



NORTH CAROLINA
BAR FOUNDATION

2025-2026 Middle School Mock Trial Case

This case was adapted from the “State of Oregon v. Bronnie Parker” mock trial document and was originally written by the Civics Learning Project's Mock Trial Case Writing Committee for the Oregon Mock Trial Program.

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PROGRAM ORGANIZATION AND ADMINISTRATION

Rules

All trials will be governed by the organizer of the local event, these Rules of Competition, and the Rules of Evidence (Mock Trial Version). Students are not required to know the rule numbers that apply to each rule but should be able to find the rule(s) in the materials.

Interpretations of these rules are within the discretion of the Judge presiding over a particular trial, whose decision is final and not subject to any appeal.

Code of Conduct

The Rules of Competition, as well as proper rules of courthouse and courtroom conduct and security (when applicable), must be followed. Competitors and attendees will be informed of the facility's stance on food and drink as well as electronics ahead of the competition. The Organizer possesses discretion to discipline, up to and including disqualification from the competition, those that do not abide by the facility's rules.

Parents and visitors are welcome to attend/view the competition as guests but are not allowed to participate in the trial in any way, including asking about time, raising disputes, or arguing on behalf of the student(s). Coaches shall follow the same participation rules as guests during a competition.

If the competition is being held in a courtroom, all coaches and guests shall be seated in the gallery and shall remain seated during the trial. If it is necessary to enter or exit the courtroom during trial, guests should do so during a transition, such as in between witnesses or after any argument.

Inappropriate Behavior

The Organizer possesses discretion to impose sanctions up to and including, but not limited to, deduction of points, the team's immediate eviction from the competition, suspension from competing in future competitions, and/or forfeiture of all fees and awards (if applicable) for any misconduct, flagrant rule violation, or breaches of decorum that affect the conduct of a trial or which impugn the reputation or integrity of any team, school, participant, court officer, judge, or the mock trial program.

Roles - Team Coaches

Every team must have at least one officially designated adult team advisor/coach, who is responsible to provide adult supervision of the team, ensure that all deadlines for forms are met, and communicate clearly the Code of Conduct to all team members and

observers. Team coaches may include teachers, staff, volunteer attorneys, volunteer paralegals, or other qualified persons. Because the purpose of mock trial is to instill respect for the legal system and its ideals of justice, equality, and truth, coaches are expected to champion these ideals above winning.

Roles - Organizer

Each competition should have an individual or committee responsible for coordinating the volunteers, teams, and other local staff as necessary for a competition. Care should be taken to select a neutral individual or a fair balance of committee members from the respective schools involved in that particular competition, and also to ensure that such individual or committee members are not already serving as team coaches, presiding judges, or jury members in the same competition.

Roles – MSMTC

The NCBF and MSMTC do not facilitate the role of Organizer, but can assist in locating one, and assist the Organizer with obtaining resources (such as volunteers or materials) and addressing questions regarding rules and the case materials. The MSMTC primarily assists in the annual production of case materials, appropriate revisions of the Competition Rules, and assisting, as needed, in the connection of new Team Coaches with Organizers or other Team Coaches that wish to compete.

Emergencies

During a trial, the presiding judge shall have discretion to declare an emergency and adjourn the trial for a short period of time to address the emergency. In the event of inclement weather, contact the Organizer. The Organizer is responsible for notification procedures.

Team Codes/Identities

The students' schools, to the extent possible, are to be kept confidential from the scoring judges. To ensure this, there shall be no school names, logos, or colors on any items brought into the courtroom. Teams should only identify themselves by their assigned team codes for the duration of the competition.

Media Coverage

Media coverage is normally allowed. Media or other representatives may use various media to document the mock trial rounds as approved by the organizer. Media or other representatives authorized by the organizer will wear identification badges during any courtroom trial.

Typically, the use of recording devices is not allowed in the courthouses and courtrooms. As such, rounds may not be videotaped, recorded or photographed.

Competition Forum - In-Person Competition Site

The competition will take place at a mutually agreed upon courthouse, office, or meeting space that satisfies the logistical needs of the event and accommodates the number of teams participating. Unless otherwise agreed upon, organizer will assign individual teams to rooms within the facility provided that all logistical needs are accommodated in the interest of fairness to all sides.

If a school/organization intends to bring two teams to the competition, this must be disclosed to the organizer prior to any decision made regarding the venue.

In the event that a competition contains an odd number of competitive teams, bye rounds are an opportunity to stagger lunchtimes so that all of the students have a chance to eat.

TRIAL OVERVIEW

- I. The presiding judge will ask each side if they are ready for trial.
 - a. Evidence will be marked for identification
 - b. All other preliminary matters will be addressed
 - c. Witnesses will be sworn in
 - d. No motions are allowed during trial
- II. Opening Statements
 - a. Maximum of four (4) minutes for each side
 - b. No objections allowed.
 - c. No rebuttals allowed.
- III. Prosecution puts on its case
 - a. Total of twenty (20) minutes for all Direct Examinations and Re-Direct Examinations
 - b. Must call all three (3) witnesses
 - c. Defense may Cross Examine all witnesses
 - d. Re-Direct and Re-Cross is permitted.
 - e. Total of fifteen (15) minutes for all Cross Examinations and Re-Cross Examinations
- IV. Defense puts on its case
 - a. Total of twenty (20) minutes for all Direct Examinations and Re-Direct Examinations
 - b. Must call all three (3) witnesses
 - c. Defense may Cross Examine all witnesses
 - d. Re-Direct and Re-Cross is permitted.
 - e. Total of fifteen (15) minutes for all Cross Examinations and Re-Cross Examinations
- V. Closing Statements
 - a. Maximum of six (6) minutes for each side
 - b. No objections allowed.
 - c. Prosecution is allowed a rebuttal with remaining time.
- VI. No jury instructions need to be read at the conclusion of the trial.

THE CASE MATERIALS AND RESTRICTIONS

Competition Case

The competition case will be a fictional fact pattern and will provide a mandatory three witnesses per side. All witnesses may be played by students of either gender. The competition case may also contain any or all of the following: case summary, legal documents, summaries of case law, stipulations, jury instructions, and/or exhibits.

Student Presentations

Student presentations must be the work product of the students themselves, guided by team coaches.

Supplemental Material/ Costuming

No illustrative aids of any kind may be used, unless provided in the case packet. Enlargements of the case materials will be permitted within the rules set forth.

