

GENESEE COUNTY BAR ASSOCIATION 2020 HIGH SCHOOL MOCK TRIAL COMPETITION



PEOPLE OF THE STATE OF MICHIGAN v. QUINN CAMERON

Genesee County Circuit Court
900 S. Saginaw Street
Flint, Michigan 48502

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TABLE OF CONTENTS

	<u>Page</u>
Courthouse Rules	1
Teacher Tips	2
Instructions and Rules for the Competition	3
Quick Reminders	8
Trial Presentation	9
Ethical Conduct	14
Case Materials	17
Jury Instructions	20
Verdict Form	25
Exhibits	27
Statement of Kyle Drummond	37
Statement of Blake Jones	39
Statement of Micah Roberts	43
Statement of Alex Kennedy	48
Statement of Quinn Cameron	51
Statement of Bailey Hopkins	56
Statement of Mason Rodgers	59
Statement of Sawyer Tyler	62
Debriefing the Mock Trial	63

COURTHOUSE RULES

I. DRESS CODE

A. Apparel Not Permitted

1. No shorts, tee-shirts, tank-type shirts, sweatshirts, sweat suits, jogging suits, or similar attire;
2. No hats, sunglasses, or outdoor jackets shall be worn when appearing formally before the Court;
3. No baggy pants or pants that drag on the ground.
4. No mini-skirts or “mini” dresses

B. Encouraged Dress Code

1. No provocative attire;
2. Shirt and tie for males;
3. Pants other than blue jeans;
4. Neat and clean shoes.

II. OTHER COURTROOM RESTRICTIONS

A. **NO CELLPHONES, PAGERS, RECORDING DEVICES, iPADS, TABLETS, IPODS, LAPTOPS, VIDEO CAMERAS OR ANY OTHER RECORDING DEVICES** are allowed in the Courthouse.

1. Students and/or volunteers will not be allowed into the courthouse with a cellphone or camera.
2. The Genesee County Bar Association, its attorney members, and/or staff will not be responsible for lodging any cellphones that are brought to the courthouse or the luncheon by students or volunteers.

B. **NO WEAPONS** are allowed in the Courthouse such as explosives, chemical or aerosol sprays or cutting instruments of any kinds including knives, scissors or anything with a sharp or cutting edge.

C. **NO FOOD OR DRINK** whatsoever shall be brought into the courtroom.

D. Courtroom tables may not be moved. If chairs are moved, they must be returned to their original location.

E. Programs and all other materials must be removed upon completion of the Mock Trial.

TIPS FOR MOCK TRIAL TEACHERS

- A. If the attorney advisor does not contact you, do not hesitate to contact him/her first.
- B. If possible try to schedule regular visitations with the attorney.
- C. Meet with the team on a regular basis as a follow-up to the attorney visits.
- D. If possible, schedule practice sessions in front of an audience such as a classroom.
- E. Advise the students to dress and act professionally in the courtroom giving all due respect to ALL court officials and personnel. The dress code **WILL BE ENFORCED**, and any student, whether he/she is serving as an attorney, witness, or juror, will not be allowed in the courtroom if he/she does not adhere to the dress code. To avoid any embarrassment for you, the student, the court, and the bar association, please emphasize this rule prior to the trial.
- F. To assist in efficiency of security clearance, advise students to leave cellphones, book/duffel bags, purses and/or briefcases at home. Heavy metal jewelry, metal belts, and steel-toed shoes (among other things) should also be avoided. Pocket change will also activate the detector. Students who are wearing belts may be required to remove them before going through the metal detector.
- G. Students are not allowed to bring any electronic devices into the courthouse. These devices include, but are not limited to, the following: cellular phones, games, pagers, and other communication devices which are a distraction to the learning process. They are not needed for the Mock Trial experience and are not permitted by the Courthouse Security.
- H. Please advise students that **LOUD, OBNOXIOUS, UNRULY BEHAVIOR IS NOT ACCEPTABLE**. Remember we are guests of the court. Disciplined behavior is a necessary component to that visit.
- I. Please advise the students that there should not be any planned outbursts or other theatrics during the Mock Trials. The purpose of the Mock Trial is to provide exposure to the courts and the legal system in a respectful manner. Our Attorney Advisors are teaching their respective teams how to present their cases in a respectable and appropriate manner. Planned outbursts or other theatrics are not appropriate behavior in a courtroom.

INSTRUCTIONS AND RULES FOR COMPETITION

The Genesee County Bar Association Mock Trial Competition is governed by these instructions and rules as set forth below. They should be studied carefully before beginning preparation of the case. These instructions and rules are designed to promote/ensure excellence in presentation and fairness in judging all trials.

We want to thank the Michigan Center for Law Related Education for their assistance with competition instructions and rules.

I. GENERAL INSTRUCTIONS

A. Rules

All trials will be governed by the Michigan Rules of Evidence. No additional sources of authority should be cited during a trial.

B. The Case

The case consists of eight witness statements, exhibits, stipulations, and jury instructions. Witness statements are not to be changed in order to create a more favorable fact situation for either party.

C. Competition Structure

There are two sides in this case: prosecution and defense. Teams will be randomly determined before the Mock Trial date. Each school will be advised as to which side that the school will represent prior to the Mock Trial.

II. THE TRIAL

A. Team Presentation

Each team must be prepared to present its appointed side of the case. The case will be tried before a jury.

B. Team Composition

Your team must have two attorneys, three witnesses, and eight to ten jurors. You may have two alternate members.

1. Attorneys (two)

- a. One attorney shall give the opening statement and the other attorney shall give the closing argument(s). The Prosecuting Attorney who gives the closing argument shall also give the rebuttal argument.

- b. Each attorney shall conduct the direct examination of one of the witnesses for the attorney's side and the cross examination of one opposing witness. The attorney who conducts the direct examination of a witness shall conduct the redirect examination of the witness and shall make and argue the objections, if any. The attorney who conducts the cross examination of an opposing witness shall make and argue objections, if any, during the cross examination of a witness.
- c. Attorneys may confer with one another at any time.
- d. On cross examination, the examining attorney may not impose restrictions on the form of the witness' answer, except that the answer must be responsive. However, the Judge may instruct the witness to answer the questions "yes" or "no," if possible. If not possible for the witness to respond "yes" or "no," the Judge may instruct the witness to respond to the best of his/her ability.
- e. An attorney may not recall a witness once that witness has completed testifying.

2. Witnesses

- a. Witnesses may not refer to any notes while testifying.
- b. Witnesses may not be sequestered.
- c. Each side is allowed to call three of their witnesses to the stand. Prosecution may only call Prosecution Witnesses and Defense may only call Defense Witnesses.
- d. Pursuant to the Fifth Amendment of the U.S. Constitution, the Defendant is not required to testify on his/her own behalf. If the Defendant decides not to testify, his/her silence cannot be used against him/her.
- e. A witness is bound by his/her statement.

3. Jurors

- a. The jurors from each school will be split among the courtrooms that are holding Mock Trials.
- b. Two jurors from each school will be placed in each courtroom.
- c. Jurors will not be placed in a courtroom where their school is participating in a Mock Trial.

C. Witness Statements

1. Witness Bound by Statement

A witness' statement is to be treated as a statement made by the witness under oath. Each witness must admit that he/she made the statement. Minor extrapolations of facts not in the record are allowed, provided they may be reasonably inferred from the case material, since some additional information may be necessary to make the case realistic. As an example of a fair extrapolation, background information such as date or place of birth would be a minor extrapolation and would be allowed to amplify or humanize the case. Unfair extrapolations that would not be allowed include

information pivotal to the particular facts at issue. **ONLY THOSE FACTS WHICH ARE NEUTRAL TO BOTH SIDES ARE FAIR EXTRAPOLATIONS.** If you have a question as to whether a particular added fact would be allowable background information, or if you believe it might be an unfair extrapolation, do not add the questionable fact. As a general rule of thumb, the more the “supplemental” information helps your case, the more cautious you should be in adding it to the witness’ testimony. **WHEN IN DOUBT, LEAVE IT OUT!**

2. Unknown Information

It is virtually impossible to provide witnesses with detailed answers to every conceivable question that attorneys can ask. The witness statements are not intended as a complete life history, and for the most part, information not in the statements will be irrelevant and should be subject to objection. If an attorney’s question solicits unknown information, the witness may supply an answer of his/her choice, so long as it does not materially affect the witness’s testimony. Try to avoid a rigid mechanical approach to the trial (the witness statements are not scripts), but stay within the bounds of honest competition. Just as in our legal system, lawyers must deal with the facts as they exist.

3. Unfair Extrapolations

- a. A team may best attack unfair extrapolations through impeachment and closing arguments.
- b. Each witness should understand that if he/she is asked for information not contained in the witness statement, he/she must either give an answer which is consistent with the statement and does not materially affect the balance of the case, or if the question otherwise would elicit an unfair extrapolation, the witness may answer, “there is no information in the statement of facts to answer this question.”
- c. Attorneys for the opposing team may refer to this Rule in a special objection, such as “unfair extrapolation” or “this information is beyond the scope of the statement of facts.”
- d. Judge’s Ruling on Unfair Extrapolation

The Judge will determine whether an unfair extrapolation has occurred. **THE JUDGE’S RULING IS FINAL.** The objections and ruling will be dealt with in open court during the course of the trial. The purpose of the ruling is to avoid an irrelevant digression from the statement of facts whether through attorney questions or witness response. Participants should understand that any ruling by the Judge is not an indication of the eventual outcome of the trial. Do not become overly obsessed with handling extrapolations.

The Judge’s ruling on an objection due to unfair extrapolation may consist of the following:

- i. No extrapolation has occurred.
- ii. A fair extrapolation has taken place.
- iii. An unfair extrapolation has taken place and the testimony will be stricken from the record.

- iv. Ruling taken under advisement. (After another question or answer, the Judge may rule or respond to another objection.)

D. Preparation and Supplemental Material

The Mock Trial Notebook contains all materials necessary to participate. **TEAMS MAY ENTER INTO EVIDENCE ONLY THOSE DOCUMENTS AND EXHIBITS GIVEN IN THIS TRIAL NOTEBOOK.** No enlargements of any kind shall be used during the trials unless provided by the Genesee County Bar Association Law Day Committee. If a chalkboard is available in a courtroom, it may be used during the course of the trial. Attorneys are encouraged to call the court's attention to particular parts of the stipulation and the Competition Rules that support the attorney's position.

E. Time Limits

THE MOCK TRIAL MAY NOT EXCEED TWO HOURS. TIME LIMITS ARE MANDATORY. The Judge will have the ultimate responsibility for enforcing these time limits. The time limits are as follows:

Prosecution's Opening Statement	5 minutes
Defendant's Opening Statement	5 minutes
Prosecution's Direct Examination	21 minutes (7 per witness)
Defendant's Cross Examination	21 minutes (7 per witness)
Defendant's Direct Examination	21 minutes (7 per witness)
Prosecution's Cross Examination	21 minutes (7 per witness)
Prosecution's Closing Argument incl rebuttal	8 minutes
Defendant's Closing Argument	8 minutes
Jury Instructions	4 minutes
Participants, Judge's Comments	6 minutes

The time for making and arguing objections is to be counted as part of the time of the side examining the witness. If the Judge believes one team is deliberately using up the other team's time with objections, the Judge may address the problem by allowing the other team additional time. Whenever there is an allegation of a violation, timing will halt.

Attorneys are not required to use the entire time allotted to each part of the trial. It should be noted, however, that time left over in one part of the trial cannot be carried over to another part of the trial.

F. Motions

Pursuant to Michigan Court Rules (MCR) 6.419, a defendant may make a motion for directed verdict of acquittal on any charged offense as to which the evidence is insufficient to support conviction after the prosecution's case-in-chief and before the defendant presents proofs.

Attorneys may make a motion for a directed verdict or dismissal of the case, however, this motion will be taken under advisement and the trial will continue. If there is an extreme health or safety emergency, an attorney may make a motion and the Judge may grant a recess.

III. COURTROOM DECORUM

Observe the following rules in the courtroom at all times:

1. No food or drink is allowed in the courtroom.
2. Do not smoke in the courtroom.
3. Cellular telephones, recording devices, iPads, Tablets, iPods, laptops, video cameras, pagers, or any other recording devices are not allowed.
4. All participants must be properly attired.
5. Rise when addressing the Judge, when the Jury enters or leaves the courtroom, or when the Judge enters or leaves the courtroom.
6. Direct all remarks to the judge or witness – **NEVER** to opposing counsel.
7. Natural movement of attorneys during trial is encouraged.
8. Do not approach the bench, witness, or jury box without permission of the Judge.
9. No outbursts or other planned theatrics are allowed by participants.

