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NC YMCA Youth & Government 2021 Mock Trial Case **STATE OF MISSISSIPPI, v. SAM/SAMANTHA SNAPE**

The 2021 NC Y&G Mock Trial Case, State of Mississippi v. Sam/Samantha Snape, has been adapted from the 2014 Georgia High School Mock Trial case, State of Georgia v. Sam/Samantha Pyke. North Carolina Youth & Government would like to thank Georgia for making its case available.

**North Carolina
YMCA YOUTH &
GOVERNMENT**

The 2018 Mock Trial Case



IN THE CIRCUIT COURT OF FONDREN COUNTY STATE OF MISSISSIPPI

STATE OF MISSISSIPPI,)	
)	
)	
v.)	CRIMINAL ACTION NO: 2018-MT
)	
SAM/SAMANTHA SNAPE)	
)	
Defendant.)	
)	

NOTE: All characters, names, events, places and circumstances in this mock trial case are fictitious or are used fictitiously. Any resemblance to any person (living or dead), place, thing or event is purely coincidental.

DISCLAIMER: The HSMT Committee would like to remind the teams that this problem is a problem created for the educational and competition needs for the High School Mock Trial Competition, and as such, is a work of fiction. Portions of this year's problem dealing with forensics collection and analysis have been simplified to fit the limits of the mock trial universe and the confines of a scripted problem. Neither this problem, nor any previous problems, should be taken as an accurate reflection of police practices or forensic capability.

INTRODUCTION

*This introduction is of **no legal consequence** in terms of the trial and is **not admissible** for impeachment purposes or for any other purpose.*

It is a cold and blustery night. Al Dore is Fondren's local loan shark and has built a good business for himself and his family. One of Al's "clients," Sam/Samantha Snape, is called by Al to meet him on the top level of the Fondren Parking Garage on the night of January 28, 2017 to repay an overdue loan.

Al is accompanied by his younger sibling Abe/Abigail Dore to the meeting. They drive into the garage in Al's custom 1967 Golden Anniversary Ford Anglia and park on the top level. While Al goes to talk to Sam/Samantha, Abe/Abigail stays in the car to keep warm. The meeting begins, but quickly turns violent. Al and Sam/Samantha argue and then fight over a gun. Before it's over, both Al and Sam/Samantha wind up back down at the ground level of the garage; Sam/Samantha by way of the south stairwell and Al with the help of gravity.

Al was pushed over the edge to his death. Just before being pushed, Al was shot with his own gun. The gun was tossed over the edge with Al. Sam/Samantha claims someone else was the pusher, that s/he was at the door to the stairwell across the deck when s/he heard and saw someone else arguing with Al before he was pushed over the edge. Sam/Samantha says that it could have been one of Al's crew. Al's crew leader, Drake Foy, was at the movies that night. Abe/Abigail claims that s/he saw Sam/Samantha do the deed then run to the stairwell. Lt. Harry/Harriet Potter investigates the scene and comes to the conclusion that Sam/Samantha is the murderer.

Ronnie Lupin, a retired Baltimore detective, lives in the apartment across the street from the garage. From his/her windows, s/he has a bird's eye view of the top level of the garage and has witnessed previous meetings between Al and his clients. Ronnie sees the push occur and says the pusher does not look like Sam/Samantha. Leslie Granger is the parking garage attendant at the main entrance of the garage who saw both Al and Sam/Samantha enter the garage and later Al fall to the driveway below. Leslie saw Sam/Samantha and another person exit the stairwells after Al fell. If it wasn't Sam/Samantha, could Leslie and Ronnie have seen the real pusher? The question becomes, "Who killed Al?"

January 28, 2017 was a cold and blustery night. And the temperature wasn't the only thing falling in Fondren that evening.

STIPULATIONS

1. All exhibits included in the problem are authentic and accurate in all respects, and no objections to the authenticity of the exhibits shall be entertained.
2. Stipulations cannot be contradicted or challenged.
3. The signatures on the witness statements and all other documents are authentic.
4. There are **NO** costume options permitted as an exception to Rule 18(b) this season.
5. The Charge of the Court is accurate in all respects; no objections to the charge shall be entertained.
6. Chain of custody for evidence is not in dispute.
7. No demurrer to the indictment shall be allowed.
8. The **Introduction** provided is of **no legal consequence** in terms of the trial and **is not admissible** for impeachment purposes or for any other purpose.
9. Exhibits, 1, 2, 3, 5, 6, 7 and 9 were made at or near the time by — or from information transmitted by — someone with knowledge, were kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, making the record was a regular practice of that activity, and neither the source of information nor the method or circumstances of preparation indicate a lack of trustworthiness.
10. Exhibits 2, 4 and 13 fairly and accurately depict the item, scene, view, photo, information and/or geography they purport to depict. Exhibits 2 and 4 were compiled and created by Lt. Harry/Harriet Potter, and Exhibit 13 was created by Ronnie Lupin.
11. Exhibit 8 is a true, complete and accurate transcription of the interview between Lt. Harry/Harriet Potter and Sam/Samantha Snape on January 29, 2017.
12. Exhibits 10, 11 and 12 are certified copies from the Clerk's Office of the Fondren County Superior Court.
13. The coroner's report found that the cause of death of Al Dore was blunt force trauma, and the manner of death was undetermined. The report also found that Dore suffered a non-lethal gunshot wound to the right shoulder, and that bullet was recovered and sent to ballistics.
14. The ballistics report matched the bullet and shell casings shown in composite Exhibit 4 to the .32 ACP Bersa recovered at the scene. Ballistics also confirmed that the .32 ACP Bersa was used in a shooting several months prior.
15. DNA testing was performed on blood samples and other items found at the scene (photographed and presented in Exhibit 4), and the following samples provided a positive match: the blood shown in Evidence Marker #3 was matched to Al Dore; the cigarette butt shown in Evidence Marker #6 was matched to Drake Foy; the blood shown in Evidence Marker #9 was matched to Sam/Samantha Snape.

WITNESSES

The following witnesses are available to be called by the parties. Prosecution witnesses may not testify or be called on behalf of the Defendant. Defense witnesses may not testify or be called on behalf of the Prosecution. A party may not call or treat its own witness as a hostile witness. All witnesses may be female or male. See Rules 3, 5 and 12(f) for more details on witnesses.

For the Prosecution

Lt. Harry/Harriet Potter
Abe/Abigail Dore
Drake Foy

For the Defense

Sam/Samantha Snape, defendant
Ronnie Lupin
Leslie Granger

EXHIBITS

Teams in competition may use the following exhibits. Teams should only print and use exhibits in a black and white format. They are pre-marked and are to be referred to by number, as follows:

<u>Exhibit No.</u>	<u>Exhibit Title/Description</u>
1.	Police Report – Initial Report
2.	Map of the parking garage and surrounding area
3.	Police Report – Supplemental Report
4.	Crime Scene Photos
5.	Fingerprint Report – Sam/Samantha Snape
6.	Fingerprint Report – Drake Foy
7.	Fingerprint Report – Abe/Abigail Dore
8.	Transcript of police interview
9.	Content of text messages
10.	Accusation and Sentence – Drake Foy (Weapon)
11.	Accusation and Sentence – Drake Foy (Drugs)
12.	Accusation and Sentence – Abe/Abigail Dore
13.	Photos of garage from Ronnie Lupin’s apartment

IN THE CIRCUIT COURT OF FONDREN COUNTY

BILL OF INDICTMENT

THE GRAND JURORS selected, chosen and sworn for the County of Fondren, to wit:

- | | |
|-----------------------|-----------------------|
| 1. Andrew Harris | 12. Clarence Webster |
| 2. Benjamin McMurtray | 13. Mimi Arthur |
| 3. Austin Stewart | 14. Lane Staines |
| 4. Krissa Easley | 15. Catie Hester |
| 5. Angie Cook | 16. Jenny Tyler Baker |
| 6. Stephanie Kelly | 17. Adrienne Aikens |
| 7. Jaklyn Wrigley | 18. Denita Smith |
| 8. Julia Jimenez | 19. Ashley Hendricks |
| 9. Kye Handy | 20. Hank Spraggins |
| 10. Alicia Hall | 21. Simon Bailey |
| 11. Kaytie Pickett | |

COUNT ONE: FIRST DEGREE MURDER (Miss. Code Ann. § 97-3-19)

In the name and behalf of the citizens of Mississippi, charge and accuse Sam/Samantha Snape with the offense of FIRST DEGREE MURDER, for that the said Sam/Samantha Snape, in the County of Fondren and State of Mississippi, on or about January 28, 2017, did unlawfully and with malice aforethought, cause the death of Al Dore, contrary to the laws of the State of Mississippi, the good order, peace and dignity thereof.

COUNT TWO: MISDEMEANOR MURDER (Miss. Code Ann. § 97-3-29)

And the jurors aforesaid, in the name and behalf of the citizens of Mississippi, further charge and accuse Sam/Samantha Snape with having committed the offense of MISDEMEANOR MURDER, for that the said Sam/Samantha Snape, in the County and State aforesaid, on or about January 28, 2017, did unlawfully cause the death of Al Dore, during the commission of a misdemeanor, to wit: simple assault, contrary to the laws of the State of Mississippi, the good order, peace and dignity thereof.

COUNT THREE: AGGRAVATED ASSAULT (Miss. Code Ann. § 97-3-7(2)(a))

And the jurors aforesaid, in the name and behalf of the citizens of Mississippi, further charge and accuse Sam/Samantha Snape with having committed the offense of AGGRAVATED ASSAULT, for that the said Sam/Samantha Snape, in the County and State aforesaid, on or about January 28, 2017, assaulted Al Dore with an object, device or instrument, which when used offensively against a person is likely to and actually does result in serious bodily injury, to wit: a gun, contrary to the laws of the State of Mississippi, the peace, good order, and dignity thereof.

COUNT FOUR: SIMPLE ASSAULT (Miss. Code Ann. § 97-3-7(1)(a))

And the jurors aforesaid, in the name and behalf of the citizens of Mississippi, further charge and accuse Sam/Samantha Snape with having committed the offense of SIMPLE ASSAULT, for that the said Sam/Samantha Snape, in the County and State aforesaid, on or about January 28, 2017, assaulted Al Dore with attempts by physical menace to put another in fear of imminent serious bodily harm, to wit: a gun, contrary to the laws of the State of Mississippi, the peace, good order, and dignity thereof.

TRUE Bill Filed in office this 7th day of July, 2017

/s/
Foreperson

/s/
(Deputy) Clerk, Circuit Court of
Fondren County, Mississippi

Defendant, on August 7, 2017, being in open court, pleads NOT GUILTY

/s/
Defendant

/s/
Attorney for Defendant

/s/
Prosecuting Attorney

STATEMENT OF LT. HARRY/HARRIET POTTER

1 My name is Lt. Harry/Harriet Potter, and I am the lead crime scene investigator for the Fondren County
2 Sheriff's Department. I have been working for Sheriff John Brown for 16 years, and I have worked in
3 almost every unit of the force. I started out on patrol, then I worked vice and narcotics, and I even
4 spent a couple of years in homicide. But five or so years ago, the Sheriff said we needed to join the
5 twenty-first century and focus more on science and forensics. We were all tired of complaints from
6 jurors who believe everything they see on television. Our department needed an expert, and that's me.

7
8 Sheriff Brown has sent me to basically every available training course related to the processing of a
9 crime scene. I learned about fingerprint comparison, ballistics, bullet trajectory, and blood spatter
10 evidence. I picked up quite a bit of knowledge about forensic pathology along the way. I generally rely
11 on the medical examiner's report when reaching my opinions in cases, as I did in this investigation. I
12 have conducted well over 200 fingerprint comparisons, and I've testified about the results in court a
13 couple of times. Most people are smart enough to plead guilty once they find out we have their
14 fingerprint at the scene of the crime.

15
16 I know both Sam/Samantha Snape and Al Dore - in my law enforcement capacity, if you catch my drift.
17 Dore and his goons have cornered the market on high interest loans in Fondren. Word has it that there
18 are "consequences" for paying late, but no one has reported any such violence directly to me. Of
19 course, that probably would have resulted in "consequences" as well. Al was not a big guy, but he had
20 big friends. His crew leader, Drake Foy, has been arrested more times than I can count. You'd think
21 he/she would eventually get tired of taking the fall for Dore. Dore was actually pretty close to his family
22 and crew. They were loyal as long as the money was coming in. But he loved that yapping little mutt,
23 Fawkes, more than life itself. That dog went everywhere Dore went.

24
25 My department has been keeping a very close eye on Sam/Samantha Snape for the past few years.
26 Well, considering the events of January 28, 2017, apparently not a close enough eye. Snape has been
27 up to no good for a while, and my guys in vice were building a case on him/her as the leader of one of
28 the local gangs, the Death Eaters. That's not exactly a creative name for a gang, but what can you expect
29 from lowlife drug pushers. Most of them dropped out of high school, just like Snape. And most of them
30 have an affinity for guns and violence, just like Snape. Not too many people will complain if this case is
31 wrapped up neatly with a bad guy murdered, and a worse one in jail for it. Two for the price of one.

32
33 I responded to the Fondren Parking Garage as soon as the call came in to 911, at about 8:13 PM. As
34 the local guru on everything forensic, I must say it was a unique crime scene, so it's a good thing I got
35 there first. The Fondren Parking Garage has nine levels. The automobile entrance and one exit are
36 located on the north end of the deck. There is also an automobile exit on the west side of the deck on
37 Carley Avenue, but that exit is only open during major downtown events. The deck has two stairwells,
38 one on the north side, nearest Main Street and the other on the south end. There is an elevator in the
39 center, but it was out of order that evening. I know because I would have taken it to avoid the nine

story climb. It was really cold and the wind was gusting. The news said a cold front moved through late afternoon, and this would be our first real taste of winter. I'm just hoping to avoid an ice storm this season.

I started off at the main driveway of the garage. Dore's body was located on the driveway just below the north end of the parking deck. He had a gunshot wound to the shoulder, but based on the relatively small amount of blood found, it's obvious that the fall killed him. Dead people stop bleeding. After the bullet was removed from his shoulder by the medical examiner, the bullet was discovered to be a .32 caliber round. The only other thing that was remarkable about the body was that Dore had some bloody knuckles on his right hand and something that appeared to be skin under some fingernails, like he scratched someone recently. There wasn't enough material under the nails for a DNA comparison, but you could tell that Dore got into a fight. Getting beaten, shot at, and then pushed off a roof in the same night? Looks like Al Dore had a bad day.

I briefly spoke to the main parking garage attendant on duty that night, a Leslie Granger. S/He was pretty shaken from seeing Dore's body fall out of the sky right in front of him/her. S/He tried to explain what s/he saw but didn't have a lot to add except the obvious: Dore fell off the top of the deck and landed right at Granger's feet. I asked about any security camera footage, but s/he said that half the cameras don't work and not all of the recorders are even plugged in, so we didn't have any "eyewitness" accounts as to what happened up there. Well, except for Abe/Abigail Dore, but I'll get to him/her in a minute.

After talking to Granger, I started looking around the area in front of the garage to see what else may have come down with the body. It was then that I found a .32 ACP Bersa semi-automatic pistol in the bushes on the ground level of the garage property, about 10 feet from Dore's body. I took the photo (photo C) and bagged it for safekeeping and forensic testing that evening.

Based on the reports from dispatch, I knew that most of the pertinent events of the evening took place on the top level of the parking garage, so I proceeded up the north stairwell to the top floor. It was fairly well lit up there, but not enough to accurately process a crime scene. I had asked some uniform patrol officers to come set up lights so I wouldn't miss anything, but they were all being used for traffic control around the arena area for the concert. I got to work to music that night - I could hear the occasional refrains of some sort of amazingly creative banjo riffs. It got pretty loud out there at times, but thankfully the noise wasn't constant. I photographed the scene to the best extent possible, but some didn't turn out very well because of all the conditions. I did map out everything on paper so I could document where things were. I decided to return the next morning at daybreak to re-photograph the scene for better documentation. Before we left, we did recover the body and the gun, took swabs of blood droplets and then secured the active areas of the scene. Nothing else was moved and the 11 hour delay didn't hurt anything. The overall scene pictures were taken the next morning. However, all of the evidence tents were in the original locations so you can see where everything was.

After I made sure the top of the garage was secured properly, I headed back down to the driveway to oversee the coroner's office taking the body away. While the driveway was being secured for the evening, Abe/Abigail Dore, Al's younger brother/sister approached me from across the street, saying s/he needed to talk to me. S/He looked pretty shaken up, and it took a while for him/her to start getting his/her words out. Abe/Abigail said that s/he was in Al's car on the top level of the deck when everything went down. At that point, I realized that Al's Ford Anglia wasn't parked on the top level when I got there. Apparently, Abe/Abigail moved it across the street after Al took the plunge. I asked Abe/Abigail where s/he parked the car, and s/he said it was on the Carley Avenue side of the ramp, between two light poles, about halfway between the stairs. I asked what s/he and Al were doing up there, and Abe/Abigail told me that Al was there to meet with Sam/Samantha Snape about a loan. Al and Snape got into a fight and Abe/Abigail heard a gunshot. Abe/Abigail said s/he saw Snape push Al over the rail and Snape then ran down the south stairwell. I asked Abe/Abigail if s/he was sure it was Snape and s/he said "Yes, it was definitely Snape. You can't let him/her get away with this!" I knew Snape was dumb, but not this dumb. But I guess you can't fix stupid. I called Abe/Abigail's mother to come get him/her and take him/her home. I told Abe/Abigail s/he needed to come by the station the next morning (Sunday) and make a formal statement about what s/he saw.