Absolutely no props or costumes are permitted unless authorized specifically in the case materials. Costuming is defined as hairstyles, clothing, accessories, and make-up that are case-specific. The use of spoken accents to add witness characterization is permitted.

Witness Bound Statements

Each witness is bound by the facts contained in his/her own witness statement and any exhibits or other documents with which the witness is familiar (as noted in the witness's statement). Teams must not create new facts or deny facts in the case in order to gain an advantage (see Rule "Improper Invention of Fact").

Improper Invention of Fact

Teams have an ethical obligation to uphold the highest standards of fair play, honesty, and integrity in their portrayal of the case and characters. While the exclusive trial remedy for dealing with violations of this rule (impeachment) is explained below, an improper invention is cheating regardless of whether an opponent is successful in demonstrating the violation, and as such, it violates the spirit of the competition.

Definition of Improper Invention of Fact

"Improper Invention of Fact" can occur in three instances:

- i. Any instance (on direct, cross, re-direct, or re-cross examination) in which a witness introduces testimony that contradicts his or her affidavit; *or*
- ii. Any instance on direct or re-direct examination in which a witness testifies to material facts not included in his or her affidavit; *or*

- iii. Any instance on cross examination or re-cross examination in which a witness attempts to deny material testimony that is in his or her affidavit.

Additional Definitions

- i. “Material facts”: affect the merits or outcome of the case. If a fact is one that could reasonably be expected to be included in a party’s closing argument, it would be a “material” fact.
- ii. “Reasonable inference”: a conclusion that a reasonable person would draw from any particular fact(s) contained in the affidavit or documents with which the witness is familiar.

Clarification Concerning Cross-Examination

On cross-examination, a witness must be responsive to the question posed. A witness commits no violation on cross-examination when he or she testifies to material facts not included in his or her affidavit as long as the answer is responsive to the question posed. Attorneys who ask questions on cross-examination to which the witness’s affidavit does not provide an answer risk receiving an unfavorable answer in trial. In such an instance, the crossing attorney may not attempt to challenge a witness’s credibility by demonstrating an omission through use of the witness’s affidavit.

Trial Remedy for Violations

If the cross-examiner believes the witness has made an Improper Invention, the only available remedy in trial is to impeach the witness using the witness’s affidavit.

Impeachment may take the form of demonstrating either of the following:

- i. An inconsistency between the witness’s affidavit and trial testimony (“impeachment by contradiction”); or
- ii. The introduction of material facts on direct or re-direct examination that are not stated in or reasonably inferred from the witness’s affidavit (“impeachment by omission”).

Judges’ Scoring

If a team demonstrates through impeachment that its opponent has made an Improper Invention, scoring judges should reflect that violation in their scores by penalizing the violating team, rewarding the impeaching team, or both.

TEAM COMPOSITION AND ROLES

Team Eligibility

Students who comprise a team must be from the same school. Schools may enter a maximum of two teams in the competition. At no time may any team for any reason substitute any other person for official team members unless notification is given. Home school students may participate in competitions. The eligibility of home school students is at the discretion of the Organizer.

Score Sheet

Each side/team will fill out scoring forms which identify the gender of each witness so that references to such parties will be made in the proper gender. Handwriting should be very clear for spelling purposes on certificates. The forms (at least three) should be brought and delivered to the appropriate persons in court, immediately before each round begins. To print copies of this form, [click here](#).

School Information Sheet

The lead team coach should submit a school information sheet with team specific information prior to the competition. The deadline for this submittal is on the Suggested Event Timeline. The school information sheet allows for a “current” listing of the team members, teachers, and team coaches so that the Organizer can prepare for the competition, including preparing certificates for each participant and team badges.

Accommodations for Students with Disabilities

If special accommodations are needed for a student with a disability, the lead team coach must address this issue with the Organizer when registering for the competition or as soon as possible thereafter. The Organizer will work with the team coach, student, and the regional mock trial coordinator to make reasonable accommodations for the student to the extent fair for the participants, time constraints, and facilities.

Documentation regarding a specific disability is required for special arrangements to be made. Confidentiality of information received shall be maintained except to the extent disclosure is necessary to make the appropriate accommodation.

Withdrawing from the Competition

Teams should be notified by the Organizer of the date a team may withdraw without penalty. The procedure for withdrawal shall be established by the Organizer. Withdrawal from a competition will usually result in extreme hardship to the other teams.

Team Composition

Teams must have a minimum of six (6) members and a maximum of sixteen (16) members. Each team must present both the prosecution and the defense sides of the case. In any given round, teams must use a minimum of six (6) students (2 attorneys, 3 witnesses, 1 Bailiff / timekeeper) and a maximum of sixteen (16) (4 attorneys, 3 witnesses, 1 bailiff, and 1 timekeeper). Each team must have 2-4 attorneys per side.

There must always be three witnesses per side. Although every effort is made to prevent teams from the same school from competing directly against one another, occasionally two teams from the same school may be part of the same trial.

Teams who do not provide a bailiff or timekeeper shall be docked 5 points from each ballot.

The Bailiff

When a team presents its Defense side of the case, their bailiff will call the court to order and swear in all witnesses from both sides of the case at once, unless otherwise directed by the judge. The bailiff is responsible for asking for and stating the name of the judge prior to the start of trial.

Attorneys

Attorney team members are to evenly divide the eight attorney duties:

1. Opening Statement*
2. Direct Examination of Witness #1
3. Direct Examination of Witness #2
4. Direct Examination of Witness #3
5. Cross Examination of Witness #1
6. Cross Examination of Witness #2
7. Cross Examination of Witness #3
8. Closing Argument (including rebuttal)*

*The same attorney cannot do the Opening Statement and Closing Argument.

Witnesses

All witnesses are gender neutral. Personal pronoun changes in witness statements indicating gender of the characters may be made. Any student may portray the role of any witness of either gender. All witnesses must be called. The witnesses may be

called in any order. Teams that do not call all of their witnesses will automatically forfeit. Each witness must be cross-examined by the opposing side, time permitting. Witnesses may not be recalled.

Cross examining attorneys cannot interrupt/cut off the witness if they are answering the questions asked with a reasonable explanation that goes beyond the simple yes or no that the questioning attorney is trying to illicit. They may object to the court if the witness is non-responsive or the answer has become a narrative.