QUICK REMINDERS

1. Prosecution may only call three witnesses. The three witnesses shall only be those witnesses that are labeled Prosecution Witness on their Affidavit.
2. Defense may only call three witnesses. The three witnesses shall only be those witnesses that are labeled Defense Witness on their Affidavit.
3. No team may request that witnesses be sequestered. This is a learning experience for everyone involved and we would like the students to observe the entire process.
4. The Prosecution may not call the Defendant as a Witness, but it may cross-examine him/her if he/she chooses to testify. Pursuant to the Fifth Amendment of the U.S. Constitution, the Defendant is not required to testify on his/her own behalf. If the Defendant decides not to testify, his/her silence cannot be used against him/her.
5. Defendant's statement cannot be used as an Exhibit if Defendant chooses not to testify. The Affidavit can be used to cross-examine the Defendant only.
6. No planned outbursts or theatrics will be allowed in the Mock Trial. Please advise students that they are to act in a respectful and appropriate manner within the courtroom. The purpose of the Mock Trial is to provide exposure to the courtroom and provide guidance on how to act appropriately while in the presence of a Judge and Jury.

TRIAL PRESENTATION

The following remarks are intended only to aid teams in “technique”. They should not be interpreted as rules unless so indicated.

A. OPENING STATEMENTS

The opening statement allows you to introduce yourself and your client as well as acquaint the jury and judge with the nature of the case. You should outline the case from your point of view which includes mentioning key witness’ testimony. Also, you should tell the jury and judge what relief you are seeking.

In your opening statement, you should avoid too much narrative detail about witness testimony, as well as exaggeration and overstatement of the facts which may not be proven. You cannot argue or discuss the law as it is not permitted in opening statements. Try to avoid reading your opening statement and do not repeat undisputed facts.

B. PRESENTING EVIDENCE

1. Direct Examination

The purpose of direct examination is to present evidence that supports your case with clarity to the judge and jury. You want your witnesses at their best. When questioning a witness, keep it simple by avoiding complex and verbose questions. You should take the witness through his or her testimony by small steps and do not attempt to elicit conclusions from the witnesses. Reaching conclusions is the jury’s job. During your questioning, avoid redundant, monotonous questions. Further, try to avoid narrative testimony as it could prove dangerous if your witness gets out of control. When the facts are in evidence, stop questioning the witness.

2. Cross Examination

The purpose of cross examination is to discredit the witness and to discover flaws in his or her testimony. You want to try to secure admissions which help your case. But, you want to avoid hostility toward the witness because the jurors usually resent it. Do not give the witness a chance to clarify damaging statements. When you have an answer favorable to your side, drop the matter and wait for closing arguments to emphasize the point.

If a witness contradicts his or her statement, wait until cross examination to confront the witness with the inconsistency. A witness’ testimony can be impeached by asking the witness whether he or she has ever testified differently in a signed statement. The attorney should ask whether the statement was made under oath, at a time much closer to the events in controversy, and contained all that the witness could remember. The attorney can show the witness the statement (first showing it to the judge and opposing counsel) and ask him or her to admit that he or she made it and signed it. The attorney can read aloud, or ask the witness to read aloud, the part of the statement the attorney claims is inconsistent with the witness’ testimony. The attorney may then further question the witness about the inconsistency. The attorney may want to:

- A. Leave the matter and point out in closing argument the contradiction between the statement and witness' testimony (both of which were made under oath);
- B. Ask the witness why his or her testimony is different today under oath than it was when he or she gave the statement which was also under oath and given much closer in time to the events in question (**NOTE: It can be dangerous to give a witness an opportunity to explain such a discrepancy because you may not like the answer you get!**);
- C. Ask the witness whether he or she was lying under oath when he or she gave the statement or lying under oath today when he or she testified (**Note: This can also be a dangerous question unless the contradiction is very clear, definite, and material.**) Witnesses must admit making their statements when directly confronted with the question. "Do you remember making and signing this statement under oath?" or a similar question. Don't waste impeaching on matters that are not material to your case.

C. INTRODUCTION OF EVIDENCE

The following steps will be used for introduction of evidence:

- 1. All evidence should be pre-marked as exhibits before the trial begins.
- 2. Show opposing counsel the proposed exhibit.
- 3. Ask permission to approach the witness.
- 4. Give the exhibit to the witness and go back to the podium. Then state, I have shown you People's/Defendant's Exhibit Number 1. Can you tell me what that is?
- 5. The witness will state what it is.
- 6. If it is a picture, ask the witness the following questions:
 - a. Is this a reasonable and accurate depiction of the area in question?
 - b. When was the picture taken?
- 7. After the witness has identified the exhibit, the attorney may ask the Court that the exhibit be admitted into evidence as the authenticity of the exhibit has been stipulated.
- 8. The Court will then ask opposing counsel whether there are any objections.
- 9. If no objections, then the exhibit will be admitted into evidence.
- 10. Once the exhibit is admitted into evidence, the attorney may not solicit testimony on its contents.
- 11. If an attorney wants to show it to the jury, then the attorney should ask the Judge whether he or she can publish the exhibit to the jury (**Note: Give the jury an opportunity to review the exhibit before proceeding further because if you continue then the jury will be distracted.**)
- 12. After completion of questions regarding an exhibit, return it to the Judge.

D. OBJECTIONS

When an attorney raises an objection, the attorney is presenting a rule of evidence to the Judge which would bar an answer to the question asked (or result in striking from the record the answer, if already given.) Special objections may also be used to bring a procedural problem to the Judge's attention such as unfair extrapolation or continuing past the expiration of allowable time.

When making an objection, the attorney shall stand. The attorney should direct all objections and arguments to the Judge. In making objections, counsel shall stand as soon as the objectionable question is asked and say "I object, your Honor", "Your Honor, I object", or "Objection" and then state your basis for the objection. **(NOTE: Jurors usually do not like a party that objects too much.)**

1. Allowable Objections:

a. **Leading Questions:** "Counsel is leading the witness" or "The questions are leading." Leading questions suggest the answer and are generally not allowed on direct examination but are proper on cross examination. The Judge may allow leading questions on direct examination for preliminary matters.

b. **Hearsay:** "The question calls for Hearsay." Hearsay is evidence of an out-of-court statement offered to prove the truth of the matter asserted in the statement.

i. EXCEPTIONS to Hearsay:

a. **Admission against Interest:** Hearsay is admissible if the out-of-court statement was made by a party in the case and contains evidence which goes against that party's side. Admissions against interest are permitted because they are thought to be more trustworthy than other hearsay, since people generally do not make statements that are against their own interest unless they are true.

b. **Excited Utterance:** A statement relating to a startling event or condition by someone other than the witness testifying is admissible when the statement was made under the stress of excitement caused by the event or condition. Any other statement made under circumstances which, in the judgment of the Judge gives substantial assurance of the truth of the matter asserted.

- c. **Irrelevant:** A question is irrelevant if it seeks information which has no logical bearing on the existence of a material issue before the court, or if its logical bearing is small in comparison to its inflammatory nature.
- d. **Lacks Personal Knowledge/No Proper Foundation.** This objection asserts that there has been no showing that the witness has personal knowledge about the matter to which the question is directed. For example, if there has been no evidence that the witness was present at a certain event, there is no foundation for the witness to testify as to what occurred at that time.
- e. **Assumes Facts not in evidence.**
- f. **Argumentative.** The attorney is not asking a question, but instead is arguing with the witness or making an argument to persuade the jury.
- g. **Asked and Answered.** On cross examination, an attorney can ask a question previously asked on direct examination.
- h. **Badgering the Witness.**
- i. **Narrative Statement.** Questions such as “what happened on” a certain date call for a narrative from the witness which prevents opposing counsel from objecting in advance to objectionable material. Questions should be more specific, such as “Who was present?”, “Did she see that person do anything at that time?”, “What did you see him or her do?”, “Did you see anyone else do anything at that time?” An attorney may ask “what happened next?”
 - 1. **Opinion.** However, opinion evidence is proper on a subject on which the witness has been qualified as an expert or on which a non-expert’s opinion would be helpful to understand the evidence.
- j. **Unfair Extrapolation.** See page 5 of this Trial Notebook.
- k. **Outside the Scope of Cross Examination.** If an attorney re-directs (see below) a witness and asks questions that were not raised in the cross examination, then an objection may be made.

- 1. Any other objections based on reason or justice, including but not limited to “the question is ambiguous”

E. REDIRECT/RECROSS (OPTIONAL)

The purpose of redirect is to rehabilitate a witness or repair damage done by your opponent. If credibility or reputation for truthfulness of the witness has been attacked on cross examination,

the attorney whose witness has been damaged may wish to ask several more questions. These questions should be limited to the damage the attorney thinks has been done and should be phrased so as to try to “save” the witness’ truth-telling image in the eyes of the jury. Redirect examination is limited to issues raised by the attorney on cross-examination. If questions on other matters are asked, a proper objection would be: “Objection. Counsel is asking the witness about matters that did not come up in cross examination.”

F. CLOSING ARGUMENTS

Closing arguments are an opportunity to summarize your case. As the attorney, you can point out testimony that supports your theory of the case and that which damages your opponent’s case. This is where you put the pieces together for the jury and the judge. Argue what you feel is important and discard the unimportant. Be an advocate by forcefully arguing your point of view. Be dynamic by avoiding a boring view of the facts. State your case so you are sure it is fully understood. You may use all exhibits which have been admitted into evidence. Point out bias, credibility, or self-interest of a witness.

In your closing argument, do not assume that the judge or jury have understood the impact of all the testimony. You should correct any misunderstandings that the jury or judge may have about the testimony or other evidence. Be cautious in using ridicule. Avoid illogical or confusing argument. Organize in advance by anticipating your opponent’s argument. You should avoid using weak words, such as “we believe” and “we think” etc.

The Prosecution’s rebuttal is limited to the scope of the defendant’s closing argument.

ETHICAL CONDUCT

The purpose of the Genesee County Bar Association Mock Trial Competition is to stimulate and encourage a deeper understanding and appreciation of the American legal system. This purpose is accomplished by providing students the opportunity to participate actively in the learning process. Education of high school students is the primary goal of the mock trial program. Healthy competition helps to achieve this goal. Other important objectives include improving proficiency in speaking, listening, reading and reasoning skills; promoting effective communication and cooperation between the educational and legal communities; providing an opportunity to compete in an academic setting; and promoting cooperation among students of diverse interests and abilities.

As a means of diligent application of the Genesee County Bar Association Mock Trial Competition Rules, the Law Day Committee has adopted the following Code of Ethical Conduct for all participants:

1. Students promise to compete with the highest standards of deportment, showing respect for their fellow students, opponents, judges, court staff, evaluators, attorney-coaches, teacher-sponsors and mock trial personnel. All competitors will focus on accepting defeat and success with dignity and restraint. Trials will be conducted honestly, fairly, and with the utmost civility. Students will avoid all tactics they know are wrong or in violation of the rules of the competition in spirit or in practice.
 2. Teacher-Advisors agree to focus attention on the educational value of the Mock Trial Competition. They shall not encourage willful violations of the rules. Teachers will instruct students as to proper procedure and decorum and will assist their students in understanding and abiding by the competition's rules and this Code of Ethical Conduct.
 3. Attorney-Advisors agree to uphold the highest standards of the legal profession and will zealously encourage fair play. They will promote conduct and decorum in accordance with the competition's rules and this Code of Ethical Conduct. Attorney-Advisors are reminded that they are in a position of authority and thus serve as positive role models for the students.
 4. All participants (including school observers) are bound by all sections of this code and agree to abide by the provisions. Teams are responsible for insuring that all observers are aware of the code.
 5. The Code of Ethical Conduct governs all participants, observers, guests, and parents at the competition.
- A. Ban on Coaching.
1. Once the trial begins no coaching is permitted by ANYONE for the duration of the trial. Student attorneys may consult with one another and with their witnesses.

2. To avoid even the appearance of impropriety, the attorneys trying the case and the witnesses should not engage in any conversation with any other team members, coaches or observers until after closing arguments.

3. Any student team member (including team members not participating in the trial) who observes any violation of this rule shall report it immediately to the Judge who shall inquire into the circumstances of the allegation. The Judge may penalize any team for a violation of this rule.