At that point, there wasn't much else I could do there until daybreak, so I headed back to the station with the gun to see what it would tell me. When I got back, I inspected the weapon for any forensic evidence. Like I said, the gun is a Bersa .32 caliber semiautomatic pistol. It has a six-round magazine and wood carved grips. Both the magazine and chamber were empty. When a semi-automatic handgun shoots its last round, the slide locks open. The slide on the gun was closed, but the impact with the ground may have jarred the locking lever and let it close. The serial number was filed off so I could not determine an owner but I figured it was probably stolen. I couldn't get any prints off the grips due to the way they were designed, but I lifted a latent fingerprint off the slide of the gun. I ran the print through the Automated Fingerprint Identification System (also known as AFIS) but the print wasn't readable through the automated system. That happens sometimes. That left me doing it the old-fashioned way, with a microscope. Snape's prints were in the system from a loitering arrest a few years ago. I compared Snape's known prints to the latent print lifted from the weapon.

Every person's fingerprints are unique. The ridge details are unique "points," and we experts use those points to make a positive identification. The expert community varies on the minimum number of points that have to be identical before fingerprints are considered a match. Some say nine, some say twelve, and the others are in between. I found nine identical points between the latent print from the slide and the defendant's known right ring finger, so I can conclude that the defendant handled that weapon that night.

Even though I couldn't determine the weapon's registered owner, guns leave their own kind of "fingerprints." I was able to determine through ballistics testing later in the week that the exact same gun was used by a member of the Death Eaters crew in a shooting several months ago. I remember how hard we tried to connect Snape to that shooting, but he/she claimed to have taken his/her mom

to the doctor that day. We couldn't make any charges stick, but I thought to myself, I won't get fooled again, not by this punk.

Knowing that Snape was on the roof and handled the gun that most likely put the bullet in Al's shoulder, I had a uniform officer go by Snape's house and bring him/her in for a chat. It was probably about 12:15 Sunday morning. Yeah, it may have been a bit late, but I didn't want Snape to have a chance to rethink his/her story about what happened up there before I got to talk to him/her.

The officer brought Snape in and put him/her in one of our interrogation rooms. I went in and thanked him/her for coming in on his/her own. S/He got all defensive right away. I asked where s/he was at 8:00 the night before, and s/he gave me some cockamamie line about watching a movie on Lifetime or something. I knew s/he was lying. I asked him/her if s/he minded if I swabbed his/her hands for gunshot residue. Of course, s/he refused and stuffed his/her hands under his/her arms really quickly. After a few more questions, Snape clammed up and asked if s/he was free to go. I told him/her that s/he was and s/he scooted out of there pretty quick. I told him/her not to leave town, but I doubt s/he heard me.

At this point, I was sure Snape had something to do with all of this. I was ready to get back to the garage as soon as it was daylight, to look for the last bit of evidence to make it a grand slam. When I got to the garage, at about 7:20, I retook the evidence photos and started bagging and tagging all of the evidence.

At the rail, where Al Dore was pushed over was a set of blood droplets (photographed with evidence marker #3). The blood swab that was taken the night before went to testing and the DNA came back a few days later to Al Dore. A scarf was found here as well (photographed with evidence marker #8). It was later identified by Abe/Abigail as being Al's.

A second set of blood droplets were found near the South stairwell (photographed with evidence marker #9). Again, the swab that was taken the night before was sent to the lab and came back to being a match to Sam/Samantha Snape. S/He must have gotten popped pretty hard during the fight with Al. I didn't see any additional evidence to lead me to believe there were more than two people up there during the murder (aside from Abe/Abigail being in the car).

One spent shell casing was found in the middle of a parking space. Due to the open nature of a parking garage and the fact that a shell casing bounces a good bit when it's ejected, it is impossible to tell which way the gun was facing when it was fired solely by the orientation or location of the shell. A second shell casing was found next to the wall of the elevator shaft. Both casings were from .32 caliber rounds. The first casing (photographed with evidence marker #2) had a partial print on it that had 7 points matching Drake Foy. Ballistics later showed that this shell was fired from the gun recovered at the scene. The second casing (evidence marker #5) didn't have any usable prints. Next to the second casing by the elevator shaft, a cigarette butt was found as well (photographed with evidence marker #6). DNA was extracted from that cigarette butt, and it matched the DNA on a swab obtained from Foy.

I also found three fingerprints on the rail of the garage, over the spot where the body fell. In photo "L", they are located above evidence marker 7. They were lifted and run by one of my techs and came back to Abe/Abigail Dore. His/Her prints are on file due to his/her probation for taking those iPads and headphones at his/her school. Imagine that...another Dore getting into the family business! Abe/Abigail's probation says that he/she can't be near any crimes being committed, so I'm not sure what's going to happen to him/her because of all of this.

At this point, with Snape's fingerprints on the gun, Abe/Abigail's eyewitness account, and the fact that Snape obviously lied to me the night before, I felt I had enough to arrest Sam/Samantha Snape. (Even though the ballistics and DNA testing took a few days to process, they just confirmed Snape's involvement.) This time, for the arrest, I personally went to the house and put him/her in custody. Once I had Snape back at the station after the arrest, I swabbed his/her hands for gunshot residue. That test was negative, but that's not uncommon when a semi-automatic is used. Revolvers leave the most residue since the cylinders are open to the back. Semi-automatics expel all of their gases and particulates out the right side of the slide along with the shell casing. There was also plenty of time for Snape to wash his/her hands in the hours after the murder. I did observe some dark circles under his/her eyes. Yes, they could have been injuries, but they could have been the result of a late night of partying after our little chat. I also saw some scratches on his/her forearms. I didn't spend all day looking at him/her - I didn't need to. I was glad we finally had gotten Snape on something that would put him/her out of our hair for a long time. I'm sorry it took someone getting killed, but at least it wasn't someone innocent.

Like the night before, Snape kept telling me that he/she was home all night at the time of the murder. Of course, no one in the department believed that since he/she has pulled the alibi trick before, so I wrote up a subpoena for Snape's phone records. That yielded an interesting series of text messages between Snape and Al. Apparently Snape was low on cash (odd for a drug dealer) and was in pretty deep with Al. Snape had missed a few payments and Dore requested a meeting that night to sort things out. That puts all the evidence in a pretty clear picture. The picture cleared up really nicely once I finally talked to Drake Foy. I was surprised s/he wasn't at the meeting with Al being the chief meathead of his crew, but Foy said s/he was at a movie. I'm not sure if s/he gave me a ticket stub or receipt, but no matter, I already had Snape booked by that point. Foy told me that his/her fingerprint on the shell casing was normal since s/he usually loaded Al's gun when they went shooting at the range. I doubt s/he was loading it for recreational purposes, but I didn't really see much that made me think Shawn had anything to do with what went down...I mean, what happened...that night. I didn't do a swab for GSR on Foy since it had been over 24 hours since the incident.


I'm glad we got Snape off the street. It's a good arrest and should be a good conviction. I just hope that the rest of Snape's and Al's thug-life friends get the idea that this drug dealing and loan sharking isn't the best use of their time and decide to drop out of the crime business.

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Signed,

Harry/Harriet Potter
Harry/Harriet Potter

SIGNED AND SWORN to me at 10:25 AM, February 11, 2017.



J. K. Rowling, Notary Public

.....


WITNESS ADDENDUM

I have reviewed this statement, previously made by me, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,

Harry/Harriet Potter
Harry/Harriet Potter

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2018 Mississippi High School Mock Trial Competition.



J. K. Rowling, Notary Public

STATEMENT OF ABE/ABIGAIL DORE

1 My name is Abe/Abigail Dore, and I am 17 years old. I will graduate from Academy of Fondren in May,
2 2018 I have been accepted to Mississippi State University and will be moving to Starkville, Mississippi
3 in August. I plan to attend the Veterinary School there and come back to Fondren and open my own
4 Veterinarian Hospital. I love animals and have been doctoring animals since I was a little kid. We used
5 to have two dogs, Fawkes and Buckbeak. Fawkes' was Al's dog for 17 years. He was a great dog, really
6 loyal. He died not long after Al was killed. Buckbeak's a few months old now. I found him behind a
7 bakery behind some trash cans in an alley downtown and brought him home. He was only a few days
8 old and must have been abandoned by his mother. Fawkes looked after Buckbeak from the moment
9 he got home, like a protective big brother. They were inseparable.

10
11 Al was my brother. You're probably thinking "They're related?" Yeah, I know but that's what happens
12 when you're adopted. My birth mom died from a drug overdose when I was a few months old, and I
13 got adopted by the Dore's. My mom is the only mom I've ever known, and that makes Al my brother.
14 Al is 15 years older than me; I mean was 15 years older than me. I can't believe he is dead. Everybody
15 thinks Al was such a bad guy, but he had to grow up fast when our father was killed 17 years ago by his
16 brother, my Uncle Grin Dore. Mom said Grin was always a bad seed.

17
18 Our father, Percival Dore took over the family business, Dore's Bakery, right out of high school. Uncle
19 Grin hated school and dropped out in 11th grade. He hung out with the local Fondren thugs and started
20 working for the "Hammer" collecting money. Hammer loaned money to people who could not get
21 bank loans and usually could not pay it back on time or at all. In other words, Uncle Grin went into the
22 loan sharking business. When the big box stores came to town and started selling baked goods so
23 cheap, Dore's Bakery sales went down. Dad made the mistake of borrowing money from Uncle Grin's
24 boss and when he couldn't pay it back, Grin came to collect. Grin claims that he was just trying to scare
25 Dad to make Hammer think he was doing his job but Grin's gun went off and shot Dad in the right leg.
26 Dad bled to death before the ambulance arrived. Uncle Grin pled guilty and went to prison. Uncle Grin
27 hanged himself after a year in prison and left all his money to Mom, Al and me.

28
29 You would think that Al would have hated Grin and the loan sharking business like Mom and I do, but
30 Al for some reason was fascinated by it. Plus Al idolized Uncle Grin and visited him in prison. Al really
31 believed that Grin killing Dad was just an unfortunate accident. Al was really torn up when Uncle Grin
32 was found dead in his cell. Al thought it was an inside job and refused to believe that it was suicide.

33
34 When Al graduated from high school, he started his own loan sharking business. Al's old friend, Drake
35 Foy, helped Al with collections. Al claimed he was doing people in need a big favor by loaning them
36 money and that he never really hurt anyone who couldn't pay him back. Al said he would just scare
37 them really good. He showed me the gun he carried around for show. I think it is a .32 or something
38 like that. Al said he had to do that so people would respect his authority and make an effort to repay
39 the loan.

Al made good money loan-sharking. Al helped Mom pay off our house, paid for me to go to private school, and even set up a college fund for me. Al bought himself a really nice ride too – a completely loaded 1967 Golden Anniversary Ford Anglia. It was in mint condition and Al had the motor all souped up so it would really roll – some might even say fly. Al paid me a weekly allowance to keep the car cleaned up and waxed.

It was really cold outside the night that drug dealer Sam/Samantha Snape killed Al. I was wearing jeans, a gray sweatshirt and a navy blue knit toboggan. Al and I were on the way to the Weird Sisters concert. Al was dressed in his “casual business” attire, always wanting to keep up his image. He wanted to show off his new Garrick Ollivander shoes and made sure to grab his Madam Malkin scarf for the cold. He always looked nice, no matter where he went. Fawkes was in the back seat because he went everywhere with us. Fawkes kept people away from Al’s car. Fawkes would bark up a storm if anyone came near the car. That night when we pulled into the parking garage Fawkes was curled up under a dark blanket on the back seat.

Al let me drive that night. I was thrilled because he rarely let me drive. And I had never been on a work call with him – Mom strictly forbade me from participating in Al’s line of work. I didn’t even know Al planned to do some work before the concert until we got to the garage. Al said, “Drive on up to the top level. I have a little business to take care of with Sam/Samantha.” I didn’t want to complain about getting to the show late because I wanted to go to the concert, so I did exactly what Al said. We were going to miss the opening act, but it was Nickelback so it didn’t matter that much. I pulled into the garage, paid the attendant, got a parking ticket and drove to the 9th floor. I noticed it was pretty dark up there. I drove around and backed into a space in the middle of the deck between the stairwells.

Up there in the open air, it was freezing cold with the wind blowing around so Al told me to leave the car running and windows up. He also told me to not look out the windows and keep the music playing while he was out there. A minute later, I saw someone walk out of the stairwell up the ramp to our left and wait. It was Sam/Samantha Snape. S/He was wearing a big thick coat – almost like a robe – with the hood pulled up and dark jeans. Al reminded me to keep inside before he got out of the car, walked that way and disappeared into the darkness. I tried to do exactly what Al told me because I didn’t want Mom to know I was with Al on a business call. But after a couple of minutes I heard a loud bang – it sounded like a gunshot. So I rolled down my window and stuck my head out. I heard Al scream and saw Al wrestling around with Sam/Samantha, arms and legs flailing all over the place. Al’s scarf went flying. It was hard to see what they were fighting about since it was kind of dark up there and they were moving around so much. Then Sam/Samantha started pushing Al backwards. Al’s feet were skidding...it must have been his new shoes being slick on the bottoms because Al couldn’t seem to get any traction to stop, let alone push back. By the time Al hit the wall, Sam/Samantha used that momentum to hurl Al backwards over the garage wall. It all seemed to be happening in slow motion. I couldn’t believe my eyes! After Al went over the wall, I heard a loud crack below. Sam/Samantha looked over the wall, then turned and ran down the ramp past the car and down the stairs to my right. I ducked down flat on the seat as he/she ran past me so he/she wouldn’t come after me too. But I could totally tell it was Sam/Samantha.

I was stunned. I knew that I needed to get to Al fast so I slammed the car out of park and floored it. I drove down the nine levels of the parking garage like a stunt car driver. I flew out of the smaller exit and onto the street and parked in a lot across the street from the main entrance. I could see Al laying on the driveway. His arms and legs were all twisted. There were blood stains all over his khakis and his neck was twisted and he was face down on the pavement. I sat in the car in shock. Fawkes jumped in the front seat and began to howl as Al's body was put on a gurney and loaded into an ambulance. I knew I needed to do something, but I didn't know what. I really didn't want to go talk to the cops because I knew that would probably get me in trouble with my probation. But I couldn't let Snape get away with this!

So, after the ambulance pulled off with sirens blaring and lights blazing, I swallowed hard, told myself to "do it for Al" and finally got out of the car and walked over to the police detective at the scene. I could barely speak because I was shaking so hard, but I finally managed to tell the detective what I had seen. The detective asked me if I was sure it was Snape up there, asked me a few more questions, thanked me for the info, then called Mom. She came and picked me and Fawkes up, and we went to the hospital. But Al never knew we were there because he was dead when he hit the ground. Mom was furious with me for being there in the first place and is still heartbroken over it all. She said I should have called her when Al got out of the car. She doesn't blame me, though – she just wishes Al was still here. I know Al usually brings someone from the crew like Drake or Arty with him to these meetings, but I don't know why he didn't this time. I guess he felt like Sam/Samantha wouldn't be a problem but he guessed wrong. Now Snape's got problems of his/her own.

I swear I don't remember getting out of the car after Sam pushed Al over the wall, but the police detective says they found my fingerprint on the rail on the top of the garage wall. I have tried to remember what happened right after I heard the gunshot then saw Al disappear over the wall and have to admit that part is a little foggy. I may have run over to see if Al was okay. I was hoping he would land on the bushes below and be okay. But I am sure that I did not see anyone else on the 9th floor of the parking garage – just Al and Sam/Samantha. There was no one else in the car with me, except Fawkes, of course. Unfortunately, Fawkes won't get to see Al get the justice he deserves. Once we got home from the hospital, Fawkes just laid around the house looking all sorts of depressed. He didn't eat, didn't want to play, didn't want to do anything. He looked so sad; it was pitiful. When I got up this morning, Fawkes wouldn't wake up. We're going to bury him under the elder tree in Mom's backyard. I just hope that Sam/Samantha gets what he/she deserves for killing Al, (and Fawkes for that matter) – I hope Sam/Samantha spends the rest of his/her days waiting for execution on death row.

Signed,

Abe/Abigail Dore

Abe/Abigail Dore

SIGNED AND SWORN to me at 8:20 AM, January 30, 2017.



J. K. Rowling, Notary Public

WITNESS ADDENDUM

I have reviewed this statement, previously made by me, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,



Abe/Abigail Dore

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2018 Mississippi High School Mock Trial Competition.



J. K. Rowling, Notary Public

STATEMENT OF DRAKE FOY

1 My name is Drake Foy. Most people around Fondren know me from my rebellious days as the "Fighting
2 Ferret." It's even written on the front of my old bomber jacket. I was a WBO regional champion
3 welterweight boxer before my manager had me take that fall back in '03. I realized that money really
4 did make the world go round, y'know? I mean, I coulda been a contender. Now I can't even get a pick-
5 up fight in the local gym.

6
7 Well, to say I fell on hard times after that would be fair, I guess. I admit I went to a dark place, and I
8 did have some contact with the so-called "justice" system. I got picked up for carrying a concealed
9 weapon back when that was still a crime. I always had to have a piece on me because everyone wanted
10 to try me. Not that I can't handle myself with my fists, but people back down a lot faster when they
11 see that gun. And there was that conviction for drugs. Of course it was just possession of Liquid Luck
12 (a.k.a. chlorotestosterone). That was when I was still trying to make a comeback. Thought steroids
13 could solve my problems in the ring. Shoulda known the same people who made me take that fall
14 would want to keep me down. Can't trust anyone anymore. Except Al Dore.

15
16 I met Al back in my fighting days. He went to all the local fights and was always in my corner, if you
17 know what I mean. When I started to travel around, Al made some of those fights, too. Of course, Al
18 was a busy man, had a lot of business going on. I didn't really understand a lot of it, still don't. But
19 when I was down, Al gave me work. True, I owed him for the loans he gave me to get the steroids, but
20 I've paid that debt off a hundred times by now.

21
22 Al said he needed me. Ya see, a lotta folks would touch Al up for money, some for a little, some for a
23 lot. And some of them just didn't like to pay up when the loan came due, so they needed a little
24 encouragement. That's where I came in. When you've been a fighter, you know a little trash talk can
25 go a long way. Of course, some people needed a little more physical motivation, if ya know what I
26 mean, but there weren't a lot of them.