Each witness is bound by the facts contained in his/her witness statement/affidavit, the agreed to facts of the case (stipulations) and any exhibits. Unless stipulated, a witness cannot testify to the facts in other witness statements.

Reasonable inferences may be allowed, provided the inferences are reasonably based on the witness statement. If, in direct examination, an attorney asks a question that calls for information not clearly stated in the witness statement, the question is subject to objection for the creation of material fact.

During the trial, witnesses may NOT use notes or read from any documents unless questioned or cross-examined about a witness statement or an exhibit.

Timekeeping

Time limits are mandatory and will be enforced. Each team is required to provide one student who will serve as the official timekeeper for that team and will use timekeeping aids. The Organizer will provide timecards and timesheets via email and the teams must bring their own stop watches on competition day. The prosecution timekeeper will be the official timekeeper of the two timekeepers provided between the two teams.

Timekeepers are responsible for fairly and accurately reporting and keeping the time during the trial.

Time keeping begins when the judge instructs the attorneys to begin. Time runs from the beginning of witness examination, opening statement, or closing argument until its conclusion. Introduction of counsel or witnesses prior to the opening statement shall not be included in the time allotted for opening statements. However, if counsel or witnesses are introduced once the opening statement has commenced, such time shall be included in the time allotted for the opening statement. Time only stops for objections, questioning from the judge, or the administration of the oath. Time does not stop for the introduction of exhibits or for attorneys to confer with co-counsel.

If a speaker runs out of time, the speaker may request the presiding judge's permission to conclude his/her presentation, with the understanding that the scoring judges may penalize for using excessive time. If time has expired and an attorney continues without permission from the court, the scoring judges may discount points. However, if an attorney secures a time extension from the court before time expires, no penalty for a time overrun will be assessed against the team requesting the extension, so long as that team does not exceed the extension.

Timekeepers can only use the official timecards provided by the Organizer and no others. The timecards are provided in the following increments: 20:00, 15:00, 10:00, 5:00, 4:00, 3:00, 2:00, 1:00, 0:40, 0:20, and STOP. Timekeepers should display the applicable timecards simultaneously and silently, and modification of the intervals is not permitted unless the Organizer authorizes the use of "countdown" timers for Zoom competitions. Timekeepers may not verbalize or use any hand gestures other than raising the ones provided by the Organizer.

Time records will be submitted to the presiding judge at the end of each round. For each round, each team will submit a paper copy of the Timesheet provided by the Organizer. At the end of each task during the trial (i.e., at the end of each opening statement), the timekeepers for each school/organization will compare time records. Any discrepancies of less than 15 seconds will not be considered. No time disputes will be entertained after the trial concludes. The decisions of the presiding judge regarding the resolution of time disputes are final.

TRIAL PROCEDURES AND RULES

Trial Communication

Team coaches, teachers, alternates, and observers shall not talk to, signal, communicate with or coach their teams during trial. This rule remains in force during any emergency recess that may occur. Attorneys may not confer with other witnesses during trial. Attorneys may communicate among themselves, and with the Defendant if on Defense, during the trial within courtroom decorum. However, in no case is disruptive communication allowed. Signaling of time by the teams' timekeepers shall not be considered a violation of this rule. Student attorneys are permitted to ask the judge for permission to inquire as to how much time is remaining between examinations.

Viewing a Trial

If a tournament is organized (i.e. any format in which there are multiple rounds and where a team may compete more than once) team members, alternates, team coaches, teachers, parents, visitors, and any other persons directly associated with a specific mock trial team, except for those authorized by the Organizer are not allowed to view other teams' performances so long as their team remains in the tournament.

Each team may watch its own team, e.g., prosecution may watch defense. If anyone associated with a team goes into a courtroom to watch a trial that does not involve their own team, then the offending team will be eliminated from the tournament. All such decisions will be within the discretion of the Organizer

Courtroom Setting

The prosecution team shall be seated closest to the jury box. No team shall rearrange the courtroom without prior permission from the presiding judge.

Scoring

Each trial will be presided over by a judge, who will either be an actual judge, an attorney or a law student that has extensive mock trial experience.

Each round will be scored by a "jury" panel serving as the scoring judges that may consist of attorneys, law students, paralegal, or experienced high school mock trial teachers. Teams may address the scoring judges as members of the jury.

Presiding and scoring judges will be provided with copies of the mock trial manual prior to the competition.

Agreed to Facts (Stipulations)

Agreed upon facts (stipulations) of the case shall be considered part of the record and already admitted into evidence.

Reading into the Record Not Permitted

The fact situation, indictment, stipulations, and jury instructions are constructively considered part of the record and shall not be read aloud during trial.

Standing During Trial

Unless excused by the presiding judge, attorneys should stand while giving opening statements, closing arguments, and for all objections, but remain seated during cross and direct examinations. A good general rule is that an attorney should stand when addressing the judge or the jury directly but remain seated when examining a witness. Witnesses should remain seated while testifying.

Use of Notes by Attorneys

Attorneys may use notes in their presentations although they are encouraged to rely as little as possible on notes. Attorneys may quietly consult with each other at counsel table orally or through the use of notes. Remember, scoring judges are judging the overall performance of the students and effective use of notes is considered when scoring.

Use of Notes by Witnesses

Witnesses may not use notes while testifying unless provided material (exhibit, sworn statement, etc.) by the questioning attorney during his/her examination. Use of notes during witness testimony shall result in a mandatory 5-point deduction per scoresheet.

Creation of Material Fact

Teams may not use the physical characteristics of a student playing a role in the case (such as gender, race, height, etc.) as part of the evidence in the case. To do so constitutes the creation of a material fact and is a violation of these rules. Example: "I saw a short female and this witness is a tall male."

For mock trial purposes, a "material fact" is one that gives one side in the case a significant legal advantage. For example, in the trial of a person for underage drinking, the fact that the defendant is 30 years old is material, because it automatically establishes the defendant's innocence. That the defendant is 30 years old would usually be immaterial in a case for breach of contract. In a murder trial, the fact that the defendant had taken out a large insurance policy on the life of the victim prior to the murder is material because it suggests a motive for the crime. The fact that the

defendant graduated from Duke would usually be immaterial, but if the murder occurred in the parking lot of Duke's football stadium after UNC beat Duke 45-0, the fact suggests motive and would be material. When determining whether a fact is material, teams should use common sense. Ask whether the creation of the fact significantly helps either side's case. If the answer is yes, then the fact is material.