B. Statement of Principles for Mock Trial Jurors

The mock trial competition, because it does represent a “mock” situation, obviously does not involve the “life and death” circumstances that would apply in an actual Circuit Court jury trial. On the other hand, in order that all mock trial participants, including those students who assume the role of jury members, might achieve maximum benefits (educational and otherwise) from their participation, mock trial jurors are strongly urged to fill their roles with the following principles in mind:

1. Like real jurors, mock trial jurors should do their utmost to pay careful attention to, and follow the instructions given them by the judge at the beginning of trial.

2. Mock trial jurors should recognize that the many hours of hard work and preparation undertaken by the other participants in the mock trial competition are deserving of the mock trial jurors’ careful attention during the course of the trial presentation.

3. Similarly, mock trial jurors should do their utmost to respect and enhance the efforts and experience of all other mock trial participants by paying careful attention to, and following the court’s instructions at the conclusion of trial.

4. Consistent with these principles, and perhaps more important than any one of them, mock trial jurors should make every effort to conduct their jury deliberations, to the extent humanly possible, as though the ultimate decision made were a “real” one with “real” consequences for “real” people.

C. Violation of Competition Rules During Trial

Any violation of a competition rule observed during trial should immediately be called to the attention of the Judge by one of the attorneys trying the case.

D. Judge’s Instructions

1. Materials.

All judges should have a copy of the competition materials.

2. Role of the Judge.

The Judge has a delicate task. A trial is an adversarial proceeding. Yet the central goal is to give the young people participating a positive educational experience. Obviously, the Judge must be evenhanded. In addition, the judge should take special care to avoid intimidating the student lawyers and witnesses so they feel comfortable and free to act at the true level of their capacity. The judge should be encouraging to both sides and still maintain the essential form of a trial.

3. Enforcement of Code of Ethical Conduct.

To assist in enforcing the code, the Judges, upon taking the bench before the start of the trial, will handle the following pre-trial matters:

- a. Ask each side if it is ready for trial.
- b. Ask each side to provide the Judge with a copy of the team roster.
- c. Ask each side for a witness list of those to be called.
- d. Ask each member of the team to rise and identify himself or herself by name and role.
- e. The Judge will remind the participants about the ban on coaching.
- f. The Judge will remind the jurors about the Statement of Principles for Mock Trial Jurors.

4. Questions Regarding Mock Trial Rules.

If questions arise regarding application of the Mock Trial Rules, the Judge should entertain arguments by the attorneys regarding the construction of the rules and should encourage the attorneys to make reference to the rule in question. The Judge has the sole authority to make decisions about the conduct of the trial.

CASE MATERIALS

**People of the
State of Michigan**

v

Quinn Cameron

TYPE OF CASE:

This case involves a criminal prosecution. The Prosecuting Attorneys represent the People of the State of Michigan. The Defense Attorneys represent Defendant Quinn Cameron.

SUMMARY OF FACTS:

In morning hours of June 24, 2019, Kyle Drummond walked into Family Furniture to meet with his/her friend. Instead of enjoying a break with Melissa Habernathy, Kyle found her lying on a mattress in a pool of blood with her husband a few feet away with a gunshot to the head. Mortified, Kyle drops a Diet Pepsi and Crunchwrap on the floor and went to the receptionist desk to call the police where he/she found Rachel Martinez lying behind her desk.

An hour after Kyle's call to police, Detective Micah Roberts arrives on the scene and finds Blake Jones in the building and another body, Hiram Moussoud. Next to the body is a bloody footprint. Four victims murder execution style and an empty safe which previously contained a coin collection, the night's deposit, \$1,000, and other paperwork.

Upon investigation, Detective Roberts seeks to charge Quinn Cameron for the quadruple homicide at Family Furniture where he was previously employed. Quinn is accused of murdering the husband and wife owners, the receptionists, and a salesperson after being fired from his/her job.

STATUTES / CASE LAW

1. A person who commits murder perpetrated by means of poison, lying in wait, or any other willful, deliberate, and premeditate killing is guilty of first-degree murder and shall be punished by imprisonment for life without eligibility of parole. MCLA 750.316(1).
2. A person who commits murder during the commission a robbery, larceny of any kind, kidnapping, or unlawful imprisonment is guilty of first-degree murder. MCLA 750.316(2).
3. Second degree murder – All other kinds of murder shall be murder of the second degree and shall be punished by imprisonment in the state prison for life, or any term of years, in the discretion of the court trying the same. MCLA 750.317
4. A person shall not, with intent to use the same unlawfully against the person of another, go armed with a pistol or other firearm. A person who violates this section is guilty of a

felony punishable by imprisonment for not more than 5 years or a fine of not more than \$2,500.00. MCLA 750.226

5. A person who carries or has in his or her possession a firearm when he or she commits or attempts to commit a felony is guilty of a felony and shall be punished by imprisonment for 2 years. Upon a second conviction under this subsection, the person shall be punished by imprisonment for 5 years. A term of imprisonment for this crime is in addition to the sentence imposed for the conviction of the felony and shall be served consecutively with and preceding any term of imprisonment imposed for the conviction of the felony. MCLA 750.227b.
6. Assault with intent to rob and steal being unarmed – Any person, not being armed with a dangerous weapon, who shall assault another with force and violence, and with intent to rob and steal, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 15 years.

STIPULATIONS

1. Quinn Cameron was convicted of Assault with Intent to Rob and Steal (unarmed) which is also known as strong armed robbery.
2. It has been less than five years since Quinn Cameron paid his fines, was imprisoned, and completed his probation.
3. From White Oaks Estate to Rosewood Apartments, it is 2.7 miles and will take a person 54 minutes to walk.
4. From Rosewood Apartments to Family Furniture, it is 0.8 miles and will take a person 21 minutes to walk.
5. From Family Furniture to Kroger, it is 0.30 miles and will take a person 6 minutes to walk.
6. There are statements from four witnesses for each party. Each statement is designated as Prosecution Witness or Defense Witness. Each party may call only three witnesses to the stand. It will be up to each team to determine which witnesses will testify at trial. The Defendant may invoke his or her 5th Amendment right and not testify at trial. If the Defendant does not testify, then the prosecution cannot use the defendant's affidavit as support for their case but may use statements made to the police officer or other individuals. Further, a party may not call a witness that is designated for the opposing party. For example, the Prosecuting Attorney may not call Defendant's witness to testify at trial.
7. The presiding judge will conduct the trial according to the Michigan Rules of Evidence. Trial will be by jury.

8. The jury will be instructed on the elements of the offense according to the jury instructions beginning on page 20.
9. The presiding judge will entertain no motions prior to trial.

COMMENTS AND SUGGESTIONS:

The 2020 Mock Trial is a fictitious case inspired by *Curtis Flowers v Mississippi*, 139 S. Ct 2228 (2019). Any names, descriptions or events described in this packet are purely coincidental. Witnesses were created to be gender neutral.

All admissible exhibits and information relating to the case are contained in these case materials. Students are not allowed to introduce the following at trial: cases, exhibits not contained in the case materials, or a witness from the opposing party.

JURY INSTRUCTIONS

The court instructs the jury regarding the general features of a case, defines the offense, and explains what must be proven to establish the offense. The following instructions are taken from the Criminal Jury Instructions currently in effect in Michigan and will be used in this Mock Trial.

CJI2d 3.2 Presumption of Innocence, Burden of Proof and Reasonable Doubt

- (1) A person accused of a crime is presumed to be innocent. This means that you must start with the presumption that the defendant is innocent. This presumption continues throughout the trial and entitles the defendant to a verdict of not guilty unless you are satisfied beyond a reasonable doubt that he/she is guilty.
- (2) Every crime is made up of parts called elements. The prosecutor must prove each element of the crime beyond a reasonable doubt. The defendant is not required to prove his/her innocence or do anything. If you find that the prosecutor has not proven every element beyond a reasonable doubt, then you must find the defendant not guilty.
- (3) A reasonable doubt is a fair, honest doubt growing out of the evidence or lack of evidence. It is not merely an imaginary or possible doubt, but a doubt based on reason and common sense. A reasonable doubt is just that – a doubt that is reasonable, after a careful and considered examination of the facts and circumstances of this case.

CJI2d 3.3 Defendant Not Testifying

Every defendant has the absolute right not to testify. When you decide the case, you must not consider the fact that he/she did not testify. It must not affect your verdict in any way.

CJI2d 3.5 Evidence

- (1) When you discuss the case and decide on your verdict, you may only consider the evidence that has been properly admitted in this case. Therefore, it is important for you to understand what is evidence and what is not evidence.
- (2) Evidence includes only sworn testimony of witnesses, the exhibits admitted into evidence, and anything else I told you to consider as evidence.
- (3) Many things are not evidence, and you must be careful not to consider them as such. I will now describe some of the things that are not evidence.
- (4) The fact that the defendant is charged with a crime and is on trial is not evidence.
- (5) The lawyers' statements and arguments are not evidence. They are only meant to help you understand the evidence and each side's legal theories. The lawyers' questions to witnesses are also not evidence. You should consider these questions only as they give meaning to the witnesses' answers. You should only accept things the lawyers say that are supported by the evidence or by your own common sense and general knowledge.
- (6) My comments, rulings, questions, and instructions are also not evidence. It is my duty to see that the trial is conducted according to the law, and to tell you the law that applies to this case. However, when I make a comment or give an instruction, I am not trying to influence your vote or express a personal opinion about how you should decide this case.

You must pay no attention to that opinion. You are the only judges of the facts, and you should decide this case from the evidence.

- (7) At times during the trial, I have excluded evidence that was offered or stricken testimony that was heard. Do not consider those things in deciding this case. Make your decision only on the evidence that I let in, and nothing else.
- (8) Your decision should be based on all the evidence, regardless of which party produced it.
- (9) You should use your own common sense and general knowledge in weighing and judging the evidence, but you should not use any personal knowledge you may have about a place, person, or event. To repeat once more, you must decide this case based only on the evidence admitted during this trial.

CJI2d 4.1 *Defendant's Statements as Evidence Against the Defendant*

- (1) The prosecution has introduced evidence of a statement that it claims the defendant made.
- (2) Before you may consider such an out-of-court statement against the defendant, you must first find that the defendant actually made the statement as given to you.
- (3) If you find that the defendant did make the statement, you may give the statement whatever weight you think it deserves. In deciding this case, you should think about how and when the statement was made, and about all other evidence in the case. You may consider the statement in deciding the facts of the case [and in deciding if you believe the defendant's testimony in court].¹

CJI2d 4.3 *Circumstantial Evidence*

- (1) Facts can be proved by direct evidence from a witness or an exhibit. Direct evidence is evidence about what we actually see or hear. For example, if you look outside and see rain falling, that is direct evidence that it is raining.
- (2) Facts can be proved by indirect, or circumstantial, evidence. Circumstantial evidence is evidence that normally or reasonably leads to other facts. So, for example, if you see a person come in from outside wearing a raincoat covered with small drops of water that would be circumstantial evidence that it is raining.
- (3) You may consider circumstantial evidence. Circumstantial evidence by itself, or a combination of circumstantial evidence and direct evidence, can be used to prove the elements of a crime. In other words, you should consider all the evidence that you believe.

CJI2d 16.4 *First-degree Felony Murder*

The defendant is charged with first-degree felony murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

¹ Use the bracketed phrase only if the defendant testifies at trial and the prior statement is used to impeach his or her testimony.

First, that the defendant caused the death of Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud, that is, that Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud died as a result of a gunshot wound.

Second, that the defendant had one of these three states of mind: he / she intended to kill, or he / she intended to do great bodily harm to Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud, or he / she knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of his / her actions.

Third, that when he / she did the act that caused the death of Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud, the defendant was committing the crime of Robbery. For the crime of robbery, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(1) The defendant is charged with the crime of robbery. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, the defendant used force or violence against and/or assaulted Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud

(3) Second, the defendant did so while he / she was in the course of committing a larceny. A “larceny” is the taking and movement of someone else’s property or money with the intent to take it away from that person permanently.

“In the course of a larceny” includes acts that occur in an attempt to commit the larceny, or during commission of the larceny, or in flight after the commission of the larceny, or in an attempt to retain possession of the property or money.

(4) Third, Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud was present while defendant was in the course of committing the larceny.

CJI2d 16.05 *Second-degree Murder*

(1) You may also consider the lesser charge of second-degree murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud, that is, that Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud died as a result of being shot.