27
28 Sure, Al had other guys and gals working for him. An operation as big as Al's doesn't just run itself. And
29 there were always shipments and deliveries to be protected. Problem was that more money seemed
30 to be going out than coming in, and a lot of the crew were quitting. People could say what they wanted
31 about Al, but he was a sucker for a good sob story. And it seemed like as the economy got worse there
32 were more sob stories out there. Still, you can't let every out of work Joe with a dying mother off the
33 hook for long.

34
35 Sam/Samantha Snape was definitely one of our problem children. Snape owed Al a lot and kept
36 borrowing more. Sam/Samantha was always making promises to pay, claiming that s/he would make
37 enough off his/her next deal to pay Al back. They had been going back and forth about finally settling
38 Snape's account. S/He tried the whole "my momma's sick!" bit on Al, but he didn't buy it. We did think
39 it was pretty pathetic, if not funny, though. Anyhow, Sam/Samantha kept claiming that party drugs

40 like Ecstasy would make a comeback. Man, even the night Al was killed, Sam said s/he would make a
41 killing on X at that Weird Sisters concert. That's why Al said he would meet Sam/Samantha at the
42 parking deck. Al didn't want Sam/Samantha to have an opportunity to spend the money s/he got at
43 the concert before s/he paid Al back. I had heard through the grapevine that Sam/Samantha had a
44 little bit of a party habit, too, so Al didn't want him/her blowing his/her stash.

46 I have known Sam/Samantha for a while. Back when I thought the steroids were going to help me,
47 Sam/Samantha was just in high school, but s/he was already known in the community, so to speak. I
48 never finished high school myself, but everybody knew s/he was the drug connection at Fondren
49 County High. Of course, s/he was only selling then. It was later, when s/he started using, that his/her
50 business went bad. That's when s/he got in with Al. Sam/Samantha used to pay Al back pretty regular,
51 but in the last year or so, it got out of hand.

53 Me or Arty Monahan, one of the guys in the crew, would go with Al to these meetings. Arty was a real
54 muscle-bound dude who liked to look the part and show off his guns by wearing tight black t-shirts and
55 dark sunglasses all the time. A bit too flashy if you ask me. We'd usually hang out by the elevator shaft
56 while we were waiting, out of the wind. Sometimes it'd be a while waiting for the client to get there
57 (Al hated people showing up late), so I'd take a smoke or two to pass the time. We'd probably meet
58 clients up there a few, three times a week. Normally at a meeting like this, Al would play it kinda quiet
59 and calm: like nothing Sam/Samantha said could change his mind. My job was to let the client know
60 the consequences if s/he didn't follow through. It's not too hard, really. I usually carry my Glock and
61 some extra demonstrative aids, so to speak. Brass knuckles, knives, you know, that kind of thing. Arty
62 liked the traditional baseball bat approach usually. Al kept talking about branching out into other stuff.
63 Said he'd read about some Asian torture involving needles to sensitive body parts, etc. I kept telling
64 him that you have to have time and privacy to do that kind of thing, but I think that the slow
65 "persuasion" really appealed to him. He even talked about using fire ants at one point. That's some
66 crazy stuff, man...

68 I really felt like I should go with Al on this Sam/Samantha thing. At an earlier meeting, Snape went all
69 crazy on Al saying, "You ain't so tough by yourself, are you Al? If you didn't have them goons around,
70 I'd take care of you all by myself!" Al didn't like being showed up like that and said "Next time, I'll leave
71 them at home, how about that?" I don't get scared by anybody, but Snape going off like that and
72 threatening Al did worry me a bit. Snape could be a problem, particularly if s/he was high, but Al said
73 he'd be fine this time. Said he was bringing his "little friend," and I know he didn't mean Fawkes. Al
74 always had a .32 with him. Said anything bigger would be too big for his hands. Al really didn't know
75 too much about guns, though. In fact, he usually had me load the .32 for him. I always gave Al a full
76 clip, since he wasn't a really great shot. Anyway, when he said he was taking the gun, I figured Al would
77 be OK. I feel bad that I wasn't there for him.

79 I was with Al the afternoon before he was killed. Al was kind of making up to me, since he had been
80 forced to get a little rough with my cousin, Lucius "Lucky" Foy. I hadn't been part of that. Al felt like I
81 would have a conflict, and I did feel bad. Lucky's kids had some physical problems, and medical bills

82 had just gotten out of control. Lucky had gotten in deep with Al, and wasn't paying, since construction
83 work has been slow. The winter weather we were having wasn't helping Lucky get jobs, so Al had to
84 get one of the other guys/gals onto Lucky. I could tell Al felt bad. I think that's why he gave me the
85 night off. Even paid me some of my "salary" early. I left Al's place around 7:00 PM, and I never saw
86 him alive again.

87
88 I feel really bad that I was at that re-make of Flatliners at the Fondren Greatland Mall theaters across
89 town when Al was killed. The show started at 7:30, so it must have been right in the middle of that
90 thing with the hitch hiker. The movie wasn't that great, the original is much better, but the effects
91 were pretty realistic.

92
93 With Al gone, there's still a whole lot of people out there that still have unsettled accounts. That isn't
94 the kind of transition that you handle in a will, ya know? It just isn't right that so many deadbeats
95 would end up profiting from Al's death. So, in honor of Al, I am going to see about settling those
96 accounts. Who knows? With all that capital, this may be the start of something big.

97
98 Lt. Potter found me Sunday evening and asked me all sorts of questions about Al and Snape's
99 "relationship." I had heard that Snape had been arrested already for Al's murder, and I was more than
100 happy to help our fine friends in law enforcement put a murderer behind bars. I told him all I knew
101 about the debt and meeting and the past they had. Potter was really interested in Snape's threat
102 towards Al and kept saying "Uh huh, makes sense" every now and then throughout the whole talk. I
103 was happy to help catch that scumbag.

104
105 Towards the end, Potter asked me where I was Saturday night and I told him/her about the movie. I
106 gave him/her my movie ticket stub; I don't know how they lost it. I guess they figured I might have
107 coulda been a suspect, even though Sam/Samantha over there is clearly the culprit. Anyway, I don't
108 have a credit card receipt or anything. Al always paid in cash, and I don't trust banks. Besides, cards
109 leave a trail. Al was really the only friend I had, so I had no reason to hurt him. I'm really sad that he's
110 gone.

111
112 Signed,

113 
114 _____

115 Drake Foy
116
117

SIGNED AND SWORN to me at 2:45 p.m. January 31, 2017.



J. K. Rowling, Notary Public

WITNESS ADDENDUM

I have reviewed this statement, previously made by me, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,



Drake Foy

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2018 Mississippi High School Mock Trial Competition.



J. K. Rowling, Notary Public

STATEMENT OF SAM/SAMANTHA SNAPE

1 My name is Sam/Samantha Snape. In January 2017, I was 21 years old. I was born down in Alabama
2 on a farm way back up in the woods. My Papa was a great ol' man, but life had kicked him down to
3 the ground and when he tried to get up, life would kick him back down. One day, when I was 13, Papa
4 called me to his dying bed. He put his hands on my shoulders and in tears he said "I'm dependent on
5 you to pull the family through. It's all left up to you." Two days later Papa passed away, and I became
6 head of the household that day. And at the age of 13, I thought I was carryin' the weight of the whole
7 world on my shoulders.

8
9 Soon after Papa died, we moved to Fondren 'cause Mama got a job at the chicken plant. I attended
10 Fondren County High School through eleventh grade, but I did not graduate. I had to drop out to get a
11 job to help support Mama and my younger brothers and sisters. Mama told me not to quit school
12 'cause she said that was daddy's strictest rule. But, you see, I was the oldest of the family and
13 everybody else depended on me. I'm hoping someday to go back and get my GED and maybe even go
14 to college. In Fondren, we live on the poor side of town. "The wrong side of the tracks" as some
15 people say. There's a seedy side to Fondren that the Chamber of Commerce or the rich folks at
16 Fondren Country Club never see, but that's the part of Fondren that I'm from.

17
18 You grow up fast when you grow up poor. I know others who joined gangs or deal drugs, but I don't
19 do that. I know Lt. Potter thinks I'm the biggest drug dealer in all of Fondren County. The cops have
20 been hasslin' me for years because of some vendetta by their boss, Sheriff John Brown. Sheriff John
21 Brown always hated me. For what? I don't know. I can't spit chewing gum on the sidewalk without
22 the cops coming down on me. You think someone the cops are watching that closely could be dealing
23 drugs? No way man.

24
25 Yeah, of course I knew Al Dore. Everybody knew Al. Al was the biggest criminal in all of Fondren! He
26 drove a custom Ford Anglia. He had an Eldorado too. He also had a .32 gun in his pocket for fun and a
27 razor in his shoe. Al was famous for saying "Be a money maker, not a player hater." Al was a bad, bad
28 dude. The world's better off with Al out of it. Ain't nobody going to be crying over Al being dead.

29
30 I tried not to deal with Al, but times got bad and Mama lost her job when they closed the chicken
31 plant. We needed money to pay the rent, or we'd lose the house. I couldn't let that happen to my
32 family, so I went to Al and borrowed some money. Doing business with Al is like selling your soul. You
33 try to bring Al some money, but he'd say that the payment was "late" and "interest" had been added
34 so now you owe even more. Ain't no getting out of debt to someone like Al. Once you owe him, then
35 he owns you. And if you can't make a payment when Al wants it, then Al or one of his goons like Arty
36 or Drake will hurt you or your family. So you do what you gotta do to pay up.

I remember January 28, 2017, the night Al died. Al called me that afternoon and told me to meet him on the top of the Fondren Parking Deck at 8:00 p.m. It was cold that night. It almost smelled like it could snow at some point. Regardless, it wasn't a fun night to be hanging out outside, freezing my tail feathers off like a Minnesota duck goin' for a swim in February. Despite the crummy weather, there were lots of people downtown that night. The Weird Sisters were playing at the Fondren Arena about a block away from the Parking Deck. It was a party atmosphere going on, but I wasn't there to go to any concert. I don't like hip hop banjo music. Besides, I don't have money for that sorta stuff. Further, Al wanted to see me, and you don't make Al come looking for you. We had been going back and forth on texts about settling up my debt. I tried to get 'til Monday to see him, but he made me meet him up there Saturday night.

So at 8:00 o'clock sharp on January 28th, I went up to the top of the Deck because that's where Al said to meet him. I got to the deck and climbed up the north stairs to the top. The top of the deck was pretty dark, except for a few lamps, but they don't help much. Most of them were burned out. The top deck was also empty except for a few cars parked here and there. When I got there, I saw Al's Ford Anglia parked on the up ramp between the stairwells. Looking at Al's car, even in the dim light, I could tell there were at least two people in it, one in the driver's seat and one in the passenger seat. Al spotted me, and he got out of the driver side and came over to me.

Al immediately demanded his money, and I told him that I didn't have it all, but I'd give him what I could. Al said, "That's not good enough," but I said "I just need a little more time to get the rest of it together. Please, Al, Mamma's been sick so I had to pay the doctor." Al said, "I don't care about no doctor. What do I look like to you, a freakin' health care exchange? Give me my money, Snape!" I said, "I will, Al, I will! Just give me a few more days to get the money together. I'll get it to you, I promise." With that, Al kinda snorted, pulled a gun and waved it in my face saying that he "ought to pop a cap" in me. Then, he shoved the gun into my chest, poking me real hard like. Reflexes just got the better of me, and I grabbed the gun from on top. While we pulled back and forth on it, he shoved it hard at me, and I got whacked in the nose, but I held onto the gun. I took a couple of swings at him and landed one or two and then grabbed Al's arm trying to get him to let go. All of a sudden, his feet went out from under him, like he slipped on some ice, and he lost his grip. Suddenly, I've got the gun in my hands. As Al slowly steadied himself, he just glared at me. I was so scared I was shaking. I pointed the gun at Al and warned him "leave me alone!" Yeah, I coulda shot Al then, but I ain't no killer. Besides, between Al's goons and Sheriff John Brown's posse, they'd be aiming to shoot me down like a rabid fox in the chicken coop. I'd rather deal with a mad Al than a dead Al. But Al just gave me this evil stare and kind of grinned, like he's daring me to shoot him down. Instead, I chucked the gun over behind the elevator shaft out of the way. Al laughs and says, "I knew you didn't have it in you. You're such a wimp!" I didn't stick around to see if Al had something else up his sleeve, so I high tailed it out of there, running down the ramp to the stairs at the other end of the deck. I just wanted to get out of there as fast as I could

As I got to the door for the stairs, I wiped out and cracked my knee pretty hard. I was lying there, hoping Al wasn't right behind me looking for round 2, when I heard someone yelling back where I was a second ago. It wasn't Al, but someone else. They were really mad, saying somethin' about a cousin and not getting paid like they should. Then I heard Al shouting back about loyalty and "getting your payment too" or something like that. I glanced up there and couldn't see this other person; they must've been back behind the elevator. I didn't see anyone over there before, but then again, I wasn't really looking around when Al had the gun stuck in my face. I was pickin' myself up and was just starting through the door when I heard a "bang" from behind me. Then Al screamed this high-pitched shriek of pain, like a pig gettin' stuck. I looked back and saw Al just flat get pushed back over the edge of the deck where we'd been fighting. Then he was gone.... Like I said, I have no idea where this other dude/chick came from; I hadn't seen anyone else up there.

After Al disappeared into the night, this other person walked over to the other staircase nice and calm like, opened the door and disappeared, like they were all business. They were wearing dark pants, heavy boots, a black leather bomber jacket with one of those sheepskin collars and a black knit hat. S/He was big and looked like s/he could handle him/herself pretty well. From across the deck and in the darkness, I couldn't make out a face. That's the best description I can give you. Although I wasn't real sure what just happened, I knew Al was probably dead, and I needed to get outta there before anyone decided that I did it. I hobbled down the staircase as fast as I could, hit the street next to the garage and got myself home to clean up my cuts and bruises.

At about midnight, this uniformed cop was at my door wantin' me to come in to talk about what happened up on the garage. I asked him if I was under arrest, and he said I wasn't but they just wanted to find out what happened, nothing more. I knew in my gut I probably shouldn't have gone, but since it was "voluntary," I figured I'd be okay. Boy, that was a mistake. Now that I think about it, I shoulda just stayed home. Well, when I got there, they put me in one of the interrogation rooms with the metal table and mirror, just like you see on TV, and shut the door. They made me wait about 15 minutes before the wonderful Lt. Potter made his/her grand entrance. S/He started asking me about the deck and what happened to Al. I told him I didn't know what happened to Al. I had a feeling s/he was trying to pin this on me from the start, and I got all panicky and said I wasn't there. I know I shouldn't have lied to Potter, but I was scared and I knew I had nothing to do with Al's murder. Yeah, I was there, but I left before Al got tossed. Lt. Potter then told me they got an eyewitness, Abe/Abigail, Al's little brother/sister, who they say saw the whole thing happen. Abe/Abigail says s/he saw me shoot Al and push him off the deck and that it was cold blooded murder. I thought, "No...there ain't no way! I didn't do it!" All of a sudden, I snapped out of my panic and realized I didn't have to be there. This was voluntary, right? I asked Potter if I was under arrest or anything and s/he said no, I was free to go, so I used that open door and ran through it back home as fast as I could.

A few hours later, just after the sun came up, someone's back beatin' on our door again. It was Potter. Out in the yard were several cops with their guns drawn and a bunch of cop cars out in the street with their lights blazing, right out of a movie. I'm sure it gave all the neighbors a great show

that early in the morning. When I opened the door, Lt. Potter says that I'm "under arrest for murder" for pushing Al off the top of the downtown parking deck. I said "What? You're crazy, Potter! I just talked to you and told you I wasn't there! I was home all night!" S/He pushed his way in the house, tossed me up against the wall in the front hall and put the cuffs on real rough and tight. S/He was grinning the entire time like s/he was saying "I told you I'd get you, you little creep, one way or the other."

Potter claims that the scratches on my arm were from the fight. That ain't true at all. My cat was sleeping on my chest and freaked out when Potter started bangin' on my door that morning. I tried to get out from under her but she was trying to run off the bed and caught my arm under her claws. It hurt like something crazy!

Look, if I am guilty, I will pay. But I'm telling you, as I sit here right now, what Potter said went down ain't what happened at all. From all the way across that dark parking deck, if Abe/Abigail was the other person inside that car, then maybe s/he saw the dude/chick in the bomber jacket push Al off the top and thought it was me because I'm the one Al was there meet with. Heck, for all I know, maybe it was Abe/Abigail him/herself that murdered Al. I don't know! Either way, I had nothin' to do with Al's murder. Nothin'! What good would come out of me killing Al? Nothin'! You got to believe me. I'm telling you the truth. When I left Al, he was standin' on his own two feet. I'm innocent I tell you!!

Signed,

S. Snape

Sam/Samantha Snape

SIGNED AND SWORN to me at 8:40 AM, February 4, 2017.

J. K. Rowling

J. K. Rowling, Notary Public

WITNESS ADDENDUM

I have reviewed this statement, previously made by me, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,



Sam/Samantha Snape

SIGNED AND SWORN to me before 8:00 a.m. on this day of this round of the 2018 Mississippi High School Mock Trial Competition.



J. K. Rowling, Notary Public

STATEMENT OF RONNIE LUPIN

1 Okay, my name is Ronnie Lupin, and I've probably been on the witness stand a thousand times from
2 my days as a detective with the Baltimore Police Department. I got to say this has to be my first time
3 testifying for a defendant. But you just have to do as you do. And what I was doing was looking out
4 my apartment window watching to see what was going to go down that night on the parking deck
5 across the way. The top floor is always the last to fill up for a big event downtown, and I figured it
6 would lead to a few fender benders with the concert goers hurrying to park their cars and get to the
7 show. What I saw, though, was more like my days in Bird Town.

