower-left portion of the tread pattern.

12. The FBI Footwear and Tire Tread Files database contains manufacturer information for a variety of shoe and tire prints and is commonly used by criminalists to determine the brand, model, and make of a shoe or tire print found at a crime scene. From the database, I determined that the shoe was a flip-flop, size 8-9, made in 2015 by Old Navy.
13. The flip-flops I collected from the dumpster near the Sinclair-Everett apartment were of the same 2015 style manufactured by Old Navy. I noted several imperfections to the shoe: (1) an indentation approximately .75" in height and .75" in width located 1" to the interior of the sole from the left-hand side of the shoe and 1.75" from the top of the shoe, a tack stuck in the sole of the shoe 2" to the interior of the sole from the left-hand side and 4.5" from the top of the shoe, and a defect in the strap attachment plug such that the plug was cut to approximately a half-moon shape. There was also significant wear to the shoe's lower-left tread. I noted that I had seen similar tacks on a bulletin board in Sinclair's apartment. I spoke with Sam Fisher and determined that Fisher does not wear flip-flops when not on Fisher's boat. I was thus able to rule out Fisher as the source of the print.
14. I made impressions from the flip-flops I recovered and compared them to the cast I took of the shoeprint. The tread patterns matched, as did the individual and wear characteristics of the shoe. Thus, I concluded, to a reasonable degree of scientific certainty, that the flip-flop recovered from the garbage bag outside of the Sinclair-Everett apartment made the shoeprint found at the Midlands Marina.

Shoe Stain

15. While making impressions from the flip-flop, I noticed a brown smudge at its tip. The smudge looked to be from some sort of stain used to coat wood. To determine the composition of the stain, I used Fourier Transform Infrared Spectroscopy (FITR), by far the most popular method used by criminalists and forensic scientists to examine paint and stain evidence. FITR has passed peer review in the discipline's top journals on innumerable occasions and is the "gold standard" for these tests.
16. FITR analyzes how well a sample material absorbs infrared radiation at various wavelengths. Basically, the analyst shines a beam of light containing many different frequencies of light simultaneously at a sample and measures how much of the beam is absorbed by the sample. A light containing the full spectrum of wavelengths to be used is shined through an interferometer (a configuration of mirrors moved by a motor). The interferometer then changes the spectrum of light directed at the sample, and the analyst measures the absorption of the light spectrum. The analyst then uses an algorithm called the Fourier transform to determine the rate of light absorption for each wavelength. This quantity (absorption at each wavelength) is unique for every composition. Therefore, by comparing the plots for an unknown sample against plots generated by a known sample, the analyst can determine to a reasonable degree of professional certainty whether the unknown sample is the same composition as the known sample.

17. I compared the stain found on the flip-flop with four known samples: stain used on the dock at the Midlands Marina; on woodwork throughout the Midlands State University Campus, including that at the Watt Performing Arts Center and the Bulldog Apartments; and on the woodwork at Lande's Landing. The stain found on the flip-flop was consistent only with the stain used on the dock. Every other known sample was inconsistent with the stain used on the dock at the Midlands Marina.

Blood Spatter

18. There was a noticeable blood spatter pattern at the Midlands Marina. I photographed the spatter pattern before taking samples of the blood. After photographing the spatter pattern, I collected samples of the blood using clean, new swabs for later analysis.

19. The blood droplets left on a surface are called blood spatter, and the droplets' shapes provide invaluable evidence about the nature and force used to propel the blood from a body onto the surface upon which the spatter is found. The characteristics of the droplets depend on the speed at which the blood leaves the body, as well as the force of the object applied to the body.

20. When an object strikes blood, droplets of blood are spread through the air, eventually striking a surface. Blood spatter analysis provides scientific information about the event that caused the blood to disperse because the shape of the pattern left by the blood on a surface is reliably related to the distance the blood travels, the type of surface it lands on, the angle of impact, and the velocity at which the blood moves through the air. The length and width of the stain is used by analysts to calculate the angle of impact while the shape of the stain provides information about the direction at which the stain moved, with tails (or "spines") extending in the direction of travel. A drop of blood striking a surface at a right angle (90 degrees) will leave an almost perfectly circular pattern; as the angle of impact lessens, spines become more prominent. For example, a drop of blood striking a surface at a 60 degree angle will have an overall more elongated pattern as well as spines that are prominent on the side of the spatter opposite the angle of impact.

21. Generally, blood spatter is common in one of three types of injuries: (1) Gunshot injuries create a mist-like spatter caused when the bullet enters (and perhaps exits) the body, (2) Blunt Force Injuries (such as those left by hitting or beating an individual) generally leave large spatter patterns, though individual drops may be of varying sizes, and (3) Sharp Force Injuries (such as those caused by puncture wounds) generally leave smaller spatter patterns and a more linear overall pattern of droplets. The drops on the dock were of varying sizes and a relatively large overall pattern, suggesting a high likelihood of a blunt-force injury.