(3) Second, that the defendant had one of these three states of mind: he intended to kill, or he intended to do great bodily harm to Melissa Habernathy, Henry Habernathy, Rachel

Martinez, and Hiram Moussoud, or he knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of his actions.

(4) Third, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.

CJI2d 16.21 *Inferring State of Mind*

(1) You must think about all the evidence in deciding what the defendant's state of mind was at the time of the alleged killing.

(2) The defendant's state of mind may be inferred from the kind of weapon used, the type of wounds inflicted, the acts and words of the defendant, and any other circumstances surrounding the alleged killing.

(3) You may infer that the defendant intended to kill if he used a dangerous weapon in a way that was likely to cause death. Likewise, you may infer that the defendant intended the usual results that follow from the use of a dangerous weapon.

(4) A gun is a dangerous weapon.

(5) A dangerous weapon is any instrument that is used in a way that is likely to cause serious physical injury or death.

(6) Premeditation and deliberation may be inferred from any actions of the defendant which show planning or from any other circumstances surrounding the killing. The prosecutor need not prove a motive for the killing. But, you may consider evidence of motive in deciding if there was premeditation and deliberation. Motive by itself does not prove premeditation and deliberation.

CJI2d 18.2 *Robbery*

The defendant is charged with the crime of robbery. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

First, the defendant used force or violence against and/or assaulted Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud

Second, the defendant did so while he / she was in the course of committing a larceny. A "larceny" is the taking and movement of someone else's property or money with the intent to take it away from that person permanently.

"In the course of a larceny" includes acts that occur in an attempt to commit the larceny, or during commission of the larceny, or in flight after the commission of the larceny, or in an attempt to retain possession of the property or money.

Third, Melissa Habernathy, Henry Habernathy, Rachel Martinez, and Hiram Moussoud was present while defendant was in the course of committing the larceny.

CJI2d 11.34 *Possession of Firearm at Time of Commission Felony (Felony Firearm)*

The defendant is also charged with the separate crime of possessing a firearm at the time he / she committed crime of First-Degree Murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

First, that the defendant committed the crime of First Degree Murder, which has been defined for you. It is not necessary, however, that the defendant be convicted of that crime.

Second, that at the time the defendant committed that crime he / she knowingly carried or possessed a firearm.

A firearm includes any weapon which will, or is designed to, or may readily be converted to expel a projectile by action of an explosive.

A pistol is a firearm.

CJI2d 11.34b *Felony Firearm—Possession*

Possession does not necessarily mean ownership. Possession means that either:

- (1) the person has actual physical control of the thing as I do with the pen I am now holding, or
- (2) the person knows the location of the firearm and has reasonable access to it.

Possession may be sole where one person alone possesses the firearm. Possession may be joint where two or more people share possession.

CJI2d 11.38 *Felon Possessing Firearm: Specified Felony*

The defendant is charged with possession of [a firearm / ammunition] after having been convicted of a specified felony. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

First, that the defendant knowingly possessed or used a firearm in this state.

Second, at that time, the defendant had previously been convicted of Assault with intent to Rob and Steal (unarmed).

Third, that less than five years had passed since all fines were paid, all imprisonment was served, and all terms of probation were successfully completed.

Fourth, that the defendant's right to possess or use a firearm has not been restored pursuant to Michigan law.

**STATE OF MICHIGAN
IN THE 7TH CIRCUIT COURT**

PEOPLE OF THE STATE
OF MICHIGAN,

Prosecution

Case No. 19-000135-FC

v.

JUDGE

QUINN CAMERON,

Defendant.

_____/

School Name

PROSECUTING ATTORNEY

School Name

ATTORNEY FOR DEFENDANT

VERDICT FORM²

Count I: Robbery

Not Guilty _____ (Go to Count II)

Guilty _____ (Go to Count II)

Count II: First Degree Murder

Not Guilty _____ (Go to Count III)

Guilty _____ (Go to Count IV.)

Count III: Second-Degree Murder

Not Guilty _____ (Go to Count IV)

Guilty _____ (Go to Count IV.)

² Please return the verdict form to the Genesee County Bar Association with the results of your school's verdicts.

Count IV: Possession of a Firearm during the Commission of a Felony

Not Guilty _____ (Go to Count V)

Guilty _____ (Go to Count V.)

Count V: Felon Possessing Firearm: Specified Felony

Not Guilty _____ (End)

Guilty _____ (End)

EXHIBITS

Depository Safe - 14 x 16 x 27"



Keep your cash safe. Anti-theft deposit hopper allows money in, but not out.

- Fits under counters at retail shops, convenience stores, bars and restaurants.
- Programmable keypad lock allows you to easily add or remove user access.
- Heavy-gauge steel construction. Drill-resistant door with multiple locking bolts.
- Includes removable, adjustable shelf.
- Floor mounting hardware included.

[More Images](#)

MODEL NO.	DESCRIPTION	OVERALL DIM. W x D x H	CUBIC FT.	WT. (LBS.)	PRICE EACH		ADD TO CART	
					1	3+		
H-7768	Depository	14 x 16 x 27"	1.6	121	\$600	\$575	<input type="text" value="1"/>	ADD