8
9 Have you ever seen that TV show, The Wire? In some respects, it's a pretty good depiction of what us
10 drug detectives would do back in the day (though from my perspective the police corruption was a bit
11 exaggerated). In real life, we'd hone in on an area where the kids were out on the pavement dealing
12 blow, and set up surveillance from the rooftops. We'd take rolls and rolls of film--back in the day, as
13 they say, meaning before the digital age--and tack up photos of the key players on the wall as we
14 made sense of the dealers' organization. I took a bullet to the hip in a raid--"friendly fire" as it turned
15 out. After that I took a desk job at the precinct to wait for my pension, but all that paper made me
16 crazy. I was accused of losing some reports that really embarrassed the department. The next thing I
17 knew, the department let me retire early on disability, so I decided to come to Fondren to be near my
18 daughter and grandson. She's a professor of anthropology at Fondren State. I guess you could say
19 she's a chip off the old block, but she found a safer way of studying indigenous populations.

20
21 It's hard relocating when you are my age. Okay, I've tried making friends with some of the folk in my
22 building. Like that Leslie Granger who lives in the apartment below and took issue with the sounds of
23 my morning fitness routine. I tried to explain it is physical therapy for my bad hip and sometimes I
24 can't help moaning and groaning, and okay, just crying out, with the pain. Whenever I feel like I made
25 a mistake and should have just retired down by the ocean instead, I think if I'd done that, I wouldn't
26 have been able to take my grandson to see the O's AAA team the Norfolk Tides play the M-Braves.
27 And I wouldn't have been here in Fondren to take that photo of Al Dore getting plucked.

28
29 Old habits die hard. I keep picking up my camera. There's no point these days not snapping away with
30 a digital camera. If the picture turns out to be nothing, it's not like there's been any film or photo
31 processing wasted--just hit delete to free up a little memory. And I sit for my grandson on nights
32 when my daughter is teaching. So, after I put him down, there's really nothing else to do but turn out
33 the light and look out the window at the parking garage. Being up on the 10th floor, above the garage,
34 gives me a good birds-eye view of the whole top.

35
36 What I've seen makes me think more and more that Fondren is getting to be just like Charm City. I've
37 seen drug deals and loan collections happen on the top of the parking garage before. It's like the
38 garage management doesn't care what happens up there. They have to know, especially these flashy
39 guys like Al Dore. I've caught a few of his meetings with my camera over the past few months. I've

even tried to show my pictures to the mayor and the police zone commander at community organization meetings, but they just brush me off and say I'm living in the past. Fondren, they tell me, is no Baltimore. Well, they got that right when I'm wishing I had a Natty Boh to drink after it's lights out for my grandson. I guess I should just forget the garage and enjoy my O's more. I can't believe they almost beat the Yankees to get in the ALCS. I'm not sure if we're gonna be able to pull that off again this season. Man how I wish Cal was still in the lineup!

So it was, on January 28. My daughter was out of town at an anthropology conference, and I was keeping the kid. Bedtime normally is 8 p.m., but it gets dark so early in January that I was able to get him down a little sooner. I had just sat down in my Barcalounger in front of the window when I saw Dore's Ford Anglia pulling up onto the top deck from the ramp. This fit his usual MO, where he'd pull up, back into a space and wait for his "client" to show up. He usually had one of his goons lurking around. Normally, s/he'd hang in the background by the elevator shaft smoking a cigarette until Al needed some persuasion to be dealt out. Al didn't like to get his hands dirty, so he would let one of his meatheads handle the negotiations while he stayed in the car with that old dog that he always carried around with him.

So, I thought this time was going to be the same. Instead, Dore got out of his car when a young kid came up out of the stairwell. (Okay, okay, I know 21 is legally an adult, and it's a sign of my age that I thought this was a kid based on the bounce in the step and the tennis shoes.) The north stairwell is right outside my windows. They have windows all the way down, so I can typically see people coming and going up and down the stairs. I saw the kid enter the stairwell on level 7 or 8, put his/her coat on over a red shirt and come out at the top of the deck. S/He walked over to the north side of the lot and waited for Al to make his grand entrance. I have no way of knowing whether this kid was the Defendant, Sam/Samantha Snape, because it was dark, and I couldn't make out a face. But it looked like s/he was wearing a dark parka with that fake fur around the hood and a red shirt.

Okay, I thought my grandson was down for the night, but at this point he cried out for a drink of water. So I got up to fix a fresh sippy cup, and the next thing I heard was the sound of shouting, followed by gunfire. Wouldn't you know it, I was in the kitchen? With this bad hip, I move kind of slow. I made it back to the window just as Dore went over the edge. It was pretty dark, but the pusher didn't look to me like the kid I'd seen coming out of the stairwell a few minutes earlier. The jacket seemed darker and s/he was wearing a hat. The pusher shuffled off – more like slip sliding away – toward the north stairwell and went down. I didn't see them exit the stairwell until they were out of sight. They definitely didn't get off at level 7 or 8, so I imagine they went out at street level.

At that point, the passenger side of the Ford Anglia opened and the person who got out and ran to the edge of the deck, looked over, and screamed. I'll never forget the sound of that anguished, gut wrenching cry, but I didn't get a chance to snap a photo because by that point, my grandson was wailing for his water. I saw the lights of the ambulance and cops on the street below soon after. I could see the investigating detective up on the roof of the garage starting the investigation. I don't know how he/she could see much with the weather and most of the lights not working, but I could

82 see the flashlights bobbing around and the strobe light of the camera flashing every now and then.
83 They set up several of those pop-up tents that people use during tailgating and stuff real low to the
84 ground to cover the evidence for the night. The detective came back the next morning and did more
85 looking around and photographing the evidence. I'm glad to see that the kids doing the police work
86 nowadays still use the tried and true methods of days past, with the footwork, keen eyes and
87 documenting everything. There must have been a dozen of those little yellow evidence tents all over
88 the roof by the time he/she was done.

89
90 However, I was surprised that no one ever darkened my doorstep to ask if I had seen anything that
91 night. I mean, I've got a front row seat to all the happenings up there on the deck and did see a good
92 bit. But to not spend the time on a proper canvas of the surrounding areas to see what anyone saw?
93 Like I said, I was surprised. Back in my day, we'd have uniforms out in all the buildings knocking on
94 doors, especially if they had a picture window to the scene! By the end of the week after Dore got
95 pushed, I contacted the sheriff's department to get in touch with the detective and tell her/him what
96 I'd seen. I was surprised that an arrest had already been made without my eyewitness account, but I
97 guess they had enough to scoop up Snape. The detective who stopped by didn't seem too impressed
98 with my photos or in what I had seen with the earlier meeting between Al and his clients, but s/he
99 took the snapshots and my statement and was gone. Only talked to me for a few minutes, I suppose.
100 I'm just not so sure they did enough pounding of the pavement to cover all the angles. I wonder how
101 much more s/he would be able to do if Fondren had a real police department.

102
103 No matter, I hope this puts a damper on some of the crime around here. Hopefully now the local
104 force will listen to guys/gals like me. If they had taken my earlier photos seriously, you know what
105 would have happened? Al Dore would have been indicted, tried, and convicted well before this
106 happened. Being in prison is never a good thing, okay, but at least he would have been alive.

107
108 Signed,

109 RONNIE LUPIN

110
111 **Ronnie Lupin**

112
113 SIGNED AND SWORN to me at 2:35 PM, February 1, 2017.

114 

115
116 J. K. Rowling, Notary Public

118 **WITNESS ADDENDUM**
119 I have reviewed this statement, previously made by me, and I have nothing of significance to add at
120 this time. The material facts are true and correct.
121
122 Signed,
123 RONNIE LUPIN
124 **Ronnie Lupin**
125
126
127 SIGNED AND SWORN to me before 8:00 a.m. on this day of this round of the 2018 Mississippi High
128 School Mock Trial Competition.
129 J. K. Rowling
130 **J. K. Rowling, Notary Public**
131
132
133

STATEMENT OF LESLIE GRANGER

My name is Leslie Granger, but my friends (and a few others) call me by my nickname: “Effort-Leslie” – I reject the “Know-it-all” stereotype of visibly stressing out to achieve. I work hard, but I try to maintain an air of calm, even serene excellence...and let other people notice that my performance is good. I do my best to get along with everyone, and to find ways to highlight what they’re doing well, so they feel better about themselves and work cooperatively with me. It works –or, so far, it’s worked for me. “Leadership through service,” as they say, brought home.

Currently, while I’m looking for a better job – and I have been for two years or so – I work at the Fondren Parking Garage. It’s on Main Street, just down the street from the “new” Fondren Arena where the old paper mill used to be before the company went conglomerate and donated the land in exchange for naming rights to advertise its new association with the Mississippi Lottery (and some environmental credits). I think this land was actually supposed to be green space in the original plans, but the previous owners went bust, abandoned the land for taxes and Fondren turned it into the parking deck Le Corbusier (or maybe Joseph Stalin) would’ve loved. Them...and Al Dore, our local “popular financier.” I think our Level Nine may have been about the only thing “on the level.” Certainly this was the only place he worked “off the top of the deck”– but he seemed to like this place a lot. Before almost every concert, I’d see him driving up there “to do business” I suppose; I never went up top when he did.

I just minded my own business, taking care of the cars ‘n trucks coming in and out for the concerts (talk about “rock ‘n roll”). It’s no fun being in my little attendant’s booth on a cold ‘n blustery night like January 28th. I’d rather be snug in my single, rented room across the street, like Mr./Ms. Ronnie Lupin, than “makin’ nice” to all those folks on their way to the “Little Weird Sisters” tribute concert. But it’s a promotion over holding down the fort during the middle of the day when there’s not as much business and management doesn’t pay as much money. This wasn’t quite what I had in mind when I started my Urban Planning degree at Mississippi State, fresh out of Fondren High, but it’s good practical experience, and it’s my road back into school (seriously, this time!). This time around, the only time I’m seeing Sam/Samantha Snape is when s/he’s taking his/her parking stub, not thinking about buying anything s/he’s selling. So I’m keeping my head down and my nose clean. I’m only here to testify because Sam/Samantha Snape subpoenaed me, and because I guess it’s right to speak up when an innocent person is on trial.

That night, about 7:45 PM, right on schedule, Mr. Dore’s Ford Anglia (perfectly shined, as usual, even in lousy weather when it could only get dirty again) pulled into the machine, and the driver took a ticket and headed toward the ninth floor. As it vanished, I think I saw a silhouette moving in the back of Mr. Dore’s car, as well. I don’t –didn’t– like the guy. I suppose you never really like people who frighten you, however much they try to dress “preppy & respectable:” the pressed khakis, blue Oxford button-down, Italian loafers and chocolate, brushed-goatskin overcoat topped with the cashmere scarf for the weather. I didn’t approve of what (I’m pretty sure) was going on up there, but I didn’t follow to watch. I don’t want to get in trouble with management by being “involved” with something they wouldn’t

40 approve of. I definitely don't want to get in trouble by making an issue of something management
41 might've been tolerating quietly (Dore had lots of influential contacts, after all). Besides, I had my job
42 to do at the booth. Customers came in, faster and faster as the time for the concert approached.

43
44 I guess it was about eight o'clock (by then I was busy, so I have to estimate) when I noticed
45 Sam/Samantha Snape enter the garage. Sam/Samantha Snape was similarly dressed to "blend in" with
46 a crowd of concert-goers later, around the arena; I could guess why. Of course, having grown up in
47 Fondren, before going off to Mississippi State, I was familiar with Sam/Samantha Snape, so I easily
48 noticed him/her pull in. Back in the day, perhaps I was too familiar with Sam/Samantha Snape for my
49 own good. It's strange to think that now, across the street, I live just below a retired cop, Lupin, and
50 we're at least on civil terms. Not back in the day...

51
52 I've been thinking about it since everything happened. Dore had a driver (although I didn't get a clear
53 look) and maybe somebody else with him, too. Sam/Samantha Snape was alone at that point, I'm
54 pretty sure. We have security cameras on every floor, although management won't pay to keep the
55 digital recorders functional. I'm frequently too busy to do much with the screen anyway, as it flicks
56 from one scene to the next, beyond glancing to see that nothing's too obviously wrong. So I saw Mr.
57 Dore's car reach the top of the ramps, but I lost Snape in the crowd fighting for spots as they got ready
58 to go to the arena. Some were waiting for the elevators, and some taking the stairs.

59
60 In spite of the lousy maintenance by my employers, the Level Nine camera by the north stairs works
61 most times, because it's sheltered, but the others up there at the rooftop didn't. When it all went
62 down, I was surprised (as were the customers – panicked, really) by the sound of gunshots from above.
63 I looked at the camera screen, but saw nothing (literally) as the selector moved to the next faulty
64 camera. I heard shouting and echoes off the raw concrete, but not discernible words. Then something,
65 well, "squished" real loud and sudden onto the driveway, right in front of my little booth! Mr. Dore's
66 overcoat wasn't all brown any more, nor was it neatly-brushed leather. The khakis were sticky-damp,
67 red with blood. I puked. I didn't see the gun fall as well, but apparently Lt. Potter found it lying in the
68 bushes later.

69
70 As I'm on my knees on the driveway, I looked back into the parking deck where the chaos was clearing
71 for a moment. I suppose Al Dore's body falling over the parapet had attracted the gawkers towards
72 the street. Another noise caught my attention, and I looked up – wa-a-ay up. As I've said, it was a lousy
73 night, but some of the lights on top of the roof were on. Caught against their glow, I saw the head and
74 torso of a figure looking over the edge of the concrete wall surrounding the top level. A moment later,
75 the figure was gone. Yes, it could've been Sam/Samantha Snape, but then it could've been anyone
76 else, as well. I just don't know. Off to one side, air escaping from Al Dore's body – corpse? – made a
77 ghastly, ghoulish sound, and I puked again. This time, as I looked up, behind the horrified crowd, the
78 door to the rear stairwell (at the south end of the garage farthest away from Main Street, emptying
79 next to the west exit on Carley Avenue) banged opened with a sharp slam. Through the gap emerged
80 the fur-trimmed parka, dark jeans and work boots I'd seen Sam/Samantha Snape wearing when s/he'd
81 gone upstairs before. A brief pause, a turn, a flash of the red flannel underneath the parka (no, because

the shirt was red, I don't know if it was also bloodstained), and Sam/Samantha Snape hustled out of the garage, away from me, out onto Carley Avenue.

A few minutes later, the roar of a large, well-tuned engine separated the remaining on-lookers still inside the garage. Dore's car came flying down the ramps and out the west exit onto Carley as well. In the close but brief glimpse I got, I'm sure the passenger side was empty and the back seat too (unless somebody was all the way down onto the floor, below the windows). No, I couldn't identify who was driving or if there was a passenger in the car.

With that shocking me out of my own sensory overload, some measure of sanity returned. At first, I thought about calling to see if Lupin was at home since s/he was the closest police (of a fashion) available, since the Weird Sisters tribute concert had our Fondren force stretched tighter than one of the artist's musical strings, but then I realized I needed 911...

And an ambulance.

Nothing effortless, I'm afraid, in giving this statement of what I saw to Lt. Potter. S/He asked me what I saw, and I told him/her about the Al's final descent and the noise it made as well as the Ford Anglia doing its best audition for a spot in the next Fast and Furious movie. S/He didn't ask a lot of questions and didn't really seem too impressed with what I had to say. I guess with all of the commotion and the weather, s/he had a thousand things running through his/her mind. It's not like I saw what made Al take the express route down to my booth; I just saw him when he got here.

And that's about all I can remember, I guess. I'm probably going to get into trouble with deck management for just dragging them this far into the public mess by taking the lead in calling to have Dore carted off.

Oh, yeah...one more thing. I didn't see him/her do anything, y'know, but there was this hulky figure (well, I don't know how hulky; the heavy shoes and shearling-collared bomber visibly put on a lot of weight) just wandering around the scene, after the incident. I think they came out of the stairwell right by the main entrance and just hung out with the crowd. Once Dore's car had cleared out, so did the hulk. It's my job to keep my eyes peeled for possible trouble, so I just had a feeling that this guy/girl was someone I should notice.

Signed,

Leslie Granger

Leslie Granger

SIGNED AND SWORN to me at 9:50 AM, January 29, 2017.



J. K. Rowling, Notary Public

WITNESS ADDENDUM

I have reviewed this statement, previously made by me, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,



Leslie Granger

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2018 Mississippi High School Mock Trial Competition.



J. K. Rowling, Notary Public

Legal Authorities

Statutes

Miss. Code Ann. § 97-3-19. Homicide; murder defined; first-degree murder

(1) The killing of a human being without the authority of law by any means or in any manner shall be first-degree murder:

(a) When done with deliberate design to effect the death of the person killed, or of any human being;

. . . .

(c) When done without any design to effect death by any person engaged in the commission of any felony . . . , (Miss. Code Ann § 97-3-19(1)(c) is also known as “felony murder”)

Miss. Code Ann. § 97-3-29. Homicide; killing while committing a misdemeanor

The killing of a human being without malice, by the act, procurement, or culpable negligence of another, while such other is engaged in the perpetration of any crime or misdemeanor not amounting to felony, or in the attempt to commit any crime or misdemeanor, where such killing would be murder at common law, shall be manslaughter.

Miss. Code Ann. § 97-3-7(1)(a). Simple assault

A person is guilty of simple assault if he (i) attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; (ii) negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (iii) attempts by physical menace to put another in fear of imminent serious bodily harm. . . . [The crime of simple assault shall be a misdemeanor.].

Miss. Code Ann. § 97-3-7(2)(a). Aggravated assault

A person is guilty of aggravated assault if he (i) attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life, [or] (ii) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm [The crime of aggravated assault shall be a felony.].

Case Law

The following excerpts are from Case Law concerning the legal issues raised in this mock trial case. Only portions of the opinions are provided, and only those portions may be used in the course of the trial. Citations and internal quotation marks are omitted in the excerpts of the cases that follow.