If a team creates a material fact, it is best exposed and attacked through impeachment of witness and included in closing arguments as a way to discredit the opposing side. A team that deals with the creation of material facts by impeaching the witness will generally be considered by the scoring judges to be more sophisticated, accomplished, and experienced than a team that simply objects to "creation of material facts" without trying first to impeach the witness.

Motions (Requests of the Court)

No motions may be made except in the event of an extreme emergency, i.e., a health emergency or threat of danger, in which case a motion for a recess may be made. To the greatest extent possible, team members are to remain in place. Should a recess be called, teams are not to communicate with parents, visitors, coaches, or instructors regarding the trial.

If any substitutions are made, a pre-trial motion must be made **UNLESS** a participating team member becomes medically unable to proceed with trial.

Sequestration

Teams may not mention the rule of sequestration – having the scorers hidden from the public.

Bench Conferences

Teams will not be permitted to request bench conferences during a trial. However, if the presiding judge requests a bench conference, the teams should respect the judge's instructions.

Supplemental Material/Costuming

Teams may only refer to materials included in the case materials. No illustrative aids of any kind may be used, unless provided in the case materials. No alteration of the exhibits is permitted, including, but not limited to, highlighting, or laminating. Absolutely no props are permitted unless authorized specifically in the case materials.

For “in court” proceedings, you may make additional copies of the exhibits to hand out as needed. The use of blackboards, flip charts, books, and other physical items is not permitted.

Trial Sequence

When opening court, the bailiff should announce the name of the case and name of the presiding judge as soon as the jury is seated. The bailiff will say: “All rise. The Court of General Sessions Fifth Judicial Circuit is now in session. The Honorable Judge X is presiding.”

The presiding judge will then ask the bailiff to swear in all witnesses from both sides of the case, all at one time.

Opening Statements

The presiding judge will call the case, introduce the teams, review the rules, and swear in the witnesses, then will recognize the prosecution/plaintiff and the defense attorneys for opening statements.

Opening statements must be given by both sides at the beginning of the trial with prosecution presenting their opening statement first. If the prosecution does not use all of his/her time in the opening statement, he/she may NOT request the remainder of the time to be used for a rebuttal.

No objections may be raised during or following opening statements. Opening statements are not evidence. If a team believes that opposing counsel raises an improper issue during the opening statement, it should be addressed during the presentation of the evidence or within the closing argument.

Examination of the Witnesses: Objections

Except during the opening statement or closing argument, an attorney may object any time the opposing attorney has violated a rule of evidence. The attorney who wants to object should stand up and do so at the time of the violation, e.g. “Objection, Your Honor. The testimony/counsel is ____.” When an objection is made, the presiding judge will ask the reason for the objection. Then the presiding judge will ask the attorney conducting the examination and that attorney will have a chance to explain why the objection should not be accepted (“sustained”) by the presiding judge. The presiding judge will then decide whether a question or answer must be discarded because it was violated a rule of evidence (“objection sustained”) or whether to allow the question or answer to remain on the trial record (“objection overruled”).

Students are NOT scored based on the rulings of the presiding judge but rather on how they regroup based on the presiding judge's ruling.

The attorney who conducts the direct examination of a witness is the only person who may make objections to the opposing attorney's questions during that witness' cross-examination. The attorney who cross-examines a witness is the only one permitted to object during the direct examination of that witness.

Examination of the Witnesses: Introducing Exhibits

The case materials include a predetermined number of proposed exhibits that either team may use. Each side will be scored on its attempt to introduce evidence and the opposing side based on its objections. The teams must determine which witnesses (either on the team's own direct examination or during the cross examination of the other team's witnesses) are the best and/or proper witnesses to initiate the exhibits. Exhibits may not be altered.

In the presiding judge's discretion, he/she may make a ruling prior to the opening statements that all exhibits are deemed admitted. If the judge so makes such a ruling, then the attorneys may use any of the exhibits without first having them admitted into evidence (but remember to always ask the presiding judge's permission before approaching a witness!). In this circumstance, foundation must still be laid prior to any witness testifying about an exhibit.

If the presiding judge does not deem all exhibits admitted, then, as an example, the following steps will effectively introduce evidence (in-person trial):

1. Ask for permission to approach the witness: "Your Honor, may I approach the witness with what has been marked as Exhibit ____?"
2. Before approaching the witness, show the exhibit to opposing counsel.
3. Ask the witness to identify the exhibit: "Would you please identify this document?" The witness should answer to identify only.
4. Ask the witness a series of questions that are offered for proof of the admissibility of the exhibit. Such questions lay the foundation for admissibility, including the questions of relevance and materiality of the exhibit.
5. Offer the exhibit into evidence: "Your Honor, we offer Exhibit ____ into evidence.
6. Presiding Judge: "Is there an objection?" If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at that time.
7. Opposing counsel: "No, Your Honor" or "Yes, your Honor." If the answer is "yes", then the objection will be stated on the record. The presiding judge will ask if there is a response to the objection.

8. Presiding Judge “Exhibit ____ is/is not admitted.” If admitted, questions on the content of the exhibit may be asked.

Expert Witness

To testify as an expert, a witness must be qualified by reason of knowledge, skill, experience, training, or education. It is adequate to show that the witness possesses some qualification and that the witness is able to apply that qualification to the issues in the case. Thus, minimal qualifications for an expert might be established as follows:

- QUESTION: [Witness Name] could you please describe your [education or other qualifications]?
- ANSWER: Certainly, I have an undergraduate degree in [degree] from the [University Name] and [higher level degree] in [field] from [University Name].
- QUESTION: What work have you done since receiving your [degree]?
- ANSWER: I was a [job description and general history].
- QUESTION: Do you have a specialty within the field of [field type – i.e. Economics]?
- ANSWER: Yes, my specialty is [narrower field type – e.g. business valuation].
- QUESTION: Has [business valuation] been your specialty at [prior work experiences]?
- ANSWER: Yes.
- QUESTION: What is the field of [business valuation]?
- ANSWER: [Description of business]
- QUESTION: Have you been able to familiarize yourself with [this case]?
- ANSWER: Yes.
- QUESTION: How are you familiar with [this case]?
- ANSWER: [Describe.]
- Then to the court you need to “tender” the witness as an expert in a specific field, i.e.:
- “Your Honor, we tender [Expert Witness Name] as an expert in [specific field, i.e. business valuation].”