SHIPS ASSEMBLED VIA MOTOR FREIGHT







2000 Ford Focus



Kia Rio



\$19,995 - \$37,990

COMPARE

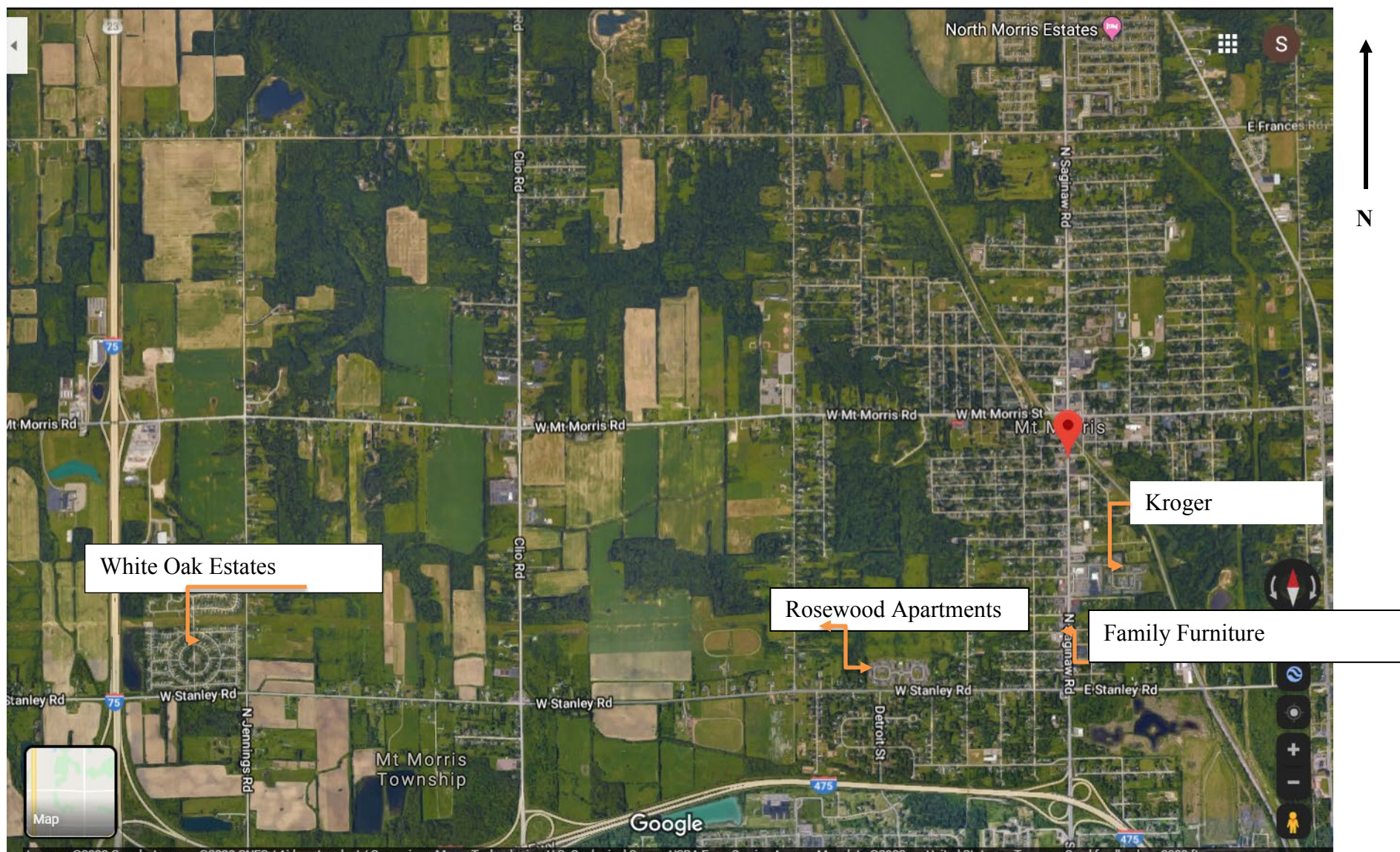
Ford Focus VS Kia Rio

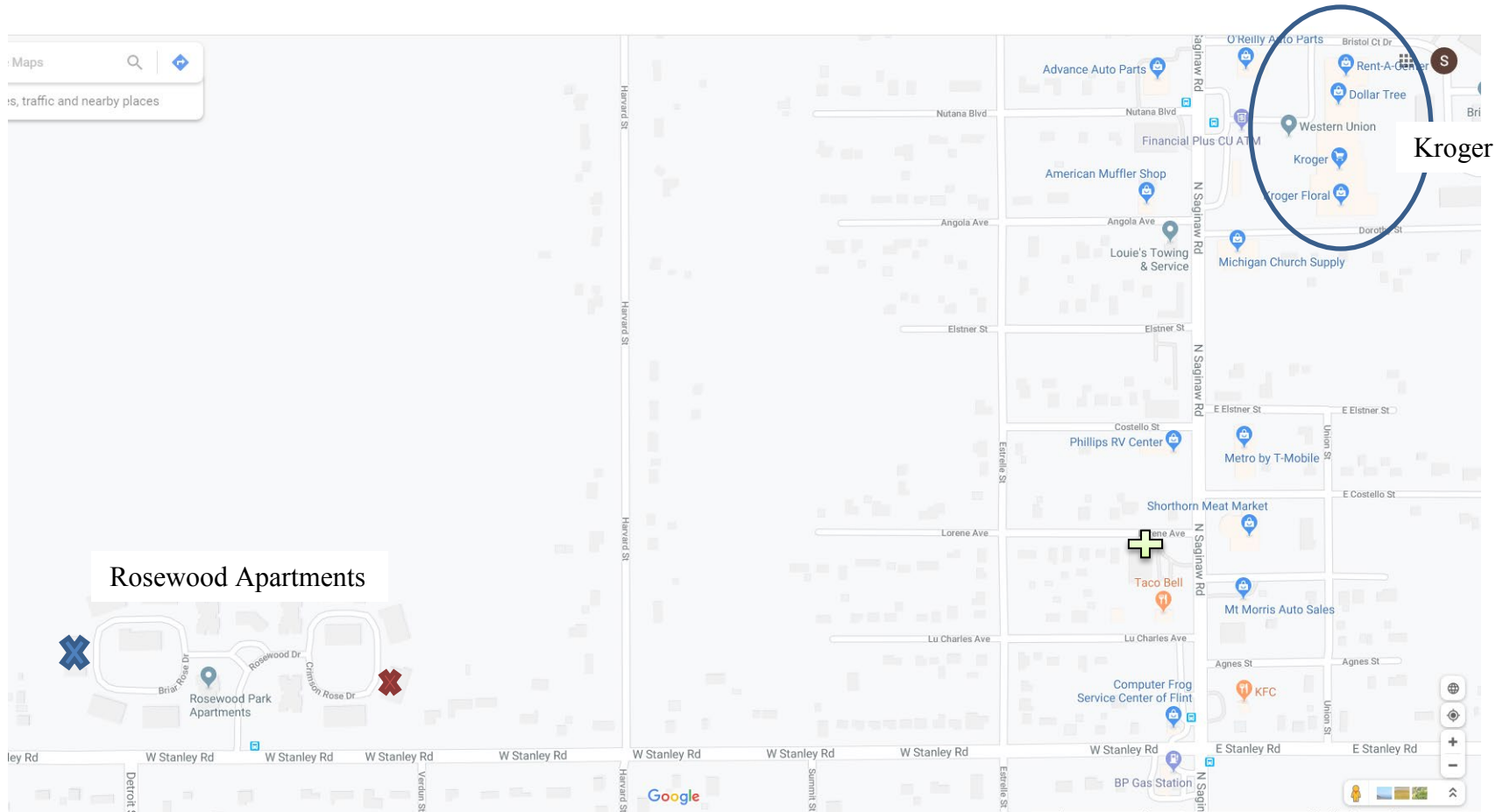


\$13,999 - \$23,990

▼ ▲

29/57





- ❌ Quinn Cameron's Apartment Building
- ❌ Bailey Hopkins' Apartment Building

✚ Family Furniture

STATEMENTS

STATEMENT OF KYLE DRUMMOND

Prosecution Witness

1. My name is Kyle Drummond. I am 46 years old and employed at Taco Bell which is next door to Family Furniture.
2. Every morning, Melissa Habernathy would come into Taco Bell to purchase a large diet Pepsi and a Breakfast Crunchwrap. She was a nice person. I usually would take my break when she came into the store. We talked about her family and our shared interests.
3. On June 21, 2019, Melissa came into the restaurant as usual. I took my break. Melissa said that she had to fire a delivery person the day before. The delivery person was upset. Melissa stated that he/she kept the key to the store. She decided to change the locks but did not know when it would happen.
4. She was not sure whether firing him/her was the best decision. Just before the delivery person came into the office, Blake was telling Melissa and Henry about an irate customer who claimed that her delivery was late, damaged, and the salesperson was rude. Melissa did not necessarily believe that the delivery person was rude.
5. Melissa stated that the delivery person had a criminal record but was trying to straighten his/her life around. She thought there was a communication issue between customer and the delivery person.
6. I asked about the criminal convictions. She said it was carrying a weapon and robbery.
7. On June 24, 2019, Melissa did not come into Taco Bell. I assumed she was just busy at the furniture store. On my break which was at 9:23 a.m., I purchased a large diet Pepsi and Crunchwrap and walked over to Family Furniture. There was a red Ford Focus in the parking lot. The doors to the furniture store were unlocked.
8. I walked into the store. I yelled out for Melissa. She did not answer. So, I started to walk back to her office when I saw her lying on one of the beds. I walked up to her and saw red on the bed. She had a hole in her head. I dropped the diet Pepsi and Crunchwrap. Shaken, I turned around and saw Henry on the floor. He was lying face first on the floor and there was a pool of red around his head.
9. I ran to the counter which is where I saw Rachel laying on the ground behind her desk. Her purse was on the floor and the contents were all over the floor. I picked up the telephone and called 911. I told the dispatch operator that there were three bodies in the store. The call was about 9:34 a.m.
10. I ran out of the store. I sat in my vehicle for about 10 minutes to compose myself. When I went back to work, I told my manager what I saw.

11. My manager told me that the police were next door about an hour later. I was given permission to go over there and tell them what I saw.
12. I cannot get the carnage out of my head. Why someone would want to hurt Melissa and her staff is beyond me. She is a very nice lady. I feel so bad for her children. Whoever did this should pay.
13. During the questioning, the detective inquired as to the shoe type and size that I wear. I wear a 10 ½ Grant Hill 1 Fila shoes.

Kyle Drummond

Kyle Drummond

STATEMENT OF BLAKE JONES

Prosecution Witness

1. My name is Blake Jones. I am an accountant for Family Furniture. I have worked for the furniture store for 15 years.
2. My job duties include maintaining the books for the store, making the deposits in the morning, and all the accounting needs of the store.
3. Melissa and Henry Habernathy are my aunt and uncle. They hired me after I graduated from college with a Bachelor of Science in Business Administration with majors in Accounting and Management.
4. Melissa and Henry were married for forty years at the time of their untimely death. They had two children and eight grandchildren. They loved their family.
5. Their whole mission with the furniture store was to treat their customers like family. They treated their staff like family too. We celebrated each other's successes and supported each other in difficult times.
6. Melissa and Henry also sponsored many causes that centered around giving children better access to education, medical treatment, and lives. For instance, they sponsored a pee-wee baseball team and a literacy program at the local library. It wasn't just money; they gave their time. Melissa is a retired special needs teacher and would volunteer to help children with learning disabilities.
7. Hiram Moussoud was a lovely gentleman. He worked for Family Furniture for 10 years. He was 35 years old. Hiram was dating a lady that he met at his Mosque. The day before he was killed, he asked his girlfriend's father for permission to marry her. He intended to propose the following weekend.
8. Rachel Martinez was a married lady who worked at Family Furniture for five years. Her daughter is eleven years old. Rachel joined the store after her daughter started going to school all day. It was her job to answer the telephone, prepare the sale paperwork, and collect payments. She worked from 9:00 a.m. to 5:00 p.m., Monday through Friday.
9. In the beginning of June, Melissa and Henry placed a help wanted advertisement seeking someone who would help with deliveries. Quinn Cameron applied for the position. I reviewed Quinn's application. He/she was previously convicted of Delivery of a Controlled Substance, Carrying a Concealed Weapon, and Strong-Arm Robbery.
10. Henry and I talked about Quinn's application. I voiced my concerns, but Henry wanted to give him/her a second chance. Henry said that Quinn had served his/her debt to society. Henry called Quinn while in my office and scheduled an interview.

11. Melissa and Henry started the interview then I came in later. Quinn was in a relationship with someone who had a teenage son. He/she talked about his/her significant other and explained that he/she was straightening up because of him/her. Quinn wanted to do right by him/her.
12. Henry hired him/her on the spot. I asked Henry if he was sure that he wanted to take that risk. Henry said that Quinn paid his/her debt to society and deserved an opportunity. Quinn was to start working an eight-hour shift on June 14, 2019. Henry told me to schedule him for five days during the next week. I always posted the work schedule.
13. Quinn worked the first shift. As he/she was loading the furniture, Quinn broke a vase and dining room chair. The two items cost \$320. Neither could be fixed. The customer, a friend of mine, called and told me about the damage before Quinn submitted the paperwork. I apologized for the inconvenience and would tell the owners.
14. I posted the work schedule for the next pay period on June 14, 2019 before Quinn returned from making deliveries.
15. Quinn did not return to work until June 20, 2019. He/she missed three work shifts which left us shorthanded with deliveries.
16. Around 4:30 p.m., I went into Melissa and Henry's office and told them about the irate customer who complained about the damaged vase and chair as well as the rudeness of the delivery person. This did not sit well with Melissa.
17. Around 5:45 p.m., Melissa, Henry and Quinn were in Melissa and Henry's office. I was in my office. Rachel was in the area between the offices. I believe Hiram and Rochelle Watkins, the other salesperson, were on the sales floor helping customers. I did not see them.
18. I heard Quinn scream that they could not do that to him before he stormed out of the office. Melissa came out of the office and asked Quinn to return the keys to the store.
19. Melissa and Henry came into my office and told me that they fired Quinn Cameron. Henry stated that he/she only worked 2 out of 5 days then he broke some furniture worth \$320 while on a delivery. Quinn made \$20 an hour and worked two eight-hour shifts. I reminded them that the customer also complained about her interaction with Quinn. I made a notation to dock Quinn's pay for the damaged goods.
20. Henry mentioned that Quinn never returned the keys. At 6:00 p.m., I left the store.
21. On June 23, 2019, the store was opened until 7:00 p.m. Melissa, Henry, Rachel and I stayed until 6:00 p.m. Riley, the delivery guy, was out on deliveries until 6:00 p.m. Usually when he was completed with deliveries, he would come back to the warehouse until 7:00 p.m. He would clean up the warehouse and the storeroom floor. Hiram and

Rochelle would close the store at 7:00 p.m. and place the money from the till in the safe with a till count sheet. They both would take payments or sales until 7:00 p.m.

22. After work, I went to the gun range with some friends. We had been taking lessons on how to defend ourselves with different types of guns. I loved shooting. I would shoot with a gun in both hands. I wanted to be able to protect myself in case of an emergency.
23. On June 24, 2019, I went to the store about 10:00 a.m., the door was locked. When I got into the store, I observed Melissa on a bed laying in a pool of blood, Henry on the floor near her, Rachel behind her desk, and Hiram in Melissa and Henry's office where the safe was located. The safe door was opened and empty.
24. The safe is a depository safe about 14 by 16 by 27". It had a programmable keypad lock that allowed Melissa and Henry to add or remove users' access. The owners, Rachel, Blake, and the salespeople had access to the safe. Melissa and Henry used the master code. Rachel, Hiram, Blake, and Rochelle had individual codes.
25. Melissa and Henry kept some money in the safe for incidentals, the previous night's deposit, paperwork related to the store, and a coin collection belonging to Melissa and passed down from her father. The paperwork was all over the floor. The money and coin collection were gone.
26. The money left in the safe for incidentals was approximately \$1,000. The coin collection was appraised at \$10,000. They also kept banking records in the safe. Those were also gone. The coin collection was Lincoln Memorial Pennies between 1959 – 2009.
27. I went into my office and called the police. It was about 10:10 a.m. when I called the police.
28. I stayed in my office for a little bit before I left the store. I wanted to see if anything was missing in there. When I was leaving, police officers were arriving. I met with one in the store.
29. Officer Micah Roberts asked what I was doing in the building. I explained that I was the one that called the police. He/she asked why I stayed in the store for an hour. I told him/her that I just called 15 minutes ago. Officer Roberts escorted me out of the building. I spoke with another officer.
30. An officer asked to take a swab of my hands.
31. A few days later, I went to the police headquarters to talk to Officer Roberts again. He/she explained that he/she was investigating the case. Officer Roberts inquired as to the coin collection that was in my vehicle. I explained that I am a huge fan of Harry Potter movies and books, I purchased the Harry Potter coins because of that. The other coins were inherited from my father.

32. I do know Alex Kennedy. We briefly dated for about a month in 2016. I did not know that Quinn was related to Alex.

Blake Jones

Blake Jones

STATEMENT OF MICAH ROBERTS

Prosecution Witness

1. My name is Micah Roberts. I am a Homicide Detective with the Mt. Morris Police Department. I have been a member of the police department for about twenty years. I worked patrol for 15 years.
2. As part of my job, I have taken numerous courses in homicide investigation. Some of the courses that I completed are as follows: Homicide Investigation, Bloodstain Pattern Analysis Workshop, Death and Homicide which is a five day course, Inside the Tape Homicide Investigation & Crime Scene Management Training, Advanced Homicide Investigation, Reading and Identifying Fire Patterns, Criminal Investigations using Cellular Technologies which is a 40 hour course, and Death Scene Investigation. I have taken others as well.
3. I received notification of a homicide at Family Furniture. I was at the Genesee County jail talking to a suspect on another matter when I received the telephone call. I left the interview and went directly to the scene.
4. When I arrived at the scene, patrol officers were questioning Kyle Drummond. I went into the building and ran into Blake Jones near the bedroom furniture and mattresses. When I looked to my left, I noticed a body lying on a bed with a pool of what appeared to be blood around the head. I walked Blake out of the building and asked another officer to pat Blake down.
5. I walked back into the building. I walked over to the bedroom furniture section where I found the first body on a mattress with the pool of blood around her head. I later identified this person as Melissa Habernathy. She was laying on her back with a gunshot to the center of her head. There was a fountain drink cup on the floor with a wet spot and some food on the floor. Then, I observed another individual laying on the floor a few feet away. It was a male subject on his stomach with a bullet to the back of the head. I later identified this person as Henry Habernathy. Melissa and Henry Habernathy were the owners of the business.
6. I moved toward the counter and found a third body later identified as Rachel Martinez. She was shot in the center of her head. I walked into the office to the right before walking into the office to the left of the counter. I found a fourth body who was laying close to the safe but appeared to be walking away from it. This person was identified as Hiram Moussoud.
7. The safe was open and empty. Paper was thrown all over the office. I walked through the entire building. In the warehouse, I observed an open door. I checked the door for signs of forced entry but there were no signs. Anyone leaving through the back door would not be seen from Saginaw St.