First-degree murder is defined as the killing of a human being "with deliberate design to effect the death of the person killed" In Mississippi, "deliberate design" and "malice aforethought" are considered synonymous terms, and both "connote an intent to kill." This intent may be formed quickly, even moments before the act and may be inferred from the use of a deadly weapon. Intent may be proven by showing the acts of the person involved at the time, and the circumstances surrounding the incident. Intent is a question of fact gleaned by the jury.

Collins v. State, 221 So. 3d 366 (Miss. Ct. App. 2016)

This Court has held that unless one expresses his intent, the only method by which intent may be proven is by showing the acts of the person involved at the time, and by showing the circumstances surrounding the incident. "Deliberate design" is synonymous with "malice aforethought" and connotes an intent to kill. Deliberate design to kill a person may be formed very quickly, and perhaps only moments before the act of consummating the intent. It is well-established that malice, or deliberate design, may be inferred from the use of a deadly weapon. Deliberate design, as a matter of law, may be inferred through the intentional use of any instrument which based on its manner of use, is calculated to produce death or serious bodily injury.

Holliman v. State, 178 So. 3d 689 (Miss. 2015)

Motive is not an indispensable element of murder.

Dillon v. State, 18 So. 2d 454 (Miss. 1944)

It is true that the record in this case does not disclose any adequate motive for the awful tragedy; but, while such disclosure may and often does give tone and color to the action of the parties, it is not absolutely necessary to show the motive in order to sustain conviction, for sometimes knowledge of the secret motive may die with the dead man, or be locked up in the breast of the slayer.

House v. State, 48 So. 3 (Miss. 1908)

In order to obtain a valid conviction of felony murder . . . , the state [is] required to prove all essential elements of both Miss. Code Ann. § 97-3-19(1)(c) and [the elements of the underlying felony].

Boyd v. State, 977 So. 2d 329 (Miss. 2008)

Where an altercation begins with a simple assault but, as a matter of law, escalates in a continuous sequence of events to an aggravated assault, the simple assault is subsumed into the aggravated assault. . . . In determining whether the facts support simple, versus aggravated assault, the focus is not exclusively on the harm done, but rather, on whether the elements of the statute are satisfied.

Downs v. State, 962 So. 2d 1255 (Miss. 2007)

[A conviction for manslaughter requires a showing of culpable negligence, which is] negligence of a degree so gross as to be tantamount to a wanton disregard of, or utter indifference to, the safety of human life, and this shall be so clearly evidenced as to place it beyond every reasonable doubt. Culpable negligence may be defined as the conscious and wanton or reckless disregard of the probabilities of fatal consequences to others as the result of the willful creation of an unreasonable risk.

Jones v. State, 678 So. 2d 707 (Miss. 1996)

Prior Mississippi cases have explained on several occasions that aggravated assault under section 97-3-7(2)(a) and simple assault under 97-3-7(1)(a) are distinguished mainly by the extent of the victim's injury, i.e., whether the victim suffered 'bodily injury' or 'serious bodily injury.' Whether 'bodily injury' or 'serious bodily injury' resulted is a question for the jury.

Torrey v. State, No. 2014-KA-00978-COA, 2017 Miss. App. LEXIS 107, at *22 (Miss. Ct. App. Feb. 28, 2017)

**IN THE CIRCUIT COURT OF FONDREN COUNTY
STATE OF MISSISSIPPI**

State of Mississippi,)	
)	
v.)	CRIMINAL ACTION NO: 2018-MT
)	
SAM/SAMANTHA SNAPE)	
)	
Defendant.)	

THE CHARGE OF THE COURT

[Not to be read in open court]

Indictment/Accusation

You are considering the case of the State of Mississippi versus Sam Snape. The grand jury has indicted the defendant with the offenses of first degree murder, felony murder and aggravated assault.

Issue and Plea of Not Guilty

The defendant has entered a plea of not guilty to this indictment. The indictment and the plea form the issue that you are to decide. Neither the indictment nor the plea of not guilty should be considered as evidence.

Presumption of Innocence; Burden of Proof; Reasonable Doubt

The defendant is presumed to be innocent until proven guilty. The defendant enters upon the trial of the case with a presumption of innocence in his/her favor. This presumption remains with the defendant until it is overcome by the State with evidence that is sufficient to convince you beyond a reasonable doubt that the defendant is guilty of the offense charged. No person shall be convicted of any crime unless and until each element of the crime is proven beyond a reasonable doubt.

The burden of proof rests upon the State to prove every material allegation of the indictment and every essential element of the crime charged beyond a reasonable doubt. There is no burden of proof upon the defendant whatsoever, and the burden never shifts to the defendant to introduce evidence or to prove innocence. When a defense is raised by the evidence, the burden is on the State to negate or disprove it beyond a reasonable doubt. However, the State is not required to prove the guilt of the accused beyond all doubt or to a mathematical certainty. A reasonable doubt means just what it says. A reasonable doubt is a doubt of a fair-minded, impartial juror honestly seeking the truth. A reasonable doubt is a doubt based upon common sense and reason. It does not mean a vague or arbitrary doubt but is a doubt for which a reason can be given, arising from a consideration of the evidence, a lack of evidence, or a conflict in the evidence.

After giving consideration to all of the facts and circumstances of this case, if your minds are wavering, unsettled, or unsatisfied, then that is a doubt of the law, and you must acquit the defendant. But, if that doubt does not exist in your minds as to the guilt of the accused, then you would be authorized to convict the defendant.

If the State fails to prove the defendant's guilt beyond a reasonable doubt, it would be your duty to acquit the defendant.

Grave Suspicion

Facts and circumstances that merely place upon the defendant a grave suspicion of the crime charged or that merely raise a speculation or conjecture of the defendant's guilt are not sufficient to authorize a conviction of the defendant.

Mere Presence; Guilt by

A jury is not authorized to find a person who was merely present at the scene of the commission of a crime at the time of its perpetration guilty of consent in and concurrence in the commission of the crime, unless the evidence shows, beyond a reasonable doubt, that such person committed the alleged crime.

Jury; Judges of Law and Facts

Members of the jury, it is my duty and responsibility to determine the law that applies to this case and to instruct you on that law. You are bound by these instructions. It is your responsibility to determine the facts of the case from all of the evidence presented. Then you must apply the law I give you in the charge to the facts as you find them to be.

Evidence; Generally

Your oath requires that you will decide this case based on the evidence. Evidence is the means by which any fact that is put in issue is established or disproved. Evidence includes all of the testimony of the witnesses and any exhibits admitted during the trial, as well as stipulations of the attorneys. Evidence does not include the indictment, the plea of not guilty, opening or closing remarks of the attorneys, or questions asked by the attorneys.

Stipulations

The parties have entered into certain stipulations that have been approved by the court. Where parties stipulate facts, this is in the nature of evidence. You may take that fact or those facts as a given without the necessity of further proof. However, you are not required to do so, and even such matters may be contradicted by other evidence. You make all decisions based on the evidence in this case.

Direct and Circumstantial Evidence

Evidence may be either direct or circumstantial or both. In considering the evidence, you may use reasoning and common sense to make deductions and reach conclusions. You should not be concerned about whether the evidence is direct or circumstantial.

"Direct evidence" is the testimony of a person who asserts that he or she has actual knowledge of a fact. "Circumstantial evidence" is proof of a set of facts and circumstances that tend to prove or disprove another fact by inference (that is, by consistency with such fact or elimination of other facts). There is no legal difference in the weight you may give to either direct or circumstantial evidence.

You would be authorized to convict only if the evidence, whether direct, circumstantial, or both, excludes all reasonable theories of innocence and proves the guilt of the accused beyond a reasonable doubt. The law does not require a higher or greater degree of certainty on the part of the jury to return a verdict based upon circumstantial evidence than upon direct evidence.

Credibility of Witness

The jury must determine the credibility of the witnesses. In deciding this, you may consider all of the facts and circumstances of the case, including the witnesses' manner of testifying, their means and opportunity of knowing the facts about which they testify, the nature of the facts about which they testify, the probability or improbability of their testimony, their interest or lack of interest in the outcome of the case, and their personal credibility as you observe it.

Expert Witness

Testimony has been given in this case by certain witnesses who are termed experts. Expert witnesses are those who because of their training and experience possess knowledge in a particular field that is not common knowledge or known to the average citizen. The law permits expert witnesses to give their opinions based upon that training and experience. You are not required to accept the testimony of any witnesses, expert or otherwise. Testimony of an expert, like that of all witnesses, is to be given only such weight and credit as you think it is properly entitled to receive.

Witness, Impeached by

To impeach a witness is to prove the witness is unworthy of belief. A witness may be impeached by:

- a. Disproving the facts to which the witness testified;
- b. Proof of general bad character;
- c. Proof that the witness has been convicted of a crime involving dishonesty or false statement; or
- d. Proof of contradictory statements, previously made by the witness, as to matters relevant to the witness's testimony and to the case.

If it is sought to impeach a witness by "b," "c," or "d," above, proof of the general good character of the witness may be shown. The effect of the evidence is to be determined by the jury.

If any attempt has been made in this case to impeach any witness by proof of contradictory statements previously made, you must determine from the evidence:

- a. First, whether any such statements were made;
- b. Second, whether they were contradictory to any statements the witness made on the witness stand; and
- c. Third, whether it was material to the witness's testimony and to the case.

If you find that a witness has been successfully impeached by proof of previous, contradictory statements, you may disregard that testimony, unless it is corroborated by other creditable testimony, and the credit to be given to the balance of the testimony of the witness would be for you to determine.

It is for you to determine whether or not a witness has been impeached and to determine the credibility of such witness and the weight the witness's testimony shall receive in the consideration of the case.

Witness, Supported

In determining the credibility of any witness whose credibility has been attacked as I have described above and any testimony by him or her in court, you may consider, where applicable, evidence offered to support the credibility or believability of any such witness testified.

Prior Statements

You may determine whether there was evidence that a witness testified falsely about an important fact during the course of the trial as opposed to some other time before this trial.

In doing so, you may make a determination whether the misstatement was because of an innocent lapse in memory or an intentional attempt to deceive. You should consider all the facts and circumstances of any prior statements.

Single Witness; Corroboration

The testimony of a single witness, if believed, is sufficient to establish a fact. Generally, there is no legal requirement of corroboration of a witness, provided you find the evidence to be sufficient.

Identification; Reliability

Identity is a question of fact for you to determine. Your determination of identity is dependent upon the credibility of the witness or witnesses offered for this purpose. You should consider all of the factors previously charged you regarding credibility of witnesses. Some, but not all, of the factors you may consider in assessing reliability of identification are

- 1) the opportunity of the witness to view the alleged perpetrator at the time of the alleged incident,
- 2) the witness's degree of attention toward the alleged perpetrator at the time of the alleged incident,
- 3) the possibility of mistaken identity,
- 4) whether the witness's identification may have been influenced by factors other than the view that the witness claimed to have,
- 5) whether the witness on any prior occasion did not identify the defendant in this case as the alleged perpetrator, and
- 6) the length of the time between the crime and the out-of-court identification.

Identification; Burden of Proof

It is for you to say whether, under the evidence in this case, the testimony of the witnesses and the facts and circumstances of the case sufficiently identify this defendant beyond a reasonable doubt as the perpetrator of the alleged crime. It is not necessary that the defendant show that another person committed the alleged offense.

If you do not believe that the defendant has been sufficiently identified as the person who committed the alleged crime, or if you have any reasonable doubt about such, then it would be your duty to acquit the defendant. The burden of proof rests upon the State to prove, beyond a reasonable doubt, the identity of this defendant as the person who committed the crime alleged in this bill of indictment.

Fingerprints

Certain evidence of fingerprint comparison has been admitted by the court for your possible consideration. Identification by fingerprint comparison is opinion evidence and is dependent upon the credibility and accuracy of the expert witness called for that purpose as well as the following factors:

- 1) the validity of the theory of identification by fingerprint comparison,
- 2) the credibility of the witness who performs other necessary functions in making the comparison such as inked finger impressions and latent lifts, and
- 3) the accuracy of procedures in identifying, preserving, recording, and maintaining integrity of the physical evidence, all of which are questions for the jury.

Fingerprint evidence is also governed by the rules on circumstantial evidence.

If you believe that fingerprints corresponding to those of the accused were found and identified, their evidentiary value, if any, would be diminished to the extent that they could reasonably have been left at the scene or on the article alleged at a time or under circumstances that would be consistent with innocence.

A verdict of guilty may not rest upon fingerprint identification alone, unless you are satisfied beyond a reasonable doubt that fingerprints left by the accused were in fact found and that they could only have been impressed by the accused at the scene of the crime or on the article alleged at the time of the commission of the crime and that such identification under all of the facts and circumstances of the case is sufficient to satisfy your mind of the guilt of the accused to the exclusion of any other reasonable theory and beyond a reasonable doubt.

Definition of Crime

This defendant is charged with a crime against the laws of this state. A crime is a violation of a statute of this state in which there is a joint operation of an act (or omission to act) and intention.

Intent

Intent is an essential element of any crime and must be proved by the State beyond a reasonable doubt. Intent may be shown in many ways; provided you, the jury, believe that it existed from the proven facts before you. It may be inferred from the proven circumstances or by acts and conduct, or it may be, in your discretion, inferred when it is the natural and necessary consequence of the act. Whether or not you draw such an inference is a matter solely within your discretion.

No Presumption of Criminal Intent

This defendant will not be presumed to have acted with criminal intent, but you may find such intention (or the absence of it) upon a consideration of words, conduct, demeanor, motive, and other circumstances connected with the act for which the accused is being prosecuted.

Offenses Charged

This defendant is charged with the offenses of first degree murder, felony murder and aggravated assault. These offenses are defined as follows:

First Degree Murder; Defined

A person commits murder when that person unlawfully and with malice aforethought, either express or implied, causes the death of another human being. Express malice is that deliberate intention unlawfully to take away the life of another human being, which is shown by external circumstances capable of proof. Malice may, but need not, be implied where no considerable provocation appears and where all the circumstances of the killing show an abandoned and malignant heart. It is for the jury to decide whether or not the facts and circumstances of this case show malice.

To constitute murder, the homicide must have been committed with malice. Legal malice is not necessarily ill will or hatred, but it is the unlawful intention to kill without justification, excuse, or mitigation.

If a killing is done with malice, no matter how short a time the malicious intent may have existed, such killing constitutes murder.

Mississippi law does not require premeditation, and no particular length of time is required for malice to be generated in the mind of a person. It may be formed in a moment, and instantly a mortal wound may be inflicted. Yet, if malice is in the mind of the accused at the time of the doing of the act or killing, and moves the accused to do it, such is sufficient to constitute the homicide as murder.

Misdemeanor Murder; Defined

A person commits misdemeanor murder when that person unlawfully and without malice by the act, procurement, or culpable negligence of another, while such other is engaged in the perpetration of any crime or misdemeanor not amounting to felony, or in the attempt to commit any crime or misdemeanor, where such killing would be murder at common law, shall be manslaughter.

Simple Assault; Defined

A person commits simple assault when they attempt to cause or purposely, knowingly or recklessly causes bodily injury to another; or negligently cause bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or attempt by physical menace to put another in fear of imminent serious bodily harm

Aggravated Assault; Defined

A person commits aggravated assault when they attempt to cause serious bodily injury to another, or causes such

injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; or attempt to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm

Premeditation; Defined

Premeditation, as the term is usually used, means a prior determination or plan to commit an act. Premeditation is not an element of the offense of murder, and therefore need not be proven by the state to establish malice aforethought. However, any evidence of premeditation, or lack of it, may be considered by you insofar as it related to the existence, or nonexistence, of malice at the time of the alleged killing.

Motive

Proof of particular motive is not essential to constitute the crime of murder. Evidence of motive, if any, is admitted for your determination as to whether or not it establishes the state of the defendant's mind at the time of the alleged homicide.

Verdict; Generally

This is how you should deliberate each count of the indictment: if, after considering the testimony and evidence presented to you, together with the charge of the court, you should find and believe beyond a reasonable doubt that the defendant in Fondren County, Mississippi, did on or about the date alleged commit the offense of as alleged in the indictment, you would be authorized to find the defendant guilty. In that event, the form of your verdict would be, "We, the jury, find the defendant guilty." If you do not believe that the defendant is guilty (of either of these offenses), or if you have any reasonable doubt as to the defendant's guilt, then it would be your duty to acquit the defendant, in which event the form of your verdict would be, "We, the jury, find the defendant not guilty."

Court Has No Interest in Case

By no ruling or comment that the court has made during the progress of the trial has the court intended to express any opinion upon the facts of this case, upon the credibility of the witnesses, upon the evidence, or upon the guilt or innocence of the defendant.

Sympathy

Your verdict should be a true verdict based upon your opinion of the evidence according to the laws given you in this charge. You are not to show favor or sympathy to one party or the other. It is your duty to consider the facts objectively without favor, affection, or sympathy to either party.

Sentencing; Responsibility for

You are only concerned with the guilt or innocence of the defendant. You are not to concern yourselves with punishment.

Deliberations

One of your first duties in the jury room will be to select one of your number to act as foreperson, who will preside over your deliberations and who will sign the verdict to which all twelve of you freely and voluntarily agree. You should start your deliberations with an open mind. Consult with one another and consider each other's views. Each of you must decide this case for yourself, but you should do so only after a discussion and consideration of the case with your fellow jurors. Do not hesitate to change an opinion if you are convinced that it is wrong. However, you should never surrender an honest opinion in order to be congenial or to reach a verdict solely because of the opinions of the other jurors.

Unanimous Verdict

Whatever your verdict is, it must be unanimous (that is, agreed to by all). The verdict must be in writing and signed by one of your members as foreperson, dated, and returned to be published in open court.

Retire to Jury Room

You may now retire to the jury room, but do not begin your deliberations until you receive the indictment and any evidence that has been admitted in the case.

Bailiff, escort the jury to the jury room.