Re-direct/Re-cross examinations

Witness examination will consist of direct and cross examinations of each witness. Each team is allowed one re-direct and one re-cross examination per witness. These are not opportunities to bring up new issues and are limited to addressing and clarifying prior testimony given during direct and cross examinations. Re-Direct questions are subject to ‘asked and answered’ objections if the facts have already been elicited on Direct Examination. Cross examining attorneys cannot interrupt/cut off the witness if they are answering the questions asked with a reasonable explanation that goes beyond the simple yes or no that the questioning attorney is trying to illicit.

Closing Arguments

Closing arguments must be based on the actual evidence and testimony presented during the trial. If evidence was not presented during the trial, it cannot be used in the closing arguments. Attorneys delivering the closing arguments should take notes during trial to ensure that everything they say in their closing arguments was in fact entered into evidence.

Prosecution may use time left over after their closing argument to present a rebuttal, following the Defense's closing arguments. The attorney giving the Prosecution closing must ask for permission to allot left over time to rebut the Defense's closing argument before they sit down. They may ask for permission before they give their closing or when they are finished, but before sitting down.

No objections may be raised during closing arguments. If a team believes an objection would have been proper during the opposing team's closing argument, one of its attorneys may, following the closing argument, stand to be recognized by the judge and may say, "If I had been permitted to object during closing arguments, I would have objected to the opposing team's statement that ____." The attorney who delivered the closing argument that is the subject of the "objection" may then stand, after being recognized by the presiding judge, and deliver a brief rebuttal limited solely to the scope of the "objection." The presiding judge will not rule on this exchange, but the scoring judges will weigh the "objection" and rebuttal individually.

The "objection" should generally be used only to challenge a closing argument that is not based on evidence properly admitted at trial. Teams should not use this rule merely to challenge the strength or logical force of their opponent's arguments. Scoring judges should consider such use of this rule improper and may, in their sole discretion, adjust scores accordingly.

No attorney may do both the opening statement and closing argument.

FACT SITUATION

On Monday August 4, 2025, the quiet town of Dullsville in the North Carolina foothill country of Cascade County experienced a first. On that day, as the bank employees of the Dullsville branch of the Cascade Community Bank opened for business a person dressed in a black mask, hoodie, black gloves, jeans, and white sneakers entered the facility, pointed a silver handgun at the bank manager and gave instructions via a note, “Put Everything Behind the Counter in the Bag.” When all was said and done the masked person fled the scene with roughly \$3,000. For the first time that anyone could remember, a Dullsville bank had been robbed. Local authorities were stumped and had little to go on other than eyewitness descriptions. The bank’s security cameras were not operational that morning due to a scheduled service upgrade by Dewing Security. It seemed that this robbery may remain an open case.

Two days later, on Wednesday, August 6, 2025, a similar event took place not too far from Dullsville. This time the Randolph River branch of the Cascade Community Bank was the target. As with the robbery two days earlier, a person in a black mask, hoodie, black gloves, jeans, and white sneakers entered the facility early in the day, pointed a silver handgun at those inside and handed a teller a note instructing them to put everything behind the counter into a paper bag. This time the robber escaped with just over \$5,000. Once again, the cameras, due to service upgrades to be performed by Dewing Security, were inoperable and no footage of the event was captured. When local police officers and detectives arrived, it seemed that they were once again without much to go on for their investigation, yet this time something was different. A teller at the Randolph River branch had placed a GPS tracking device into the robber’s bag amongst the stolen cash. The authorities tracked that GPS signal all the way to an off ramp just off Interstate 17 and near the Chalmer’s Casino.

On Thursday, August 7, 2025, Bronnie Parker walked into the Dullsville branch of the Cascade Community Bank and handed over a check for \$5,212.14 to make Bronnie current on Bronnie’s mortgage payment. Since being fired from Bronnie’s former employer, Dewing Security, back in January 2025, Bronnie had been having a difficult time paying the monthly mortgage, missing payments from March to July. Bronnie’s payment came at just the right time, as the bank was

1 set to foreclose on Bronnie's house that week. The check made out to the bank for the exact
2 amount due was issued by Chalmer's Casino the day prior, August 6, 2025.

3
4 Following Bronnie's visit to the bank, the branch manager, Lolo Baldwin, called Detective Elliot
5 Kress to report the interaction with Bronnie and some uneasy feelings about the entire situation.
6 Bronnie had mentioned that a lucky night in the casino was the origin of the sudden cash
7 windfall and Lolo began to draw connections between Bronnie and Monday's robbery, including
8 Bronnie's involvement in scheduling the bank's security camera upgrades when still working for
9 Dewing Security. After a brief investigation by Detective Kress, Bronnie Parker was arrested and
10 indicted on two charges of armed robbery for both the August 4th and August 6th robberies at
11 the respective Cascade Community Bank branches.

A. Witness List

Prosecution Witnesses:

- 1) Elliot Kress – Detective – Cascade County Sheriff’s Office
- 2) Lolo Baldwin – Manager of Cascade Community Bank – Dullsville Branch
- 3) Allie Pinkerton – Computer Forensic Specialist – Cascade County Sheriff’s Office

Defense Witnesses:

- 1) Bronnie Parker – Defendant
- 2) Pat Hurst – Assistant Manager Chalmer’s Casino
- 3) Dolray Mapp – Private Investigator

B. List of Exhibits

Exhibit 1: Bank GPS Location Map

Exhibit 2: Cashier’s Check for Parker’s Mortgage

Exhibit 3: Parker’s Car Title

Exhibit 4. Bank Letter to Parker about Mortgage

Exhibit 5. Area Map – Parker’s Google Location Data

**IN THE CIRCUIT COURT OF THE
STATE OF NORTH CAROLINA FOR CASCADE COUNTY**

THE STATE OF		
NORTH CAROLINA,	Plaintiff,	No. 25CR06118
v.		INDICTMENT
BRONNIE PARKER	Defendant	

The above-named defendant is accused by the Grand Jury of Cascade County by this indictment of the crime(s) of

Count 1: ARMED ROBBERY (A Felony; N.C.G.S § 14-87)

Count 2: ARMED ROBBERY (A Felony; N.C.G.S § 14-87)

committed as follows:

COUNT 1:

The defendant, on or about August 4, 2025, in Cascade County, North Carolina while armed with a deadly weapon, took property of another person from the other person's person or immediate presence, against the other person's will, while using or threatening to use force against any person with the intent to force surrender of the property or to prevent resistance to taking or keeping the property,

COUNT 2:

The defendant, on or about August 6, 2025, in Cascade County, North Carolina while armed with a deadly weapon, took property of another person from the other person's person or immediate presence, against the other person's will, while using or threatening to use force against any person with the intent to force surrender of the property or to prevent resistance to taking or keeping the property, contrary to the statutes and against the peace and dignity of the State of North Carolina.