8. We were able to determine what code was entered last on the safe. The last code belonged to Hiram Moussoud.
9. Next, I checked the front door which Kyle Drummond stated was unlocked for signs of forced entry. There were no visible signs of scratches or marks on the door. The hardware on the door was not loose. It is my opinion that there was no forced entry into the building.
10. I checked in the bedroom furniture section, behind the receptionist's desk, and office for gun casings and did not locate any.
11. When in the office, I noticed bloody shoeprints. The footprints were walking away from the safe. I took a picture and measured it. It was a size 10 ½. I ran the print through our database, and it came back to Grant Hill 1 Fila Shoe. I diagrammed a layout of the crime scene.
12. I questioned Blake Jones and Kyle Drummond about what they observed. Kyle Drummond was the first to locate the bodies. I took his/her statement at the police department. Kyle mentioned that he/she only observed three victims. He/she did not look in the office. He/she stated that he/she went into the store because Melissa did not come to Taco Bell like she did every morning. He/she was bringing Melissa a Diet Pepsi and a Crunchwrap which was her usual order. He/she arrived at the store at 9:20 ish and found Melissa laying on the bed. When he/she walked closer to Melissa, he/she observed a pool of blood around her. Kyle dropped the pop and food on the floor. Then, he/she noticed Henry on the floor. Kyle continued through the store when he/she observed Rachel behind her desk in the receptionist area. He/she called the cops and left the store at that time.
13. I noticed that Kyle's shoes were Grant Hill 1 Fila shoes. I asked Kyle what size he/she wore. Kyle stated 10 ½.
14. Kyle did mention that when he/she went into the store that there was a red Ford Focus in the parking lot. The Focus was parked in the parking spot right in front of the store to the right of the door. Kyle did not see any other vehicles in the front of the store.
15. Next, I talked with Blake Jones. Blake was a relative of Melissa and Henry. He/she worked in the office opposite of Melissa and Henry as a bookkeeper. Blake came into work at about 10:00 a.m. He/she had to use his/her key to enter the store. When he/she entered the store, he/she observed Melissa and Henry in the bedroom section, Rachel near the receptionist desk, and Hiram in the office. The safe was open and empty.
16. I asked Blake who had access to the safe. Blake stated that Melissa, Henry, Rachel, Hiram, and himself/herself. Melissa and Henry used the master code. Blake, Rachel, and Hiram had their own access codes. Blake was able to provide the access codes for each employee for the safe.

17. I asked what was in the safe. Blake indicated that there was approximately \$1,000 in cash and a coin collection worth \$10,000. He/she was not sure about the night's deposits. There were banking records for their business accounts at Chase. It included their account numbers and log on information.
18. I asked Blake if there was a list of the coins in the safe. He/she mentioned that they kept the list in a safe deposit box at Chase.
19. I asked Blake what size shoe that he/she wore. He/she indicated size 8.
20. I asked Blake whether he/she saw any vehicles in the parking lot when she entered the store. He/she said no. I asked where did Blake park his/her vehicle. Blake stated that employees were to park nearest to the rode near Saginaw St.
21. I asked both Blake and Kyle who may have a reason to do this. They both mentioned Quinn Cameron who was fired a few days ago. I inquired as to why Quinn was fired. Blake indicated that he/she failed to show for work a few days and broke some furniture. Blake mentioned that Quinn retained his/her key to the store.
22. Kyle stated that the day after Quinn was fired, Melissa was upset about the firing. She told Kyle that Quinn left the store with the keys. She was concerned that Quinn would break into the store in revenge.
23. I checked Kyle Drummond's vehicle. I found nothing in it.
24. I checked Blake Jones' vehicle. I found a couple sets of coins. The coins were Harry Potter Gringotts Bank Coin Collection as well as Lincoln Memorial Pennies between 1959 – 2009.
25. I asked Blake about the coins in his/her vehicle. Blake indicated that he/she was a big fan of Harry Potter and has been collecting the coins for a while now. The Lincoln Memorial Pennies were an inheritance from his/her father, Melissa's brother.
26. I checked the probate records at Genesee County Probate Court for Blake's father. There was no probate estate opened for Blake's father. However, there was a probate estate for Blake's grandfather. I checked out the file. There was a challenge to the Last Will & Testament by Blake's father. In the Will, Melissa was to inherit the entire coin collection, but Blake's father contested it. Blake's father alleged that Melissa unduly influenced their father into leaving the coin collection to her. The coin collection was the main asset in the estate. After a trial, the probate court awarded half of the coins to Melissa and half to Blake's father. The estate was settled after Blake's father passed away. Blake inherited his/her father's portion of the coins.
27. Since both Kyle and Blake mentioned Quinn Cameron, I went to Quinn's apartment to talk to him/her. I told Quinn that there were four victims found at the Family Furniture shot in the head and the safe empty. Quinn sat down in a chair in his/her dining room.

28. I asked him/her where he/she was between 9:00 a.m. and 11:00 a.m. Quinn stated that he/she was at his/her cousin's house until 8:00 a.m. At that time, Quinn stated that he/she walked from White Oak Estates to his/her apartment. When Quinn arrived home, he/she changed clothes and looked for his/her cellphone. Quinn could not locate his/her cellphone. He/she then walked to Kroger to get a newspaper.
29. After purchasing a newspaper and a bottle of water, Quinn began to walk back to his/her apartment. He/she did see police vehicles at Family Furniture but continued to walk home.
30. I asked Quinn to come to the police department in order to discuss this further and take a gunshot residue test. Quinn agreed but needed a ride.
31. Quinn and I walked to my vehicle. I opened the back door for Quinn to sit in the backseat. Quinn was not handcuffed or otherwise restrained.
32. When we arrived at the police department, I took Quinn to an interrogation room. At that time, I took a swab with an adhesive lifter to determine whether there was gunshot residue on his/her hands.
33. While we were in the interrogation room, I read Quinn the Miranda Warnings. I asked if he/she would talk to me about the murders. Quinn asked for an attorney.
34. After talking with the witnesses and suspects, I wanted to swab everyone for gunshot residue. Blake Jones had gunshot residue on his/her left and right hand. Quinn Cameron had some gunshot residue on his/her right hand. Kyle Drummond did not have any gunshot residue on either hand.
35. I ran each witness for gun ownership. The only person that I discovered that owned a gun was Alex Kennedy, Quinn Cameron's cousin. After arresting Quinn Cameron, Alex Kennedy came into the police department to discuss his/her cousin. I asked Alex whether he/she had the gun still. Alex stated that he/she kept the gun in the glovebox that was locked. I asked him/her to get it.
36. I walked to the vehicle with Alex. He/she opened the glovebox. The gun was not in there. I asked who had access to it. He/she said that Quinn had access to it. This is when Alex mentioned that he/she thought Quinn borrowed the vehicle on June 24, 2019.
37. Alex explained that Quinn had stayed at Alex's house on from June 23, 2019 to June 24, 2019. When Alex awoke, both Quinn and Alex's vehicle were gone. The vehicle was returned at about 10:30 a.m. Alex did not make a police report. He/she just went to work.

38. I also obtained a search warrant for Quinn Cameron's apartment and Bailey Hopkins' apartment. I found some clothes that smelled like alcohol on them that I bagged at Quinn Cameron's apartment. I did not find any Grant Hill I Fila shoes.
39. I found a box for Grant Hill 1 Fila shoes in a closet at Bailey Hopkins' apartment. The box contained cash in the amount of \$920.
40. We were unable to locate the coin collection.

Micah Roberts

Micah Roberts

STATEMENT OF ALEX KENNEDY

Prosecution Witness

1. My name is Alex Kennedy. I am Quinn Cameron's cousin.
2. I own a red 2000 Ford Focus. I keep the vehicle at my address. My cousin, Quinn, has borrowed it several times.
3. I reside in White Oaks Estates which is a manufactured home community off of Stanley Road.
4. Quinn resides at Rosewood Apartments, which is also off of Stanley Road. Quinn's significant other also lives in an apartment in Rosewood Park. Quinn's apartment is on Briar Rose Drive while his/her significant other lives on the opposite side of the apartment complex on Crimson Rose Drive.
5. Quinn and I are like siblings. Our mothers are sisters.
6. In 2009, Quinn was convicted of delivery of cocaine less than 50 grams. This was Quinn's second conviction for drugs. He/she was in jail for 11 months. Then, he/she was placed on probation. In 2015, Quinn pled guilty to carrying a concealed weapon and strong-armed robbery. He/she served a couple of years in prison. When Quinn was released, he/she really wanted to turn his/her life around.
7. In 2019, Quinn applied for the delivery person position at Family Furniture. When he/she went to the interview, he/she wore a suit. Quinn wanted to make a good impression.
8. Quinn came to my house after the interview was over. I allowed him/her to use my vehicle. He/she was very excited because they hired him/her and his/her first day was tomorrow.
9. I did not see Quinn again until June 20, 2019.
10. Quinn came over to my place after work. He/she was very upset. Quinn explained that Melissa and Henry fired him/her. I asked why. Quinn stated that he/she was accused of breaking objects during a move and not coming into work for three days.
11. Quinn said that he/she was going to make the person pay. I thought he/she was just blowing off steam. Over the next couple of days, Quinn focused and obsessed on Family Furniture and the people working there. He/she stated that Melissa usually was at the store first. She would arrive at about 9:00 a.m. Henry did not come to the store until about noon. Blake, the bookkeeper, started at 10:00 a.m.
12. I tried to get Quinn to talk about other things, but he/she couldn't. Quinn told me that Hiram, a salesperson, and Rochelle Watkins, the other salesperson, worked 11 a.m. to 7

p.m. Melissa and Henry usually left the furniture store at 6 p.m. along with Blake and Rachel.

13. Quinn then told me that Hiram usually put the money from the till in the safe before he left. Quinn mentioned that there was no security system in the store. I told Quinn that he/she needed to stop agonizing over it and move on.
14. After two days of listening to Quinn talk about Family Furniture, I had enough. So, on June 23, 2019, I threw a party at my house. Family and friends came over. We barbequed hot dogs and hamburgers. Our guests brought dishes to pass around. Alcohol was available.
15. Quinn was drinking a lot that night. It was the first time since Quinn was fired that he/she seemed to relax. Around 10:00 p.m., Quinn went inside my vehicle and grabbed my gun. He/she stated that this would teach them a lesson. I grabbed the gun from him/her and put it back in the glove box. I told him/her to let it go because there is nothing that he/she can do.
16. I grabbed some fireworks from the trunk of my car. We started lighting them in the street. Quinn grabbed some and lit them as well.
17. After we lit all the fireworks, my guests left. Quinn stayed for a while. We sat in my living room and talked about growing up. Quinn fell asleep on my couch. I went to bed.
18. I woke up at about 9:00 a.m. because I had to be at work at 11:00 a.m. When I went into the living room, Quinn was gone. I started to get ready for work. I work at GM Truck & Bus. I looked out the front door and saw that my vehicle was gone.
19. My keys to the vehicle were on a table near the front door.
20. I called Quinn on his/her cellphone, but he/she did not pick up. I left a message that it was not cool to take my car without permission and that I needed it to get to work.
21. I took a shower and got ready for work. At 10:30 a.m., I looked outside and my car was there. The keys were on the table.
22. Quinn was nowhere to be found.
23. A few days later, I learned that Quinn was arrested for a quadruple homicide at Family Furniture. I could not believe it but Quinn was very upset and angry about being fired. I went to the police department and spoke with Detective Micah Roberts. I wanted to help my cousin out as much as possible.
24. During my discussions with Detective Roberts, I discovered that Blake Jones worked at Family Furniture. We dated for about a month before breaking up. We have kept in contact and remained friends.

25. Detective Roberts asked about the gun registered to me. I advised him/her that the gun is located in the glove box of my vehicle. He/she asked to see it. I went out to my vehicle to get the gun and it was gone.

26. I told Detective Roberts that it was gone.

Alex Kennedy

Alex Kennedy

STATEMENT OF QUINN CAMERON

Defense Witness

1. My name is Quinn Cameron. I live in Rosewood Apartments which is off of Stanley Road in Mt. Morris, Michigan.
2. I am a convicted felon. I was convicted of delivery of cocaine less than 50 grams, carrying a concealed weapon, and strong-armed robbery. It has been a few years since I completed my sentence and paid my fees for the last conviction. I take responsibility for my actions and know that I was wrong. I am a better person since those actions took place.
3. While I was in prison, I earned my GED which is a General Education Diploma. After being discharged from prison, I started to take college courses at Mott Community College where I am enrolled in the Culinary Institute. I currently have a 3.9 grade point average. In addition to learning my craft, I also am taking business classes. It is my dream to open my own café.
4. I attend church with my girlfriend/boyfriend, Bailey Hopkins, every Sunday. I am active in my church. I participate in the Sunday service as an usher. I am active in the Bible Study group which meets on Wednesdays. I also talk to the youth in the church about my convictions and how that affected my family and me. I want to be an example of what not to do but also that you can overcome mistakes made in your life.
5. Bailey and I met at church. He/she has a son that lives with him/her. They are the reason why I stay positive and know that I am making the right decisions to get my life in order.
6. In May 2019, I found a Help Wanted advertisement on Mlive for a delivery person. I needed work to be flexible with my schedule due to my courses and church responsibilities. I applied for the position.
7. On June 13, 2019, I met with the owners of Family Furniture for a job interview. They were Melissa and Henry Habernathy. I met with them first. Their first question was about my convictions. I was honest about what I did wrong. I made no excuses.
8. Next, we talked about the changes that I was making in my life to make it better. I talked about the culinary courses and my activities in church. I explained my goals in life such as opening a café and setting an example for people that you can turn your life around. I also wanted to employ individuals who were on probation or parole in order to give them a chance to get back into society.
9. After about ten minutes, Blake Jones came into the interview. She inquired as to the convictions again. I explained that I take responsibility for my actions and I am making changes in my life.