22. Cast-off results when the object causing the injury is swung in an arc (often between blows), flinging blood onto nearby surfaces. Cast-off is informative in that it relates both the direction of the object's motion (through analysis of the tails on individual droplets, which, again, point in the direction of motion) and the number of blows (by counting the number of individual arcs of cast-off after the first, which is the hit that draws blood). Here, there was only one arc of spatter found on the dock, indicating

that at least two blows were used in the attack.

Blood DNA Identification

23. I analyzed bloodstains found in four places: (1) blood spatter found on the dock at the Midlands Marina, (2) a bloodstain (0.5 cm in diameter) found 2 inches from the end of the bat on the handle of the softball bat recovered at the Midlands Marina, (3) a large blood stain, approximately 4 inches in height and 6 inches in width) found on the barrel (the portion of the bat which would normally be used to hit the ball) of that same bat and centered on the “sweet spot” of the bat, and (4) blood spatter found on the left-hand side (as one is wearing the mask) and bottom of the ski mask.
24. Forensic scientists have used DNA profiling to analyze physical evidence since the mid-1980s. DNA is the abbreviation for Deoxyribonucleic acid, the genetic blueprint that contains the instructions for building a living organism. Perhaps surprisingly, 99.9% percent of human DNA is the same in every individual. However, the remaining 0.1% of DNA varies widely among individuals; no two individuals (with the notable exception of identical (monozygotic twins) have the same DNA. Hence, every person’s DNA is unique. It is also the same in all cell types in an individual’s body.
25. A polymerase chain reaction (PCR) was used to amplify fifteen (15) short tandem repeat (STR) loci (the core genetic loci used in the United States’s CODIS— Combined DNA Index System—database) and a sexing locus. PCR works by using a DNA polymerase to mirror the natural biological process of DNA replication as applied to specific DNA sequences of interest, amplifying the sample DNA to enable analysis. STR loci are tracts of short, repeated DNA sequences. The loci targeted and amplified were D3S1358, vWA, FGA, D8S1179, D21S11, D18S51, D5S818, D13S317, D7S820, D16S539, TH01, TPOX, CSF1PO, Penta D, Penta E, and Amelogenin (the sexing locus). PCR using these 13 STR loci is widely used in crime laboratories across the country; these techniques were developed by molecular biologists and then adapted and applied to forensic science in the 1980s. These techniques have passed peer review thousands of times and results such as these have been deemed admissible in court in hundreds of thousands of cases in the United States.
26. For each locus, we can calculate the expected frequency of the sample’s genotype in a representative population sample because each locus is independently assorted of the others and the probabilities can be multiplied together to determine the probability of the profile in a population of unrelated individuals. Put differently, the probability of flipping heads using an unweighted coin is .5, so the probability of flipping two heads in a row is $.5 \times .5 = .25$. The same rule applies across each of the 13 loci used in DNA analysis. For each locus, we are able to determine the frequency of that particular genotype in the population, and we simply multiply the 13 frequencies together to obtain the overall probability. This is called the product rule. This approach allows me to conclude that, for all of the DNA profiles listed below, the probability of finding these profiles in a population of unrelated individuals, chosen at random, would be less than 1 out of 22 trillion.

27. I obtained known samples of the DNA profiles of Jamie Robinson (from a sample taken by Dr. Schill at the autopsy), Alex Everett (from a toothbrush taken from Everett's room), and Skyler Sinclair (from a buccal swab taken at the station). The DNA profiles I obtained were compared to all profiles contained in the CODIS database (again, the Combined DNA Index System), the FBI's national DNA database, the Midlands Forensic Casework Database (the analogous database containing profiles of Midlands offenders), the Midlands Law Enforcement and Military Personnel Database, and the profiles obtained from Robinson, Everett, and Sinclair.
28. The DNA profile found on the blood spatter on the dock matched the known DNA profile of Jamie Robinson. The DNA profile was entirely inconsistent with the DNA profiles of Alex Everett and Skyler Sinclair.
29. The DNA profile found on the handle of the softball bat matched the known DNA profile of Skyler Sinclair. The DNA profile was entirely inconsistent with the DNA profiles of Alex Everett and Jamie Robinson.
30. The DNA profile found on the barrel of the softball bat matched the known DNA profile of Jamie Robinson. The DNA profile was entirely inconsistent with the DNA profiles of Alex Everett and Skyler Sinclair.
31. There were two DNA profiles found on the ski mask. There was blood spatter found on the side of the ski mask (the left side of the mask if one was wearing the mask). The DNA profile from this spatter matched the known DNA profile of Jamie Robinson. The DNA profile was entirely inconsistent with the DNA profiles of Alex Everett and Skyler Sinclair.
32. There was a small blood stain at the bottom edge of the ski mask on the front of the mask. The DNA profile from this small blood stain matched the known DNA profile of Skyler Sinclair. The DNA profile was entirely inconsistent with the DNA profile of Alex Everett and Jamie Robinson.