Dated: September 26, 2025

Witnesses subpoenaed, examined, and appeared in person unless otherwise indicated
before the Grand Jury for the State of North Carolina

Elliot Kress

Lolo Baldwin

Allie Pinkerton

A TRUE BILL

Isabella Goodwin

Foreperson of the Grand Jury

GEORGIA ANN ROBINSON, District Attorney

Mary Sullivan

Mary Sullivan, NCSB No. 011916

Deputy District Attorney

**IN THE CIRCUIT COURT OF THE
STATE OF NORTH CAROLINA FOR CASCADE COUNTY**

THE STATE OF

NORTH CAROLINA,

Plaintiff,

v.

BRONNIE PARKER

Defendant

No. 21CR06118

STIPULATIONS

The parties stipulate and agree to the following:

1. Each witness testifying at trial has waived and agreed not to assert his or her right against self-incrimination, whether arising under the Fifth Amendment to the United States Constitution, Article 1, Section 23 of the North Carolina Constitution, or otherwise.
2. For purposes of Rule of Evidence 609(b), the state has given the defense reasonable written notice of its intent to offer the prior conviction of Pat Hurst, such that, should the government ultimately choose to offer it, the defense has had a fair opportunity to contest its use.
3. On both August 4, 2025, and August 6, 2025, each branch of Cascade Community Bank was in the process of upgrading its security system, which means that neither of the robberies that occurred on those dates were captured on any video or audio recording system. A deadly weapon was used during the course of each robbery. No forensic evidence was found at either scene.
4. Exhibit 1 is an accurate depiction of where the GPS Locator was found and the distances stated are accurate.
5. Exhibit 2, 3, 4, and 6 are true and accurate copies of the documents as stated and their authenticity cannot be questioned. No Best Evidence Objections can be made requiring the production of the physical document.

6. Exhibit 5 accurately depicts data obtained from Bronnie Parker's Google account concerning the date, time, and physical location of an Android mobile device associated with the account. The account contains no data indicating that the device was in Randolph River at any time on August 6, 2025. Both parties have waived all objections arising under Rules of Evidence 801-805 to any of the foregoing information.
7. Beyond the note itself, no fingerprints or DNA evidence was able to be recovered from Exhibit 6.
8. For the purposes of trial, the approximated height and weight of the robber provided by Lolo Baldwin will correspond to the approximate height and weight of the Defendant at trial. Any varying descriptions by other witnesses or reports will be based in relation to the Defendant at trial.

**IN THE CIRCUIT COURT OF THE
STATE OF NORTH CAROLINA FOR CASCADE COUNTY**

THE STATE OF

NORTH CAROLINA,

Plaintiff,

v.

BRONNIE PARKER

Defendant

No. 21CR06118

FINAL JURY INSTRUCTIONS

The Court will now submit the case to the jury; you need to decide, based on the law and the evidence presented to you at trial, whether the prosecution has prevailed in proving the prosecution's charges against the defendant.

EVALUATING WITNESS TESTIMONY

In deciding the facts of this case, you should consider what testimony to accept, and what to reject. You may accept everything a witness says, or part of it, or none of it.

In evaluating testimony, you should use the tests for truthfulness that people use in determining matters of importance in everyday life, including such factors as: the witness's ability to see or hear or know the things the witness testified to; the quality of the witness's memory; the witness's manner while testifying; whether the witness had any motive, bias, or prejudice; whether the witness was contradicted by anything the witness said or wrote before trial, or by other evidence; and the reasonableness of the witness's testimony when considered in the light of the other evidence.

Consider all of the evidence in the light of reason, common sense, and experience.

DIRECT AND CIRCUMSTANTIAL EVIDENCE

Evidence may be direct or circumstantial. Direct evidence is the testimony of a witness who saw, heard, or otherwise sensed an event. Circumstantial evidence is the proof of a fact or facts from

which you may find another fact. The law makes no distinction between direct and circumstantial evidence. It is for you to determine the importance to be given to the evidence, regardless of whether it is direct or circumstantial.

EXPERT WITNESS

A witness qualified as an expert by education or experience may state opinions on matters in that witness's field of expertise and may also state reasons for those opinions.

Expert opinion testimony should be judged just as any other testimony. You are not bound by it. You may accept it or reject it, in whole or in part, and you should give it as much credibility and weight as you think it deserves, considering the witness's qualifications and experience, the reasons given for the opinions, and all the other evidence in the case.

WITNESS (PRIOR CONVICTION)

You have heard evidence that a witness has previously been convicted of a criminal offense. You may consider this evidence only as it may affect the witness' believability.

INTENT - INFERENCE

"Intentionally" or "with intent to" as used in these instructions means that a defendant's objective is to cause that result or to engage in that conduct.

Intent may be inferred from all the facts and circumstances disclosed by the evidence. It need not be established exclusively by direct sensory proof. The existence of intent is one of the questions of fact for your determination.

BURDEN OR PROOF—PROOF BEYOND A REASONABLE DOUBT

The State has the burden of proving the defendant guilty beyond a reasonable doubt. This means the State must prove each element of each charge beyond a reasonable doubt. In civil cases, it is only necessary to prove that a fact is more likely true than not or that its truth is highly probable. In criminal cases such as this, the State's proof must be more powerful than that. It must be beyond a reasonable doubt.

Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant's guilt. There are very few things in this world that we know with absolute certainty, and in criminal cases the law does not require proof that overcomes every doubt. If, based on your consideration of the evidence, you are firmly convinced that the defendant is guilty of the crime charged, you must find the defendant guilty. If, on the other hand, you think there is a real possibility that the defendant is not guilty, you must give the defendant the benefit of the doubt and find the defendant not guilty.