10. I asked whether the hours would be flexible to accommodate my classes and church schedule. Melissa said yes. They wanted to work with their employees. Henry told me that I was hired. Blake got up and walked out of the office after I was hired.
11. I was very happy. They seemed like very nice people. Henry walked me into the warehouse. He showed me where the schedule would be posted which is on a bulletin board near the doorway. It also had a time clock where I can punch in and out. Blake typically would post the work schedule.
12. I asked when the schedule is posted. He said that it will be posted later that night. He gave me a set of keys for the store. I was in awe of their compassion and willingness to give me a second chance.
13. Henry stated that I would start work tomorrow and the rest would be posted at that time.
14. I came into work on June 14, 2019 at 10:00 a.m. The schedule for the remaining week was not on the board. Henry came into the warehouse and introduced me to the other workers in the warehouse. My partner was Riley Venus. Riley would show me the ropes.
15. During one of the deliveries, Riley broke a vase and dining room chair. Riley asked me to take the blame for it because he was already on probation for other things. I told him that I would. Riley would pay me back if I was docked for my pay which is usually what Blake would do.
16. He told me what paperwork to complete in order for management to be notified. I did that and I apologized to the customer for the damage.
17. At the end of my shift, the schedule was listed on the board in the warehouse. I was only scheduled to come into work on June 20, 2019. After work was completed, I went home.
18. On June 20, 2014, I went into work. On the board, I saw a different schedule. It showed that I was supposed to have worked three shifts. At the end of my shift, I went into the office to talk to Melissa and Henry.
19. They were surprised to see me. I apologized for any confusion but the schedule that I saw on June 14, 2019 only had me working today. When I came into the office, it showed that I had missed three shifts.
20. Henry asked about the damaged vase and chair. I explained that it was an accident. I offered to pay for it. He accepted. Melissa stated that they took a chance on me and I disappointed them by missing my shifts.
21. I explained that the schedule only listed one shift which was today but then I came into the warehouse today and the schedule was different. I told them that I think that I made a mistake.

22. Henry began to speak but then Melissa cut him off and said that they need to let me go. I did not understand what was going on. I apologized for my mistake and asked for them to give me a second chance that I would do better.
23. I really need the job in order to pay rent and pay my expenses.
24. Henry explained that the customer was very unhappy that the vase and chair were damaged. Henry explained that Blake took a call from the customer who stated that I was very rude to her.
25. This wasn't the case. I felt like Blake did not want me there. I got angry and walked out of the office. I yelled that it was not fair, and someone would pay. I left the store.
26. I felt like I let my friends and family down. This job meant a lot to me. There are not a lot of jobs out there for people like me. Who is going to take a chance on a convicted drug dealer and thief?
27. On June 21, 2019, I went to my cousin's house. My cousin is Alex Kennedy. Alex and I grew up together. My mom raised him/her because his/her mother and father were killed in a car accident.
28. Alex asked what happened. I explained that Melissa and Henry fired me because I did not show for three shifts. I told Alex that I was not scheduled for three days but when I got to work on the 20th that the schedule changed.
29. I kept going over and over in my head what happened. According to Henry, Blake made the schedules. Blake was in the job interview and did not appear to want to hire me. I got this impression that Blake did not care for me.
30. Alex began to question me about the store, and I would start talking about the store again. Looking back, Alex asked me strange questions such as the layout, the employees, and any safes. I was so mad that I did not think anything of it until now.
31. On June 23, 2019, Alex threw a party at his/her house. Our family and friends were there. It was a barbeque potluck. We drank, talked, and remembered good times.
32. After I had several drinks, Alex brought up the store and my firing. I couldn't believe it. Alex asked what I was going to do about it. Someone yelled shoot it up. I went into Alex's car, grabbed his/her gun from the front seat, and said that this would make them pay.
33. Bailey was also at the party and he/she came over to me at this time. Bailey told me to put the gun away because I was talking like a crazy person.

34. After that, I felt wrong holding the gun. I was not that person anymore. I put the gun into the glove box and locked the car. I never understood why Alex kept the gun in the vehicle. It wasn't safe in there.
35. I kept drinking. Bailey was frustrated with my drinking because I make bad decisions. Bailey left the party and went home.
36. After Bailey left, I decided to light some fireworks. I held the lighter in my left hand and the fireworks in my right hand. A couple of times, I kept the firework in my hand until the wick was close to the end then I would throw it.
37. After everyone left Alex's house, Alex and I went into the house. I was drunk and tired. I fell asleep on his/her couch.
38. I woke up at about 8:00 a.m. I decided that I should walk home and start looking for another job. Since I did not own a vehicle, I walked home from Alex's house. It took about an hour to get home.
39. When I got home, I changed clothes and looked for my cellphone, but I couldn't find it. I gave up and went to Kroger's. It took me about a half hour to get there. I went to get a newspaper in order to look at the Classifieds.
40. It was hot outside. It was about 80°. When I got to Kroger's, I was sweating. I got there around 10:00 a.m. As I was looking at the newspapers, another person came to get a paper. He/she later identified himself/herself as Sawyer Tyler.
41. Sawyer mentioned that I looked really hot and handed me a bottle of water. I thanked him/her and continued to look at the newspapers. I had \$3.00 on me. I was trying to determine whether I should buy the Flint Journal or the Detroit News. I decided to get the Flint Journal.
42. I checked out and walked home. As I walked past Family Furniture, I saw there were police vehicles and the parking lot was taped off with caution tape. I just walked home.
43. When I got home, I took a shower.
44. Bailey came over to my house about 11:00 a.m. on June 24, 2019. Bailey had my cellphone. He/she said that he/she took the phone because he/she did not want me drunk calling him/her.
45. I did not kill anyone at Family Furniture. I am being set up.
46. On June 24, 2019, Detective Micah Roberts came over to my house. He/she told me that there was a quadruple homicide at Family Furniture. I was shocked. Why would anyone do that?

47. Detective Micah Roberts asked for my whereabouts between 9:00 a.m. and 11:00 a.m. I told him/her that I was at my apartment and I went to Kroger's. I explained that I was at my cousin, Alex's home, last night but returned this morning about 9:00 a.m.
48. Detective Roberts asked what size shoe I wore. I told him/her that I wore a size 10 ½.
49. Next, I was asked to come to the police station in order to have a gunshot residue test. Detective Roberts asked that I bring another set of clothing because they would want my clothes as well. I knew I was innocent, so I agreed. Detective Roberts followed me into my bedroom and watched as I gathered a set of clothes into a bag.
50. At the station, I gave the clothes that I was wearing to the lab technician. I put my new clothes on.
51. Detective Roberts sat me in an interrogation room and read a piece of paper that listed Miranda Rights. He/she asked whether I waived my Miranda Rights. I said no because I wanted to talk to an attorney.

Quinn Cameron

Quinn Cameron

STATEMENT OF BAILEY HOPKINS

Defense Witness

1. My name is Bailey Hopkins.
2. I am in a relationship with Quinn Cameron. I met Quinn in 2017 when he/she started to attend the church that I attend with my son.
3. I work in the church administrative office. Quinn came into the office to speak with the Pastor about being involved. The Pastor and Quinn spoke about Quinn's background and his/her plans for the future. Quinn accepted responsibility for his/her past mistakes and wanted to teach individuals that they can overcome bad choices.
4. Quinn enrolled in Mott Community College Culinary Institute. He/she wants to open a hometown café. In addition to the culinary courses, Quinn began taking business classes. He/she wanted to learn everything possible about running a successful business.
5. In addition to his/her courses, Quinn started attending Bible Study on Wednesday nights between 6 p.m. and 8 p.m. Quinn would bring some of the treats that he/she made in class to the meetings.
6. Quinn also attended Narcotics Anonymous. He/she was previously selling drugs in order to feed his/her habit.
7. I have a son from a previous marriage who resides with me. My son, Carter, is 16 years old.
8. On June 13, 2019, Quinn came to my apartment in Rosewood Apartments to tell me about a job interview that he/she had with Family Furniture. He/she was excited because Melissa and Henry, the owners, were giving him/her a chance. He/she was concerned that Blake, the bookkeeper, did not seem to approve his/her hiring. When Quinn was hired, Blake immediately got up and left the room. Quinn said that his/her first day was June 14, 2019.
9. Quinn went to his/her apartment which is on the other side of Rosewood Apartments.
10. On June 14, 2019, I went over to Quinn's apartment after 8 p.m. to see how his/her first day of work went. Quinn said that his/her partner, Riley, broke a vase and chair during one of the deliveries. Riley was on probation and asked Quinn to take responsibility for the damage. Quinn did. He/she filled out the necessary paperwork and apologized to the customer.
11. Quinn stated the schedule did not have him/him working until June 20, 2019.

12. On June 20, 2019, Quinn came to my apartment. He/she was very upset. I asked Quinn what was wrong. He/she stated that he/she was fired by Melissa and Henry because he/she missed three shifts and damaged merchandise during a delivery. They were going to dock his/her pay.
13. I confirmed that the schedule on June 14, 2019 stated that his/her next workday was June 20, 2019. Quinn stated yes. Quinn said that Blake set the schedule. It was on the bulletin board on June 14 then it was different today.
14. I asked why he/she did not talk to the owners when he/she saw the changed schedule. Quinn stated that he/she had to go to a delivery right away. When the deliveries were over, Quinn went to talk to them. They were angry.
15. Quinn stated that they were upset that he/she missed three shifts. Quinn explained to them what happened. Then, they discussed a customer complaint about the broken furniture. Melissa fired him/her. Quinn was so upset.
16. Quinn was very depressed that night. He/she stated that he/she tried his/her best and was really excited about the job. Quinn felt like someone set him/her up to be fired.
17. I asked who. Quinn stated that Blake Jones handled the scheduling. He/she came into the interview late, focused on his/her past crimes, and left with a disapproving look when he/she was hired. Quinn is not sure why Blake Jones does not like him/her but there definitely was a feeling.
18. I asked about the other employees. Quinn stated that he/she worked with Riley who was on probation. Quinn took responsibility for damaging things that Riley damaged. Hiram and Rochelle were salespeople. Quinn did not have much contact with either of the salespeople or the receptionist, Rachel Martinez.
19. I asked Quinn whether he/she ever had contact with Blake Jones before. He/she said that Blake looks like a girl/boy that his/her cousin, Alex, dated but was not sure.
20. On June 23, 2019, Quinn and I went to Alex's house for a family party. Quinn had been depressed since he/she was fired, and I thought this would help him/her to get out of it. Quinn started drinking alcohol at the party. This concerned me because Quinn had a drug habit.
21. Alex and Quinn were continuously talking about Family Furniture. I heard Alex ask about the store layout and where the offices were located. Later on, I heard Alex inquire as to when everyone came into work. I thought it was odd.
22. Alex, Quinn and I were sitting outside with other family members. Alex brought up being fired and another family member asked what Quinn would do about it. Quinn went into Alex's car and grabbed a gun. He/she pointed it up in the air and said that he/she would make someone pay.

23. I stood up and looked at Quinn. This is when Quinn put the gun back in the vehicle and started to light up fireworks. While he/she was lighting fireworks, I told him/her that I was leaving because I could not handle him/her in this condition.
24. I was holding Quinn's cellphone. I left the party and took the cellphone with me. On the few occasions that I observed Quinn drink a lot, he/she would call me all night long. I did not want that to happen.
25. On June 24, 2019, I went to Quinn's apartment at about 11:00 a.m. When I walked into the apartment, Quinn was wearing a towel and his/her hair was wet.
26. I handed the cellphone to Quinn and told him/her how disappointed I was about his/her choices last night.
27. Later that afternoon, Detective Micah Roberts came to my apartment with a search warrant. He/she searched my apartment. When Detective Roberts was leaving my apartment, they gave me an inventory list of what they took. They took a box for Grant Hill 1 Fila shoebox from my son's closet. They were size 10 ½. Also, the inventory included cash in the amount of \$920 that was found located in the shoebox.
28. I purchased the Grant Hill 1 Fila shoes for my son for Christmas from Footlocker.
29. I am not sure where the money came from. My son does not have a job.
30. Based on the person I know that Quinn is, I do not think he/she murdered anyone.