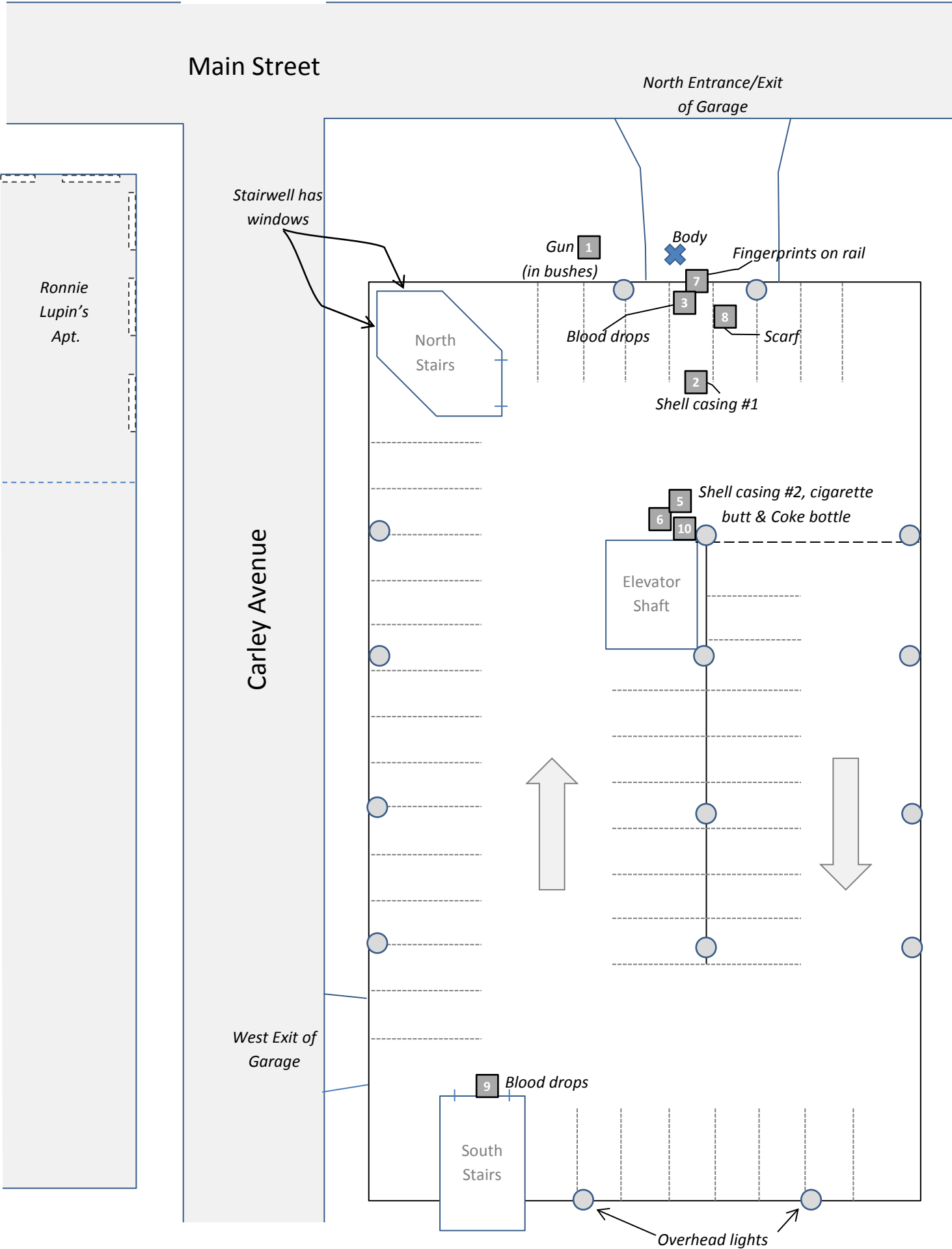
FONDREN COUNTY SHERIFF'S DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 104-01262013-A		DATE OF REPORT: 1/31/17 TIME: 16:35		<input checked="" type="checkbox"/> ORIGINAL REPORT <input type="checkbox"/> SUPPLEMENTAL REPORT	
DATE OF OCCURRENCE: 1/28/2017		TIME OF OCCURRENCE: 20:06		DOW: <input type="checkbox"/> Sun <input type="checkbox"/> Mon <input type="checkbox"/> Tues <input type="checkbox"/> Wed <input type="checkbox"/> Thur <input type="checkbox"/> Fri <input checked="" type="checkbox"/> Sat <input type="checkbox"/> Unk	
INCIDENT LOCATION: 654 Main Street, Fondren					
COMMON/BUSINESS NAME: Fondren Parking Garage		BEAT:		MAPR:	
DISTRICT:		ALCOHOL: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK		DRUG: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK	
CASE STATUS: <input checked="" type="checkbox"/> cleared by arrest <input type="checkbox"/> exceptionally cleared <input type="checkbox"/> unfounded <input type="checkbox"/> inactive <input type="checkbox"/> pending arrest <input type="checkbox"/> pending inv. results <input type="checkbox"/> informational only <input type="checkbox"/> administratively cleared				DATE: 1/29/2017	
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ATTACK REASON: <input checked="" type="checkbox"/> Assault <input type="checkbox"/> Theft <input type="checkbox"/> Menace <input type="checkbox"/> Concerned Citizen <input type="checkbox"/> Mental			WEAPON TYPE: <input checked="" type="checkbox"/> Firearm <input type="checkbox"/> Knife/Cutting Instrument <input checked="" type="checkbox"/> Hands/Fists/Feet, etc. <input type="checkbox"/> Other Weapon		
# ENTERED:		STRUCTURE OCCUPANCY:		EVIDENCE OBTAINED: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK	
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QUANTITY:		UNITS: <input type="checkbox"/> Gram <input type="checkbox"/> Milligram <input type="checkbox"/> Kilogram <input type="checkbox"/> Ounce <input type="checkbox"/> Pound <input type="checkbox"/> Ton <input type="checkbox"/> Liter <input type="checkbox"/> Milliliter <input type="checkbox"/> Dose		VALUE \$ _____	
VICTIM/OFFENDER RELATIONSHIP: Refer to narrative					
ASSAULT/HOMICIDE CIRCUMSTANCES: Refer to narrative					
CHILDREN WERE... <input type="checkbox"/> Involved <input checked="" type="checkbox"/> Present <input type="checkbox"/> N/A <input type="checkbox"/> Both			OFFICER ACTION: <input type="checkbox"/> Arrest Family Violence <input type="checkbox"/> Arrest Other Offense <input type="checkbox"/> Summons <input type="checkbox"/> Separation <input type="checkbox"/> Unfounded <input type="checkbox"/> Referred to Social		
PRIOR COURT ORDERS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK		ALCOHOL USED BY: <input type="checkbox"/> Aggressor <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Neither Used <input type="checkbox"/> Both Used		DRUGS USED BY: <input type="checkbox"/> Aggressor <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Neither Used <input type="checkbox"/> Both Used	
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EXHIBIT 1

CASE NUMBER: 104-01262013-A	DATE OF REPORT: 1/31/17 TIME: 16:35	<input checked="" type="checkbox"/> ORIGINAL REPORT <input type="checkbox"/> SUPPLEMENTAL REPORT
BRIEF DESCRIPTION:		
<p>911 fielded call from Leslie Granger at 20:13 requesting police and ambulance to the Fondren Parking Garage at 654 Main Street, saying someone may have been pushed over edge of top level of deck. I arrived at 20:19 and found deceased, Al Dore, face down on northern driveway of parking garage property. Dore was wearing dark overcoat, khakis and leather dress shoes. After EMS arrived, the body was turned over and single gunshot wound was discovered in right shoulder. No exit wound was visible on back of shoulder. Scratch marks were found on forearms of deceased. I spoke with garage attendant on duty, Leslie Granger, whose recollection was sparse and unhelpful, as s/he professed to know nothing except seeing the body hit the ground. I searched among ground cover and bushes for additional evidence, finding .32 caliber Bersa semi-automatic pistol. Firearm was photographed (marker #1) and bagged for transport to sheriff's office.</p> <p>I then proceeded to top level of parking structure via north stairwell. At the top level, several lights were not functioning. I asked for portable lights to be brought in but was told by dispatch all were being used for traffic and pedestrian control around arena for concert. A shell casing (marker #2) was located in middle of deck. A few blood droplets were located near the rail (marker #3). A swab was taken for DNA testing. A scarf (marker #8) was also located near shell casing and blood droplets.</p> <p>Alongside the northern side of elevator shaft, a cigarette butt (marker #6) and second shell casing (marker #5) was found.</p> <p>I then walked down to the south stairwell and found another set of blood droplets (marker #9). A swab was taken for DNA testing.</p> <p>Due to the poor lighting conditions, the photographs did not turn out well. I decided to secure the scene and return the following morning to better process and collect the evidence. Pop-up tents were used to cover areas containing evidence from the elements. After securing the top level of the deck, I proceeded back down to the driveway of the garage. I then released the body to the coroner's office for transport to the lab for autopsy. I was stationing two uniformed officers at the driveway for the evening to secure the scene when I was approached by Abe/Abigail Dore. Abe/Abigail approached from across Main Street where s/he had parked Dore's Ford Anglia. Abe/Abigail said that s/he had been in the car on the top level of the deck when Al had held a meeting with Sam/Samantha Snape. Abe/Abigail told me that s/he witnessed Snape shoot Al and then throw him over the edge. Abe/Abigail didn't know where the gun came from or if Al carried a gun. After Snape threw Al over the rail, Snape ran down the ramp to the south stairwell and down the stairs. Abe/Abigail said s/he panicked, got into the driver seat and drove the car out of the garage out onto Carley Avenue and parked across the street. I asked him/her why s/he didn't come forward earlier and s/he said s/he was trying to calm down and get his/her thoughts in order. I asked Abe/Abigail several questions about the events and if s/he was sure it was Snape who shot and pushed Al over the edge and s/he said "Yes, it was definitely Snape. I saw the whole thing clear as day. You can't let him/her get away with this!" I then called Ms. Dore to come get Abe/Abigail and take him/her home.</p> <p>I then went back to the station with blood swabs and the gun. I examined the gun and processed it for fingerprints, ballistics evidence and serial number ownership. The serial number was filed off. A single latent fingerprint was found on the slide of the gun and run through AFIS. AFIS had no matches. I compared fingerprint to the 10 card on file with the department of Sam/Samantha Snape and found a 9-point match to Snape's right ring finger. No other usable fingerprints were found on gun. A round was then fired into the lab's bullet trap to get a comparison sample for the firearm. This will be used to run against open cases as well as the round from Al's shoulder once the ME gets it to the lab.</p> <p>I then asked a uniform officer to ask Sam/Samantha Snape to come down to the station for an interview about the events. Snape arrived a few minutes after midnight, 1/29, and was put into Interrogation Room 2. Snape claimed that s/he was home all evening watching a movie on TV, A Good Night for Justice. S/He was defensive, nervous and emotional. When I informed him/her that we had a witness putting him/her on the roof with Al, s/he got even more nervous, asked if s/he was free to leave and almost ran out of the room. A transcript of the interview will be included with the supplemental report.</p> <p>At 7:20 Sunday morning, I went back to the garage to re-photograph the scene. All of the evidence tents were still in place, along with their evidence. The pop-up tents were removed and pictures were retaken and all evidence collected. The cigarette butt was sent for DNA testing. Both shell casings were sent for ballistics testing.</p> <p>The large scene pictures accurately show where everything was from the night before. Using better light, the rail of the garage where the deceased was pushed over was inspected for fingerprints. Three latent prints were located (marker #7) and lifted for processing. They were taken back to the lab to be run through AFIS.</p> <p>Having enough actionable evidence, I went to the residence of Sam/Samantha Snape at 8:44 AM to place him/her under arrest for the murder of Al Dore. Upon arriving at the residence, Snape claimed no involvement with Al's death. GSR tests came back negative on both of Snape's hands.</p>		
ATTACHMENTS: <input type="checkbox"/> Persons <input type="checkbox"/> Property <input type="checkbox"/> Offenses <input type="checkbox"/> Narrative		GCIC ENTRY <input type="checkbox"/> Warrant <input type="checkbox"/> Vehicle <input type="checkbox"/> Article <input type="checkbox"/> Boat <input checked="" type="checkbox"/> Gun
REPORTING OFFICER: Harry/Harriet Potter	BADGE: 4152	DATE: 1/31/17
SUPERVISOR: Luna Lovegood	BADGE: 1624	DATE: 1/31/17
DATA ENTRY:	BADGE:	DATE:
GCIC OPERATOR:	BADGE:	DATE:





FONDREN COUNTY SHERIFF'S DEPARTMENT

INCIDENT REPORT

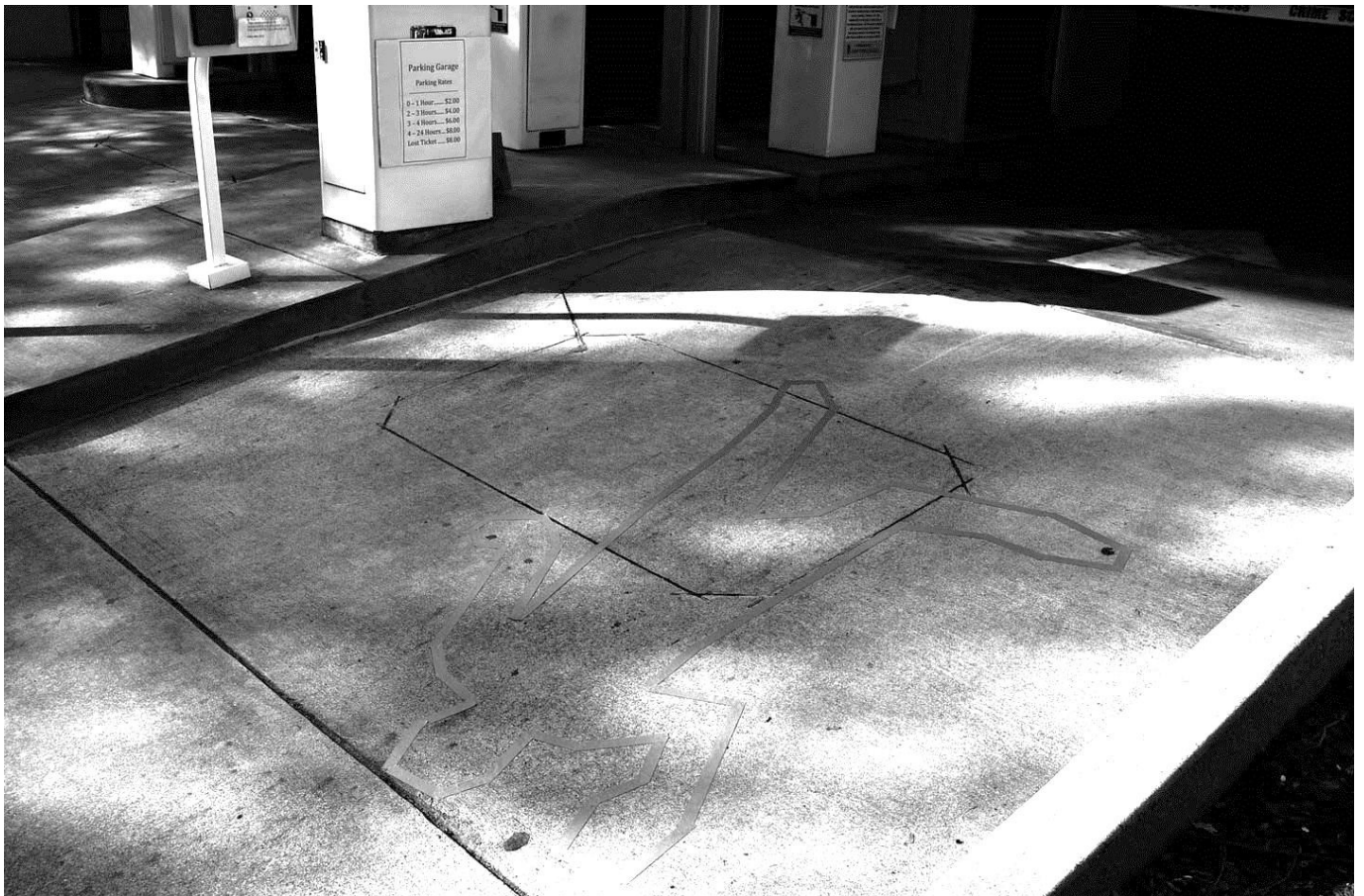
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COMMON/BUSINESS NAME: Fondren Parking Garage		BEAT:		MAPR:	
DISTRICT:		ALCOHOL: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK		DRUG: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK	
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DRUG TYPE: <input type="checkbox"/> Hallucinogen <input type="checkbox"/> Marijuana		<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Amphetamine <input type="checkbox"/> Barbiturate <input type="checkbox"/> Cocaine <input type="checkbox"/> Heroin <input type="checkbox"/> Opium/Derivative <input type="checkbox"/> Paraphernalia <input type="checkbox"/> Synthetic			
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CASE NUMBER: 104-01262013-A	DATE OF REPORT: 2/5/17 TIME: 10:58	<input type="checkbox"/> ORIGINAL REPORT <input checked="" type="checkbox"/> SUPPLEMENTAL REPORT	
BRIEF DESCRIPTION:			
<p>After Sam/Samantha Snape was arrested and booked on 1/29, I started processing all of the evidence collected from the scene. The two unprocessed fingerprints (Card #2 from the shell casing – Evidence Marker 2 and Card #3 from the rail – Evidence Marker 7) were sent to the latent lab. The lab technician ran the prints through AFIS. The fingerprint from the shell casing came back to Drake Foy. The rail prints came back to Abe/Abigail Dore. With the information about Abe/Abigail's prints on the rail, I questioned him/her about it and s/he said s/he didn't remember going to the rail after Al was pushed, but may have, that that part of the events was "fuzzy".</p> <p>The blood samples were sent to the DNA lab to be run against samples taken from Al Dore and Snape. Al's known sample was taken during his autopsy. Snape's was taken from a cheek swab during his/her intake processing at the county jail. The blood droplets near the rail (Evidence Marker 3) were from Al Dore, most likely when he was punched by Snape during their struggle. The blood droplets by the south stairwell door (Marker 9) were a match to Sam/Samantha Snape.</p> <p>The cigarette butt (Marker 6) by the elevator shaft had enough of a DNA sample for a comparison. The lab ran the sample through the Combined DNA Index System (CODIS) and it found a match to Drake Foy. His/Her DNA was in CODIS from previous arrests for a gun charge and possession of narcotics. The cigarette butt seemed fresh in that the smell of nicotine was still present and it was dry, as if it had not been in the elements of the evening very long. While that part of the pavement was shielded from the snowfall by the elevator shaft, I concluded the butt had been dropped there within an hour or two of my arrival.</p> <p>During the processing of Snape at the jail, I performed a gunshot residue test on his/her hands but it came up negative. I was not surprised since it had been several hours since the shooting and there had been ample time for him/her to wash his/her hands.</p> <p>I interviewed Drake Foy at approximately 8 PM on Sunday, January 29 about his/her knowledge of the events of the previous evening. S/He claimed s/he was at a movie at the Fondren Greatland Mall watching "Flatliners." S/He said s/he went to the movie alone and didn't have anyone to verify his/her presence. I asked for the movie ticket stub but s/he said s/he threw it away on the way out of the theater. I asked if there was a credit card receipt or other payment proof and s/he said s/he paid cash for the ticket, large Coke Zero and medium Raisinets.</p> <p>On January 31, I was contacted by Ronnie Lupin, a resident in the apartment building across Carley Avenue from the garage. Lupin claims to have seen Al get pushed over the edge but couldn't give a good description of the pusher or where they went. S/He kept wanting to talk about what s/he has seen over the past several months regarding Al's meetings on the top of the garage and insisted I take a set of photographs s/he had supposedly taken of some of the meetings earlier. S/He was very insistent that something should have been done about Al's criminal activity, as well as the drug dealing done in and around the garage and that if s/he had been "listened to earlier, none of this would have happened." To oblige Mr./Ms. Lupin and get him/her to let me leave the conversation, I accepted the photographs from him/her promised to add them to the file, even though they didn't have any evidentiary value to the events of the 28th.</p> <p>On the morning of February 5, I passed along all of my findings and conclusions to the District Attorney's office for their use with the prosecution of the case.</p>			
ATTACHMENTS: <input type="checkbox"/> Persons <input type="checkbox"/> Property <input type="checkbox"/> Offenses <input type="checkbox"/> Narrative		GCIC ENTRY <input type="checkbox"/> Warrant <input type="checkbox"/> Vehicle <input type="checkbox"/> Article <input type="checkbox"/> Boat <input checked="" type="checkbox"/> Gun	
REPORTING OFFICER: Harry/Harriet Potter		BADGE: 4152	DATE: 2/5/2017
SUPERVISOR: <i>Luna Lovegood</i>		BADGE: 1624	DATE: 2/5/2017
DATA ENTRY:		BADGE:	DATE:
GCIC OPERATOR:		BADGE:	DATE:

EXHIBIT 4



A



B

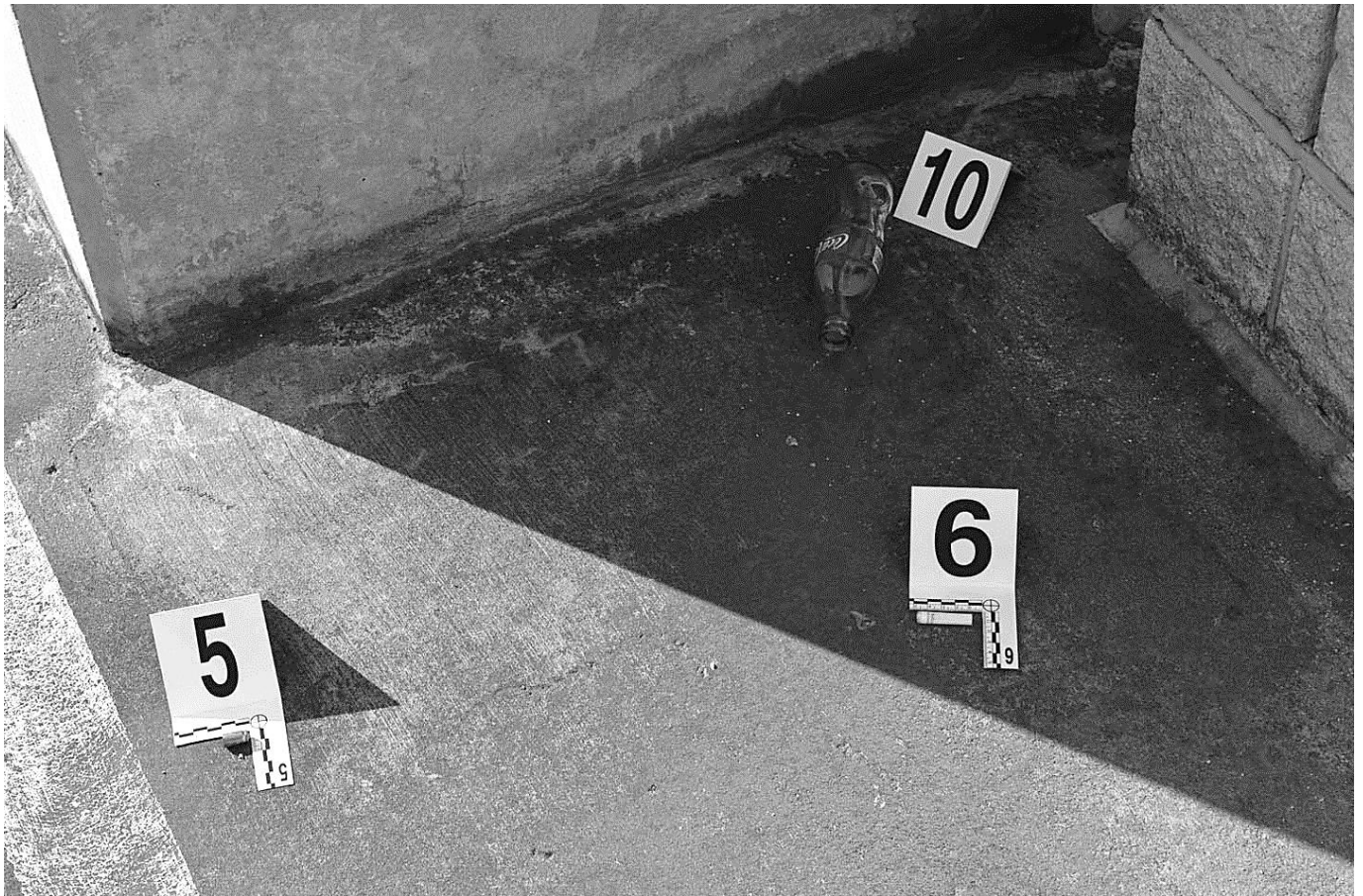


C



D





G



H



I



J



K



L



M



N



O

Crime Scene Photo Log

Photo	Date Taken	Time Taken	Photographer	Photo	Date Taken	Time Taken	Photographer
A	1/29/17	7:24 AM	H. Potter	K	1/29/17	7:43 AM	H. Potter
B	1/29/17	7:24 AM	H. Potter	L	1/29/17	7:42 AM	H. Potter
C	1/28/17	8:14 PM	H. Potter	M	1/29/17	7:41 AM	H. Potter
D	1/28/17	10:42 PM	H. Potter	N	1/29/17	7:34 AM	H. Potter
E	1/29/17	7:38 AM	H. Potter	O	1/29/17	7:35 AM	H. Potter
F	1/29/17	7:38 AM	H. Potter				
G	1/29/17	7:39 AM	H. Potter				
H	1/29/17	7:41 AM	H. Potter				
I	1/29/17	7:43 AM	H. Potter				
J	1/29/17	7:43 AM	H. Potter				

Signature of person completing log: Harry/Harriet Potter



FONDREN COUNTY SHERIFF'S DEPARTMENT

FINGERPRINT REPORT

CASE NUMBER: 104-01262013-A		DATE OF REPORT: 1/29/2017 TIME: 10:15	
LAST NAME Snape		FIRST NAME Sam/Samantha	
		MIDDLE NAME	
DOB: 19950523	SSN: 668495226	STATE ID NUMBER: 049264328	
DESCRIPTION OF WHERE PRINTS FOUND: Top edge of slide of .32 Bersa, right in front of ejector port.			
DATE OF LIFT: 1/29/2017		TIME: 02:45	
TECHNICIAN LIFTING PRINTS: Lt. Harry/Harriet Potter		ID: 4152	
PRINTS IDENTIFIED THROUGH <input type="checkbox"/> AFIS <input checked="" type="checkbox"/> Manual		ID: 4152	
TECHNICIAN MATCHING PRINTS: Lt. Harry/Harriet Potter			
















	DATE 1/29/17	CARD # 1	LIFT # 1
	CASE NUMBER 104-01262013-A		
	LOCATION/PHOTO MARKER		
	PRINT LIFTED FROM Top of slide of .32 Bersa		
	LIFTED BY Lt. Harry/Harriet Potter		
	AGENCY/OFFICE FCSD		
	NOTES		

EXHIBIT 5

STATE USAGE		LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX SNAPE SAM/SAMANTHA							
SIGNATURE OF PERSON FINGERPRINTED <i>S. Snape</i>		SOCIAL SECURITY NO. 668495226		LEAVE BLANK					
ALIASES/MAIDEN LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX									
FBI NO.	STATE IDENTIFICATION NO. 049264328	DATE OF BIRTH MM DD YY 19950523	SEX M/F	RACE	HEIGHT >5'8"	WEIGHT >100	EYES B	HAIR	
1. R. THUMB 		2. R. INDEX 		3. R. MIDDLE 		4. R. RING 		5. R. LITTLE 	
6. L. THUMB 		7. L. INDEX 		8. L. MIDDLE 		9. L. RING 		10. L. LITTLE 	
ID 50X50G8 TP4800 #000192 12:38:39		LX T640 /#792XBZV						20130826	
LEFT HAND FINGERS TAKEN SIMULTANEOUSLY 		L. THUMB 		R. THUMB 		RIGHT HAND FINGERS TAKEN SIMULTANEOUSLY 			



FONDREN COUNTY SHERIFF'S DEPARTMENT

FINGERPRINT REPORT

CASE NUMBER: 104-01262013-A		DATE OF REPORT: 1/29/2017 TIME: 10:08	
LAST NAME Foy		FIRST NAME Drake	
		MIDDLE NAME	
DOB: 19820707	SSN: 089251950	STATE ID NUMBER: 044695103	
DESCRIPTION OF WHERE PRINTS FOUND: Cylindrical edge of shell casing (marker #2). Found on top level of Fondren Parking Garage			
DATE OF LIFT: 1/29/2017		TIME: 9:45	
TECHNICIAN LIFTING PRINTS: Neville Longbottom, FCSD CSI		ID: 117	
PRINTS IDENTIFIED THROUGH <input checked="" type="checkbox"/> AFIS <input type="checkbox"/> Manual		ID: 4152	
TECHNICIAN MATCHING PRINTS: Lt. Harry/Harriet Potter			
















	DATE 1/29/2017	CARD # 2	LIFT # 1
	CASE NUMBER 104-01262013-A		
	LOCATION/PHOTO MARKER Evidence Marker #2		
	PRINT LIFTED FROM .32 shell casing		
	LIFTED BY Neville Longbottom, FCSD CSI		
	AGENCY/OFFICE Fondren County Sheriff's Department		
	NOTES		

EXHIBIT 6

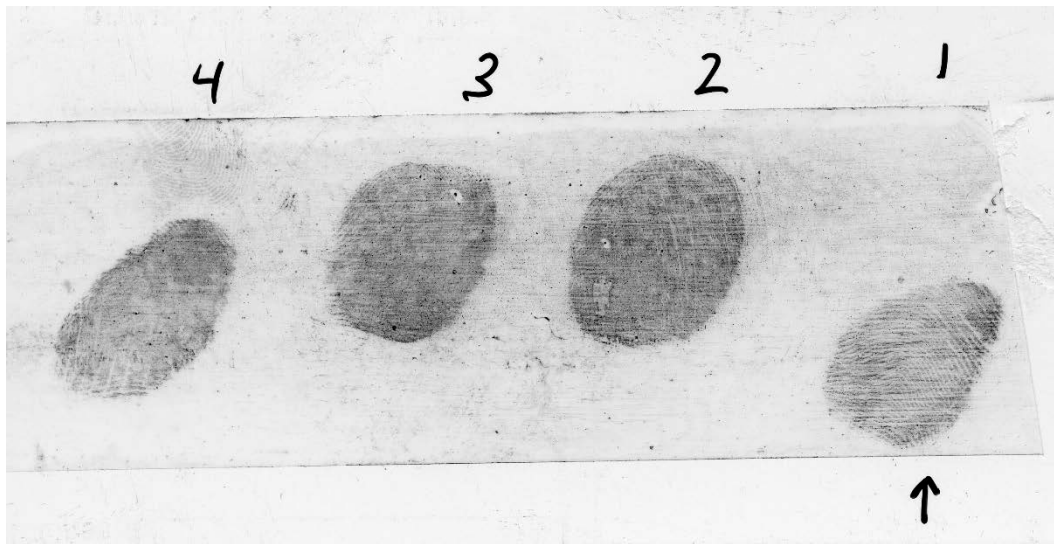
STATE USAGE		FOY, DRAKE		LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX					
SIGNATURE OF PERSON FINGERPRINTED <i>Drake Foy</i>		SOCIAL SECURITY NO. 089251950		LEAVE BLANK					
ALIASES/MAIDEN LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX									
FBI NO.	STATE IDENTIFICATION NO. 044695103	DATE OF BIRTH MM DD YY 19820707	SEX M/F	RACE	HEIGHT >6'2	WEIGHT >150	EYES G	HAIR	
1. R. THUMB 	2. R. INDEX 	3. R. MIDDLE 	4. R. RING 	5. R. LITTLE 					
6. L. THUMB  ID 50X50G8 TP4800, #000192	7. L. INDEX 	8. L. MIDDLE 	9. L. RING  LX T640 /#792XBZV	10. L. LITTLE 					
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY 		L. THUMB 	R. THUMB 	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY 					



FONDREN COUNTY SHERIFF'S DEPARTMENT















FINGERPRINT REPORT

CASE NUMBER: 104-01262013-A		DATE OF REPORT: 1/29/2017 TIME: 10:06	
LAST NAME Dore		FIRST NAME Abe/Abigail	
		MIDDLE NAME	
DOB: 19990903	SSN: 850125457	STATE ID NUMBER: 049256315	
DESCRIPTION OF WHERE PRINTS FOUND: Fondren Parking Garage. Top (9 th) level. Guard rail of northern edge overlooking Main Street and garage driveway.			
DATE OF LIFT: 1/29/2017		TIME: 08:15	
TECHNICIAN LIFTING PRINTS: Neville Longbottom, FCSD CSI		ID: 117	
PRINTS IDENTIFIED THROUGH <input type="checkbox"/> AFIS <input checked="" type="checkbox"/> Manual		ID: 4152	
TECHNICIAN MATCHING PRINTS: Lt. Harry/Harriet Potter			



DATE 1/29/2017	CARD # 3	LIFT # 1	CASE NUMBER 104-01262013-A
LOCATION/PHOTO MARKER Evidence Marker #7		PRINT LIFTED FROM North rail on 9th level of parking garage	
LIFTED BY Neville Longbottom, FCSD CSI		AGENCY/OFFICE Fondren County Sheriff's Department	
NOTES			

EXHIBIT 7

STATE USAGE		FIRST NAME, MIDDLE NAME, SUFFIX DORE, ABE/ABIGAIL							
SIGNATURE OF PERSON FINGERPRINTED <i>Abe/Abigail Dore</i>		SOCIAL SECURITY NO. 850125457		LEAVE BLANK					
ALIASES/MAIDEN LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX									
FBI NO.	STATE IDENTIFICATION NO. 049256315	DATE OF BIRTH 19990903	SEX M/F	RACE	HEIGHT >6'0	WEIGHT <200	EYES B	HAIR	
									
1. R. THUMB		2. R. INDEX		3. R. MIDDLE		4. R. RING		5. R. LITTLE	
									
6. L. THUMB		7. L. INDEX		8. L. MIDDLE		9. L. RING		10. L. LITTLE	
ID 50X50G8 TP4800 #000192		LX T640 /#792XBZV							
									
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY							
									
		L. THUMB		R. THUMB					

Transcript of Interview with Sam/Samantha Snape

Interview by Lt. Harry/Harriet Potter

January 29, 2017 – 12:36 AM

1) Q: This is the interview of Sam/Samantha Snape by Lieutenant Harry/Harriet Potter on Sunday, January 29, 2017 at the Fondren County Sheriff's Office. How are you, Sam/Samantha? It has been a long time.

A: I don't mean to tell you your business, but aren't you going to Mirandize me?

2) Q: No need – you are not under arrest, and you are free to go at any time. This is just a friendly chat.

A: Friendly – right. Whaddya want, Potter?

3) Q: I just have a few questions about where you were last night around 8:00 pm.

A: Like?

4) Q: Well...where were you?

A: Why you gotta give me such a hard time, Potter? Is this another "Hate on Sam/Samantha" game you and Sherriff Brown are playing? This is gettin' old, man!

5) Q: Just answer the question, Snape. Where were you last night at 8:00?

A: I was at home watching the Hallmark Channel.

6) Q: Is that right? What was on?

A: A movie called *Goodnight for Justice*. I don't think you'd like it.

7) Q: Do you have any witnesses who can vouch for you?

A: My cat, Sandy. You're welcome to bring her in, but I'm warning you, she's a tough nut to crack.