CRIMINAL CHARGES - ARMED ROBBERY

The crime of armed robbery requires proof of the following:

1. The defendant took property of another person; *and*
2. The taking was from the other person's person or immediate presence; *and*
3. The taking was against the other person's will; *and*
4. The defendant used or threatened to use force against any person with the intent to force surrender of the property or to prevent resistance to taking or keeping the property; *and*
5. The defendant, in the course of committing the robbery, was armed with a deadly weapon.

VERDICT—FELONY CASE

When you return to the jury room, select one of your members to act as presiding juror. The presiding juror has no greater voting weight but is to preside over your deliberations and be the spokesperson for the jury. You should then deliberate and find your verdict. If it becomes necessary during your deliberations to communicate with me, do so in writing. I will consult with the parties before responding.

Your verdict must be supported by a unanimous vote. Remember that you are not to tell anyone, including me, how the jury stands numerically until you have reached a lawful verdict or have been discharged. When you have arrived at a verdict, the presiding juror will sign the appropriate verdict form. After you have reached your verdict, signal the bailiff. The court will receive your verdict.

AFFIDAVIT OF ELLIOT KRESS

My name is Elliot Kress, and I'm 33 years old. I am a detective with the Cascade County Sheriff's Office (the "CCSO"), where I've worked for the last 9 years. I grew up right here in Cascade County and graduated from Coho High School in 2012 and attended North Carolina State University where I majored in sociology with an emphasis in criminology and penology. I earned my bachelor's degree in that field in 2016 and immediately joined the CCSO.

Like every good cop I know, I had to start at the bottom and work my way up, starting as a patrol officer. In that role, I handled my fair share of "the usual" sorts of calls— shoplifting, vandalism, that sort of thing. Anyway, by 2019, I was cracking cases like that one on the regular, and the higher-ups took notice. That summer, Sheriff Esparza promoted me to a position in CCSO's Detective's Bureau. I've worked in that role ever since, with my office right here in Coho City.

Cascade County is a pretty safe place, but, over the years, I've investigated my fair share of "major" crimes. For the most part, those crimes have been homicides, but I've got experience investigating other types of offenses, too. For example, back in 2020, an anonymous tipster informed us that Gartowski 28 Auto Plaza, a sketchy used car lot just north of Coho City, was running a secret auto theft ring. The lead was pretty thin, but I had long suspected there was something off about that lot; its owner, whom I knew from the lot's ubiquitous (and rather annoying) TV commercials, had always struck me as a slippery character. I decided to follow my instincts, and it turned out Gartowski Auto was at the center of the largest network of chop shops in the state. Now, thanks to my work, its sleazebag owner is where he belongs: in a jail cell for at least the next eight years. That case reaffirmed what I've always known about being a detective: sometimes, you've just got to let your instincts lead the way.

As far as I'm aware, this case is Cascade County's first bank robbery. On the morning of Monday, August 4, 2025, I had just settled in at my desk and was catching up on some paperwork when I got a call from a 911 dispatcher. She told me there had just been a robbery at the Dullsville branch of Cascade Community Bank and asked me to high tail it down there as

1 fast as I could. As I was running to my car, I was puzzled. Why in the world would someone rob
2 a bank in Dullsville, of all places? Dullsville is one of the smaller towns in the county, which
3 means a bank teller there probably isn't going to be sitting on a huge pile of cash. Plus, in terms
4 of what's in the vault, Cascade Community Bank isn't exactly Fort Knox. Like the name
5 implies, it is (by banking standards, anyway) a tiny operation with just two branches, one in
6 Dullsville and the other about 30 minutes east in Randolph River.

7
8 I arrived in Dullsville at about 9:30 a.m. A CCSO patrol officer had secured the scene and was
9 talking with two witnesses who, I learned, were the bank's manager and assistant manager. I
10 interviewed each separately. I began with Lolo Baldwin, the manager. Though understandably
11 somewhat shaken, Lolo was composed during the interview, and answered each of my questions
12 clearly. Everything Lolo told me is reflected in Lolo's affidavit, which I have reviewed.

13
14 When I finished with Lolo, I spoke with Johnnie Connolly, the bank's assistant manager. Unlike
15 Lolo, Johnnie was a nervous wreck. While we talked, his eyes kept darting back and forth, he
16 stuttered, and he couldn't seem to focus on my questions; "Sorry, I'm in shock, that was just too
17 much! Too far!" he said. Johnnie's recollection of the robbery was the same as Lolo's—with one
18 exception. When I asked for a physical description of the robber, Johnnie estimated that the
19 robber was five or six inches taller and 30 or 40 pounds heavier than the person Lolo Baldwin
20 described as well as the person I now know to be Bronnie Parker. The difference in Lolo and
21 Johnnie's accounts of the robbery didn't bother me, because it seemed clear that Lolo's
22 description was the more reliable one. I've spoken with plenty of eyewitnesses in my years as a
23 detective, and I know the psychological effect that shock can have on a person's memory. You
24 see, the stress of a traumatic event like a robbery can make someone's memory a bit fuzzy, even
25 just a few minutes after the event occurs, some people's memories get all hazy and they can't
26 remember details all that well.

27
28 Unfortunately, at that point, we hit a bit of a dead end. The bank hadn't captured the robbery on
29 camera, and though we searched up and down, we couldn't locate any usable fingerprints. At
30 that point, the older, light blue sedan was our only lead. (Talk about a needle in a haystack...

1 I've seen quite a few of those around Cascade County!) For about the next 48 hours, there wasn't
2 much we could do but hope for a breakthrough.

3
4 On Wednesday morning, we got one—sort of. That morning, I was in the office poring over
5 what little evidence we had when I got another call from another 911 dispatcher. I couldn't
6 believe it: he told me there had just been a bank robbery at the other Cascade Community Bank
7 branch in Randolph River. I sprinted to my car and got there about 35 minutes later, at 9:40 a.m.
8 When I arrived, a CCSO patrol officer had secured the scene and was talking to five witnesses.
9 The patrol officer indicated to me that two were tellers and three were customers.