Bailey Hopkins
Bailey Hopkins

STATEMENT OF MASON RODGERS

Defense Witness

1. My name is Mason Rodgers. I am forensic ballistics/firearm consultant.
2. I have completed several courses including but not limited to the following: FBI Gunpowder and Primer Residue School, FBI Specialized Techniques School, Expert Witness Testimony Techniques, Glock Armorer School, Smith & Wesson Armorer School, Ruger Armor School, Remington Armor School, HiPoint Firearms Familiarization Course, Sig Sauer Armorer School, M16/AR15 Rifle School, and other courses.
3. I conducted operability examinations on firearms, microscopic examinations on discharged bullets and shells to determine if discharged from a particular firearm, microscopic examinations on all types of tool marks to determine if marks have been made by a particular tool or class of tools, restoration of obliterated serial numbers, and examination of clothing for gunshot residues and determine a firearm was discharge from a specific object.
4. I have examined thousands of firearms and conducted a thousand microscopic comparisons.
5. Normally, I testify on behalf of Defendants in criminal trials. I have testified over 100 times in criminal cases throughout Michigan.
6. I was hired by Quinn Cameron's attorney to review the determination finding gunshot residue on Quinn Cameron and whether it was indicative of whether he/she was the murderer.
7. Gunshot residue begins in the barrel of the gun. When the trigger is pulled, the firing pin hits the back of the cartridge of the bullet, activating the shock-sensitive primer, which ignites the gunpowder, forcing the bullet down the barrel of the gun and on its path.
8. Once the gun is fired, the discharge gases erupt from any available opening in the firearm forming a gaseous cloud of particulate or a "plume" around the shooter. The plume is supersaturated with particles, that as it rapidly begins to cool and settle, the individual particles will unavoidably collide with one another and fuse together.
9. When the individual primer elements of lead, antimony, and barium become fused together in one single particle within a plume, evidence is created.
10. The primer components are not the only particles expelled when a firearm is discharged. Among other material, burnt, unburnt, and partially burnt gunpowder is also being ejected. Residues originating from the gunpowder of cartridges are nitrogen-containing materials that could have an evidentiary significance depending on the circumstance of the incident.

11. This gunshot residue is emitted from the back of the weapon and muzzle. The particles will fly onto the skin and clothing of the person holding the gun. These particles typically measure 1 to 10 microns (for comparison, a typical human hair is approximately 100 microns in diameter). Gunpowder analysis for distance determination is different than gunshot residue primer analysis.
12. The most reliable test for gunshot residue is Scanning Electron Microscopy/energy dispersive x-ray spectrometry (SEM/EDS). An examiner can see microscopic samples collected as well as gain an analysis of the particles present.
13. There is a limited degree of conclusions that can be made from gunshot residue because of the ability to contaminate. Gunshot residue cannot indicate a shooter. A finding of residue can continue to add value simply because numerous population studies have shown that gunshot residue is not normally found on the average person.
14. Gunshot residue particles can be removed easily from surfaces they land on. It can easily be shaken or washed off. In fact, sweat is enough to wash it off. Depending on conditions and activity of the suspect, gunshot residue particles can be removed from a shooter's hand within 4 to 5 hours after a shooting event.
15. Gunshot residue can be found in most American police vehicles, police stations, and investigation rooms. It can be transferred from a surface to a person then to another individual easily. Regular activities can wipe them away.
16. Gunshot residue is tested by lifting samples off of a suspect's hands or clothing. Adhesive lifters sometimes called dabs or stubs is used to collect primers from gunshot residue. The adhesive contains a fused particle of barium, antimony, and lead. The particle analysis is by scanning electron microscopy/ energy dispersive x-ray spectrometry (SEM/EDS). This provides increased specificity, as well as the ability to conduct analysis without chemicals.
17. Finding gunshot residue does not mean that someone fired a weapon. Even if the fused particles of barium, antimony, and lead are found, they could have come from other materials, such as brake pads, airbag exhaust, or fireworks, or they could be a result of a contaminated sample. A negative gunshot residue test result does not mean that a defendant did not fire a gun.
18. Reviewing the breakdown of the residue is essential. If there is barium, antimony, and a high percentage of iron, it could come from brake pad residue. Even with the same chemicals in gunshot residue, car brake pads have a different shape.
19. I also review photos of the gunshot residue. If it is not spheroid shaped, then it may not be gunshot residue.

20. Also, I checked to see if the police officer took steps to prevent cross-contamination. In order to avoid cross-contamination, some police officers will bag hands of the suspect and secure the bag with a rubber band or flex-cuff. Further, samples are usually collected before transportation to the station.
21. Generally, gunshot residue on clothing will last longer than on hands.
22. Lead, barium, and antimony are used in the manufacture of pyrotechnic devices such as fireworks. Since these elements are used to detect gunshot residue, there is some possibility that fireworks can produce particles that could bear resemblance to gunshot residue.
23. It is my understanding that there was no attempt by Detective Roberts to preserve the hands of Quinn Cameron before placing Quinn in the patrol vehicle. This could cause contamination. Further, Sawyer Tyler indicates that at about 10:00 a.m. he/she observed Quinn sweating. At 11:00 a.m., Bailey Hopkins observed Quinn coming out of a shower. Based on these factors, I do not believe the finding of gunshot residue on Quinn's right hand is evidence that he/she shot a gun.

Mason Rodgers

Mason Rodger

STATEMENT OF SAWYER TYLER

Defense Witness

1. My name is Sawyer Tyler.
2. On June 24, 2019 at about 10:00 a.m., I was shopping in Kroger's grocery store. I was near the newspaper area when I observed an individual wearing tan shorts, white t-shirt, and white tennis shoes with blue soles and blue accents looking through the newspapers.
3. The person appeared to be sweating. The temperature outside at that time was about 79°.
4. I wanted to get the Flint Journal. The person that I saw was looking at them. I approached and said that it looks like it got hotter. I introduced myself. The person identified himself/herself as Quinn Cameron. Quinn stated that he/she walked from his/her apartment to the store. I asked how far that was. Quinn stated it was about it was a little over a mile away.
5. I mentioned how that was a nice walk. I suggested that he/she also get a bottle of water for the walk home. I handed one from a nearby cooler.
6. Quinn thanked me. I picked up the Flint Journal and walked to the check out stand. Quinn continued to look at the newspapers.

Sawyer Tyler

Sawyer Tyler

DEBRIEFING THE MOCK TRIAL

The debriefing may well be the most important part of the Mock Trial. It should bring into focus the role play which has taken place, relating the events of the Mock Trial to the American court system and its role in maintaining the rule of law. The videotapes that Circuit Court will provide will assist with debriefing.

The following outline is meant only to serve as a guide and can of course be adjusted to meet the specific needs and interests of your group. The participants should first be asked how they each felt in their roles and whether they perceive their mock trial to have been realistic. The group should then discuss the procedures of a trial, the participants in a trial, and the American court system.

I. What are the major parts of a trial?

A. Jury Selection

1. How are jurors selected?
2. Why might an attorney prefer that a particular juror not serve in his case?
 - a. How may an attorney challenge such a juror?

B. Opening Statement

1. What is its purpose?
 - a. To inform the jury of the nature of the case.
 - b. To acquaint the jury with the essential facts.
2. What should the opening statement include?
 - a. Name of case.
 - b. Name of attorney.
 - c. Name of client.
 - d. Name of opponent.
 - e. Facts and circumstances of the case.
 - f. Simple and concise statement.
 - g. What the attorney will prove in the case.

C. Direct Examination

1. What is its purpose?
 - a. To present enough evidence to warrant a favorable verdict.
 - b. To present facts with clarity and understanding.
 - c. To present your witness to the greatest advantage.
 - d. To establish your witness's credibility.
2. How does one conduct a direct examination?
 - a. Clear and simple questions.
 - b. Elicit information through questions and answers.
 - c. Never ask a question to which you don't know the answer.
3. How does one get evidence before the court?
 - a. Through the testimony of witness.
 - b. Through the introduction of real evidence (photographs, murder weapon, etc.).

D. Cross Examination

1. What is the purpose?
 - a. To negate your opponent's case.
 - b. To discredit the testimony of his witness.
 - c. To discredit real evidence which has been presented.
2. What is its scope?
 - a. Can usually only ask questions relating to testimony made during direct examination.
 - b. Attempt to explain, modify, or discredit that which has been introduced as evidence.
3. How does one conduct cross-examination?
 - a. Use narrow, leading questions.
 - b. Do not have witness repeat statements unless you are leading somewhere.
 - c. Do not ask questions to which you do not know the answer.

E. Redirect and Re-Cross examination

1. If either attorney wishes, he can conduct redirect or re-cross examination.
2. This is most often done to either reestablish or again discredit statements by the witnesses.

F. Closing Argument

1. What is its purpose?
 - a. To synthesize for the jury all the facts and evidence of the case.
 - b. To state clearly, simply and logically the case for your client
 - c. To stress all the equities in the case, while advocating your clients' position.

G. Judge's charge to the jury

1. What is its purpose?
 - a. To indicate to the jurors the law in the case.
 - b. To summarize the arguments made for either side.
 - c. To explain possible alternative judgments to the jury.
2. What should it contain?
 - a. Summary of the charges.
 - b. Summary of the law.
 - c. Summary of the arguments for each side.
 - d. Summary of the alternatives available to the jury.

H. Jury retires to determine verdict

1. What does a jury do?
 - a. Each juror discusses his reaction to the arguments presented.
 - b. Jury discusses the validity of these arguments.
 - c. To reach a verdict bases upon their judgment and the law in the case.
2. How many votes are necessary for a verdict?
 - a. Depends upon jurisdiction in which case is heard.
 - b. Usually a unanimous verdict is required.
 - c. If there is a hung jury (one which neither finds the defendant innocent nor the number of votes necessary to find him guilty) an entire new trial may be held.

I. Clerk reads verdict

J. Judge determines sentence

1. What does the judge consider in determining the sentence?
 - a. Minimum and maximum sentence according to law.
 - b. The nature of the crime.
 - c. Defendant's prior record, if any.
 - d. Defendant's reputation in the community.
 - e. Defendant's responsibilities in the community.
2. What kind of sentence can a judge impose?
 - a. Must conform to the limits prescribed by law.
 - b. Can, however, suspend the sentence or put the defendant on probation.

II. Review the major participants in a trial

A. Clerk

1. Has charge of clerical side of court business.
2. Keeps records, seals and care of papers pertaining to judicial process.

B. Judge

1. Umpire between opposing attorneys.
2. Rules on objections of attorneys.
3. Sees that the trial moves along.
4. Charges jury as to the law.
5. Decides sentence.

C. Attorneys

1. Plaintiff's or Prosecuting Attorney's duty to overcome burden of proof and "sell" his/her case to the jury.
2. Defendant's attorney must anticipate Plaintiff's/Prosecuting Attorney's case and not allow him/her to overcome the burden of proof.

D. Foreman

1. Acts as chairman and spokesman of the jury.
2. Presides over discussions in the jury room.
3. Delivers verdict to the court.

E. Witnesses

1. Deliver testimony regarding relevant issues before the court.
2. Serve to either validate or discredit allegations made by other witnesses.

III. Questions about the actual case

- A. What was the charge against the defendant?
- B. What issues were raised in the case?
- C. What were the arguments of each attorney?
- D. Why did they make these arguments?
- E. What evidence was presented for each side?
- F. What facts, evidence or arguments were not presented?
- G. What was the decision of the court?
- H. Why was that decision reached?
- I. Can the losing party appeal his case to a higher court?

IV. Questions about our trial system

- A. Does our judicial system insure that the defendant receives a fair trial?
- B. What provisions in our system insure that the defendant receives a fair trial?
- C. Are some part of the trial more important than others?
- D. What is the importance of the sequence of events of a trial?
- E. Are some trial participants more important than others?
- F. In what ways can this procedure be improved?
- G. What changes, if any, would you recommend in our judicial system?