8) Q: What about your mom? Would she be more helpful if I brought her in?

A: *(Yelling)* You leave my mamma out of this, Potter! She ain't got nothing to do with this!

9) Q: "Nothing to do with this"? What "this," Sam/Samantha? What are we talking about now?

A: I dunno, Potter. You're the one that hauled my happy backside in here for this "friendly chat." You tell me...

10) Q: Do you know Al Dore?

A: Why?

11) Q: I'm the one asking the questions. Do you know him?

A: Well, I know of Al. Who doesn't?

12) Q: What do you mean?

A: C'mon, Lieutenant. Al is a one man SBA. If you need money and the banks turn you down, there's always Al.

13) Q: So you know of Al but don't know Al?

A: Sure. That sounds good.

14) Q: So then you've never done any kind of business with him then, have you?

A: Like what? Borrowin' money? Nah. I'm good, I don't need 'em for that.

15) Q: You've never met him face to face regarding a loan?

A: Uh, can't say that I have. I don't like to hang around with criminal elements like him or his goons. I try to steer clear of 'em all.

16) Q: So you were nowhere near the Fondren Parking Deck last night, around 8:00 pm?

A: Didn't I already say I wasn't there? You must either be deaf or dumb. Which is it, Lieutenant?

17) Q: Hey, while you're here, do you mind if I get a swab your hands real quick? It won't hurt.

A: For what? No, I, I don't think so. I don't trust you Potter...there's no telling what you claim you might "find" with your little Q-tips and stuff...

18) Q: Alright, no problem. We can get it later. So, let's get back to the garage: there isn't anyone who would say that they saw you meeting with Al on top of that parking garage last night?

A: Who says I was?

19) Q: You'll see. Just answer the question.

A: Nah, this Id'nt right. You said I wasn't in custody and I was free to leave, right?

20) Q: Right.

A: Yeah, so, buh-bye.

INTERVIEW TERMINATED AT 12:48, Sunday, January 29, 2017.



Horizon Wireless, Inc.
155 Green Wave Drive
Batesville, Mississippi 38606

February 4, 2017

Dear Lieutenant Potter,

In response to the subpoena dated January 30, 2017, we provide the following information. The subpoena is seeking text messages between (601) 969-4568 and (601) 914-0987 between January 23, 2017 and January 28, 2017 inclusive.

We can confirm that the following phone numbers are assigned to the indicated accounts:

- (601) 969-4568..... Al Dore
- (601) 914-0987 Sam/Samantha Snape

Attached, please find the texts requested.

If you need any further information, please feel free to contact our legal department at the address above.

Sincerely,


Deshala Dixon

EXHIBIT 9

January 23, 2017, 2:04 PM

Where's my money, Snape?? You're overdue!

I know. Give me a few more days.

I've already given you a few more days.

I'm getting tired of asking...

January 23, 2017, 2:15 PM

You'll get paid. I've already paid you back part of it.

Part ain't good enough!

Relax. I'm good for it...

Don't tell me to relax! I'll relax when I have my money. I better hear from you tomorrow!

January 24, 2017, 7:33 PM

Snape! Where are you????

You better find me before Arty and Drake find you!

Or should they be looking for your mom instead?

January 24, 2017, 7:46 PM

YOU LEAVE MOMMA OUT OF THIS AI!!
THIS IS BETWEEN ME AN YOU!!!!

January 24, 2017, 8:02 PM

Relax, tiger! They're back in their cage.

Are we going to settle this soon or what?

That cage door has a crummy lock and these goons want to be fed...

I'll have it for you on Monday. I've got some good cash coming in this weekend.

Do I want to know how?

None of your business. Give me a few more days.

You better not let me down, Snape. Don't forget: I know where your momma sleeps!

January 28, 2017, 12:08 PM

Time to pay the piper, Snape.

You have until tonight. That's all.

Then I can't help what my guys do...

Dude...give me until Mon

TONIGHT!

8:00. Top of the Fondren parking garage. Don't tell that moron Granger what you're doing.

You better not be late or short...

Fine. But this is it, one way or another!

ACCUSATION

08-CR-0862-2

Prosecutor:
Fred George

State of Mississippi, Fondren Circuit Court

State of Mississippi

versus

Drake Foy

Offenses:

**Count 1: CARRYING A CONCEALED
WEAPON (Miss. Code Ann. § 97-37-1)**

We the jury find the defendant

The defendant herein waives a copy of indictment, list of witnesses, formal arraignment and pleads guilty.

This 15th day of December, 2008

Drake Foy

Defendant

Tom Riddle

Attorney for the Defendant

Foreperson

This _____ day of _____, 20____.

Fred George

Assistant District Attorney

Count 1

On behalf of the people of the State of Mississippi, the undersigned, as prosecuting attorney for the county and State aforesaid, does hereby charge and accuse **Drake Foy** with the offense of **CARRYING A CONCEALED WEAPON (Miss. Code Ann. § 97-37-1)** in that the said accused, in the State of Mississippi and County of Fondren, on the 9th day of October, 2008, did then and there unlawfully knowingly carry about person a in a manner not open and fully exposed to view outside of home, motor vehicle, or place of business, contrary to the laws of said State, the peace, good order and dignity thereof.

Ginny Weasley

Ginny Weasley, District Attorney

IN THE CIRCUIT COURT OF FONDREN COUNTY, STATE OF MISSISSIPPI

STATE OF MISSISSIPPI versus
DRAKE FOY

Clerk to complete if incomplete:

CRIMINAL ACTION #:

OTN(s): 597167005189

DOB: 7/7/1982

MS. ID#: 044695103

08-CR-0862-2
JUNE TERM

Final Disposition:
MISDEMEANOR

PLEA:

VERDICT:

☒ Negotiated ☐ Non-negotiated ☐ Jury ☐ Non-jury

The Court enters the following judgment:

Count; CTN; Warrant #	Charge (as indicted or accused & code section)	Disposition (Guilty, Guilty-Alford, Guilty- Lesser Included & code section, Not Guilty, Nolo, Nol Pros, Dead Docket)	Sentence	High & Aggravated	Fine	Concurrent/ Consecutive , Merged Suspended
1 001 08w7842 6	CARRYING A CONCEALED WEAPON Miss. Code Ann. § 97-37-1	Misdemeanor – Guilty as Charged	12 months probation		\$1,000	

The Defendant is adjudged guilty for the above-stated offense(s); the Court sentences the Defendant to confinement in the County Jail, with the period of confinement to be computed as provided by law.

SENTENCE SUMMARY

The Defendant is sentenced for a total of TWELVE (12) MONTHS PROBATION, ☐ with the first *** to be served in confinement and the remainder to be served on probation; or ☒ to be served on probation.

The Defendant is to receive credit for time served in custody: ☐ from ***; or ☐ as determined by the custodian.

☒ 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☐ 2. Upon service of ***, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits, especially alcoholic intoxication and narcotics and other dangerous drugs unless lawfully prescribed. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Mississippi without permission of the Probation Officer. If permitted to move

EXHIBIT 10(B)

or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

OTHER CONDITIONS OF PROBATION

The Defendant is advised that violation of any Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all other Conditions of Probation as follows:

The Defendant shall report to the Probation Office as directed by Probation.

Tom Riddle, Attorney at Law, represented the Defendant by:
☐ employment; or ☒ appointment.

SO ORDERED this 15TH day of December, 2008.

Judge George McGonagall
Honorable George McGonagall, Judge
Fondren County Circuit Court

Prosecutor: Ginny Weasley

Court reporter: Seamus Finnigan

HABEAS CORPUS NOTICE

Should the defendant seek to challenge this legal proceeding, a Petition for Habeas Corpus must be filed: within four (4) years for a Felony conviction; within twelve (12) months for a Misdemeanor conviction; within 180 days for a Misdemeanor Traffic conviction; from the date the sentence becomes final. The defendant has been so advised.

ACKNOWLEDGMENT

I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

Drake Joy
Defendant
December 15, 2008
Date

ACCUSATION

12-CR-0463-2

Prosecutor:
Fred George

State of Mississippi; Fondren Circuit Court

State of Mississippi

versus

Drake Foy

Offenses:

**Count 1: VIOLATION OF THE MISSISSIPPI
UNIFORM CONTROLLED SUBSTANCES
ACT: POSSESSION OF CONTROLLED
SUBSTANCES (Miss. Code Ann. § 41-29-
117(A)(f))**

We the jury find the defendant

The defendant herein waives a copy of indictment, list of witnesses, formal arraignment and pleads guilty.

This 4th day of June, 2012.

Drake Foy

Defendant

Tom Riddle

Attorney for the Defendant

Foreperson

This _____ day of _____, 20____.

Fred George

Assistant District Attorney

Count 1

On behalf of the people of the State of Mississippi, the undersigned, as prosecuting attorney for the county and State aforesaid, does hereby charge and accuse **Drake Foy** with the offense of **VIOLATION OF THE MISSISSIPPI UNIFORM CONTROLLED SUBSTANCES ACT: POSSESSION OF CONTROLLED SUBSTANCES (Miss. Code Ann. § 41-29-117(A)(f))** in that the said accused, in the State of Mississippi and County of Fondren, on the 19th day of March, 2012, did then and there unlawfully possess Chlorotestosterone, a Schedule III controlled substance, in violation of the Mississippi Uniform Controlled Substances Act, contrary to the laws of said state, the peace, good order and dignity thereof.

Ginny Weasley

Ginny Weasley, District Attorney

IN THE CIRCUIT COURT OF FONDREN COUNTY, STATE OF MISSISSIPPI**STATE OF MISSISSIPPI versus
DRAKE FOY***Clerk to complete if incomplete:***CRIMINAL ACTION #:**OTN(s): 597167005189DOB: 7/7/1982MS ID#: 044695103**12-CR-0463-2****JUNE TERM****Final Disposition:****FELONY****PLEA:****VERDICT:**☒ Negotiated ☐ Non-negotiated ☐ Jury ☐ Non-jury**The Court enters the following judgment:**

Count; CTN; Warrant #	Charge (as indicted or accused & code section)	Disposition (Guilty, Guilty-Alford, Guilty- Lesser Included & code section, Not Guilty, Nolo, Nol Pros, Dead Docket)	Sentence	High & Aggravated	Fine	Concurrent/ Consecutive , Merged Suspended
1 001 12w0836 1	VIOLATION OF THE MISSISSIPPI UNIFORM CONTROLLED SUBSTANCES ACT: POSSESSION OF CONTROLLED SUBSTANCES (Miss. Code Ann. 41-29-117(A)(f))	Felony – Guilty as Charged	4 years probation		\$2,000	

The Defendant is adjudged guilty for the above-stated offense(s); the Court sentences the Defendant to confinement in the County Jail, with the period of confinement to be computed as provided by law.

SENTENCE SUMMARY

The Defendant is sentenced for a total of FOUR (4) YEARS PROBATION, ☐ with the first *** to be served in confinement and the remainder to be served on probation; or ☒ to be served on probation.

The Defendant is to receive credit for time served in custody: ☐ from ***; or ☐ as determined by the custodian.

☒ 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☐ 2. Upon service of ***, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits, especially alcoholic intoxication and narcotics and other dangerous drugs unless lawfully

prescribed. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Mississippi without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

OTHER CONDITIONS OF PROBATION

The Defendant is advised that violation of any Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all other Conditions of Probation as follows:

The Defendant shall report to the Probation Office as directed by Probation.

Fourth Amendment waiver. The Defendant shall submit to a search of person, residence, papers, vehicle, and/or effects at any time of day or night without a search warrant, whenever requested to do so by a Probation Officer or other law enforcement officer upon reasonable cause to believe that the Defendant is in violation of probation or otherwise acting in violation of the law, and the Defendant shall specifically consent to the use of anything seized as evidence in any judicial proceedings or trial.

Evaluation and treatment. The Defendant shall provide verification of evaluation and/or treatment for:
☐ mental health ☒ substance abuse ☐ clinical evaluation ☐ anger management ☐ cognitive skills training ☐ educational training or ☐ _____ at a State- or Court-approved provider at his/her own expense, and shall cooperate and comply with all rules and regulations of the treatment or program, including any aftercare deemed necessary.

Tom Riddle, Attorney at Law, represented the Defendant by:
☐ employment; or ☒ appointment.

SO ORDERED this 4th day of June, 2012.

Judge George McGonagall
Honorable George McGonagall, Judge
Fondren County Circuit Court

Prosecutor: Ginny Weasley

Court reporter: Seamus Finnigan

HABEAS CORPUS NOTICE

Should the defendant seek to challenge this legal proceeding, a Petition for Habeas Corpus must be filed: within four (4) years for a Felony conviction; within twelve (12) months for a Misdemeanor conviction;

within 180 days for a Misdemeanor Traffic conviction; from the date the sentence becomes final. The defendant has been so advised.

FIREARMS

If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

ACKNOWLEDGMENT

I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

Drake Foy

Defendant

June 4, 2012
Date

ACCUSATION

16-CR-1286-2

Prosecutor:
Fred George

State of Mississippi, Fondren Circuit Court

State of MISSISSIPPI

versus

ABE/ABIGAIL DORE

Offenses:

**Count 1: THEFT BY RECEIVING
(Miss. Code Ann. §97-17-70)**

**Count 2: THEFT BY RECEIVING
(Miss. Code Ann. §97-17-70)**

We the jury find the defendant

The defendant herein waives a copy of indictment, list of witnesses, formal arraignment and pleads guilty.

This 15th day of August, 2016.

Abe/Abigail Dore

Defendant

Tom Riddle

Attorney for the Defendant

Fred George

Assistant District Attorney

Foreperson

This _____ day of _____, 20____.

Count 1

On behalf of the people of the State of Mississippi, the undersigned, as prosecuting attorney for the county and State aforesaid, does hereby charge and accuse **Abe/Abigail Dore** with the offense of **THEFT BY RECEIVING (Miss. Code Ann. §97-17-70)** in that the said accused, in the State of Mississippi and County of Fondren, on the 20th day of December, 2015, did then and there unlawfully receive stolen property, to wit: 64 GB white Apple iPad with Retina display, the property of Dean Thomas, with a value of less than one thousand five hundred dollars (\$1,500.00), which s/he knew or should have known was stolen, said property not have been received with the intent to restore it to said owner, contrary to the laws of said State, the peace, good order and dignity thereof.

Count 2

On behalf of the people of the State of Mississippi, the undersigned, as prosecuting attorney for the county and State aforesaid, does hereby charge and accuse **Abe/Abigail Dore** with the offense of **THEFT BY RECEIVING (O.C.G.A. 16-8-7)** in that the said accused, in the State of Mississippi

EXHIBIT 12(A)

and County of Fondren, on the 20th day of December, 2015, did then and there unlawfully receive stolen property, to wit: a pair of Beats by Dr. Dre Studio High-Definition Headphones, the property of Nicholas Flamel, with a value of less than one thousand five hundred dollars (\$1,500.00), which s/he knew or should have known was stolen, said property not have been received with the intent to restore it to said owner, contrary to the laws of said State, the peace, good order and dignity thereof

Ginny Weasley

Ginny Weasley, District Attorney

IN THE CIRCUIT COURT OF FONDREN COUNTY, STATE OF MISSISSIPPI

STATE OF MISSISSIPPI versus
ABE/ABIGAIL DORE

Clerk to complete if incomplete:

OTN(s): 761303569154DOB: 9/3/1999MS. ID#: 5685940

CRIMINAL ACTION #:

16-CR-1286-2JUNE TERMFinal Disposition:
MISDEMEANOR

PLEA:

VERDICT:

☒ Negotiated ☐ Non-negotiated ☐ Jury ☐ Non-jury

The Court enters the following judgment:

Count; CTN; Warrant #	Charge (as indicted or accused & code section)	Disposition (Guilty, Guilty-Alford, Guilty- Lesser Included & code section, Not Guilty, Nolo, Nolo Pros, Dead Docket)	Sentence	High & Aggravated	Fine	Concurrent/ Consecutive , Merged Suspended
1 001 16w1776 3	THEFT BY RECEIVING (Miss. Code Ann. §97-17-70)	Misdemeanor – Guilty as Charged	12 months probation		\$1,000	
2 001 16w1776 3	THEFT BY RECEIVING (Miss. Code Ann. §97-17-70)	Misdemeanor – Guilty as Charged	12 months probation			Consecutive

The Defendant is adjudged guilty for the above-stated offense(s); the Court sentences the Defendant to confinement in the County Jail, with the period of confinement to be computed as provided by law.

SENTENCE SUMMARY

The Defendant is sentenced for a total of TWENTY FOUR (24) MONTHS PROBATION, ☐ with the first *** to be served in confinement and the remainder to be served on probation; or ☒ to be served on probation.

The Defendant is to receive credit for time served in custody: ☐ from ***; or ☐ as determined by the custodian.

☒ 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☐ 2. Upon service of ***, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits, especially alcoholic intoxication and narcotics and other dangerous drugs unless lawfully

prescribed. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Mississippi without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

OTHER CONDITIONS OF PROBATION

The Defendant is advised that violation of any Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all other Conditions of Probation as follows:

The Defendant shall report to the Probation Office as directed by Probation.

Tom Riddle, Attorney at Law, represented the Defendant by:
☐ employment; or ☒ appointment.

SO ORDERED this 15TH day of August, 2016.

Judge George McGonagall
 Honorable George McGonagall, Judge
 Fondren County Circuit Court

Prosecutor: Ginny Weasley

Court reporter: Seamus Finnigan

HABEAS CORPUS NOTICE

Should the defendant seek to challenge this legal proceeding, a Petition for Habeas Corpus must be filed: within four (4) years for a Felony conviction; within twelve (12) months for a Misdemeanor conviction; within 180 days for a Misdemeanor Traffic conviction; from the date the sentence becomes final. The defendant has been so advised.

ACKNOWLEDGMENT

I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

Abe/Abigail Dore

Defendant

August 15, 2016
 Date