10
11 I spoke first with one of the tellers, who told me his name was Chris Parrucci. He was visibly
12 shaken by the robbery and was breathing into a paper bag when I approached him. When I
13 approached him, he blurted out, "I can't believe that just happened! I thought I was going to
14 die!" I tried to calm him down, but it didn't seem to work. He told me—his voice shaking—that
15 he and his co-teller had opened the bank at 9:00 a.m., and three customers had just walked in,
16 when a masked robber burst loudly through the front doors, brandished a silver handgun, and
17 shoved a note in front of Chris demanding that he put "everything behind the counter" into a
18 paper bag. Chris did so, he said, packing a little over \$5,000 from the tills and a small safe into
19 the bag. He handed it to the robber, who, Chris remembered, then sped away in an older, light-
20 blue sedan (the make and model of which he didn't recognize, and whose license plate he didn't
21 see). According to Chris, the robber didn't say anything. His voice still quivering, Chris gave the
22 same physical description of the robber as Lolo (white sneakers, blue jeans, a black hoodie, a
23 black mask, and black gloves) and indicated that the robber was approximately the same height
24 and weight as Bronnie Parker. Chris also explained that, like the Dullsville branch, the bank was
25 in the process of upgrading its security system, which meant the robbery wasn't captured on
26 video.

27
28 When I finished with Chris, I turned to one of the customers. A minute or two into that
29 conversation, though, Chris tapped me on the shoulder. He seemed much calmer than before;
30 "Sorry about that, detective," he said coolly, "I just needed a minute. I'm better now." He said he
31 wanted to tell me two more things. First, Chris said, he was a little unsure of the physical

1 description he had given me just a moment earlier; the robber, he indicated, actually might have
2 been taller and heavier than his original statement suggested. Second, he had forgotten to tell me
3 that, as he was putting the money in the bag, he had slipped a small GPS device in with the bills.
4 We could access it, he said, using a cloud-based computer program, the login information for
5 which he gave me on a scrap of paper. I dropped everything - we had a chance to catch the
6 robber! I immediately called Allie Pinkerton, the CCSO Detective Bureau's computer forensic
7 specialist, and relayed the login information. A moment later, Allie told me, "Looks like your
8 robber's heading north on Interstate 17 toward Rowe. Go!" I jumped in my car with a patrol
9 officer, flipped on the siren, and sped away

10 .

11 Rowe is about an hour north of Randolph River. We had almost caught up to the tracker when, to
12 my dismay, Allie called me back. "Looks like your robber dumped the tracker," he said with a
13 groan. "It's on the exit ramp to Zell Avenue." We sped to the ramp, and about halfway down the
14 ramp, we located the device on the side of the road. I was beside myself. We had lost what might
15 have been our only chance to catch this robber! I paused for a moment and looked over the
16 ramp's barrier at Chalmer's Casino, which is located next to the highway and just off the exit
17 ramp. (Exhibit 1 shows the ramp, the place where I found the GPS device, and the casino. The
18 distances indicated on the exhibit are accurate.)

19
20 I thought we had hit another dead end. I drove back to Randolph River and interviewed the
21 remaining witnesses, none of whom were able to tell me anything useful about the robber. And,
22 like the Dullsville robbery, we weren't able to locate any usable fingerprints in the bank itself.
23 The next day, though, we caught the break that ended up solving the case. Out of the blue, Lolo
24 called me and told me that one of the bank's customers, Bronnie Parker, had just come into the
25 Dullsville branch and paid off Bronnie's mortgage in full. "So what?" I asked. "Well," Lolo said,
26 "Bronnie's been delinquent in paying for months now. If Bronnie hadn't gotten current by
27 Friday, we were going to foreclose on the property. Bronnie told me that Bronnie had won the
28 money at Chalmer's Casino, but I don't believe it." In that moment, it all clicked: Bronnie had
29 robbed the bank to avoid losing Bronnie's property. I drove down to Dullsville and collected the
30 check that Bronnie had used to pay off the mortgage, which had been issued from Chalmer's

1 Casino. (A copy of that check is shown in Exhibit 2.) I knew then that I had to talk directly with
2 Bronnie. I looked up Bronnie's address and drove over there.

3
4 When I arrived, I saw a small house on what looked like an average sized lot. I walked up,
5 knocked on the door, and Bronnie answered. "What's this about?" Bronnie asked abruptly. I
6 thought that was odd; I was wearing plainclothes, and I hadn't yet identified myself as a cop. I
7 didn't want to tip my hand before taking Bronnie's temperature, so, after identifying myself, I
8 told Bronnie that we had received a report that a car had been stolen in the area—an old, light
9 blue sedan, to be exact. Had Bronnie seen a car matching that description? "Well, um..."
10 Bronnie seemed to hesitate. "I used to own an old, light blue Lincoln, but I sold it earlier this
11 week." I asked to whom Bronnie had sold it. "Well, uh..." Bronnie hesitated again. After a beat,
12 Bronnie said, "I can't remember. It was just some guy I connected with on Facebook
13 Marketplace" It was then that I knew I had to make my move. "Where were you on Monday
14 morning?" I said. Bronnie's eyes widened at that question. "M-Monday?" Bronnie stammered.
15 "I, uh... I was at home." "Anyone with you? Anyone who can verify that?" I continued. "I
16 mean... no, I guess not. I was at home watching TV the whole morning," Bronnie said weakly. I
17 asked Bronnie the same question about Wednesday morning and got the same answer. "Look,"
18 Bronnie said, "I really need to get going. Can you come back later?" Bronnie then abruptly shut
19 the door in my face; Bronnie never asked why I wanted to know Bronnie's whereabouts on
20 Monday and Wednesday.

21
22 I did come back later—with warrants for Bronnie's arrest and to search the house. In the house,
23 in a desk drawer, we found the title to a blue 1991 Lincoln Town Car, a copy of which is shown
24 in Exhibit 3. We also found a black hoodie, jeans, and black leather gloves. We didn't find white
25 sneakers, a mask, or a gun, but I figured Bronnie had just ditched those. We also didn't find any
26 cash, but Bronnie must have just spent it.

27
28 I'm sure Bronnie is our robber. We never looked at anybody else for the crime, but why would
29 we? Just to confirm his eyewitness account, I wanted to talk more with Johnnie Connolly about
30 his physical description of the robber, but I wasn't able to locate him. I visited both his apartment

1 and the Dullsville bank, but he had stopped coming to work a few days after the robberies. As far
2 as I could tell, he disappeared. Doesn't matter, though—Bronnie is guilty.

3
4 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
5 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
6 should contain all relevant testimony, and I followed those instructions. I also understand that I
7 can and must update this affidavit if anything new occurs to me until the moment before I testify
8 in this case.
9

Elliot Kress

Elliot Kress

Dated: September 13, 2025

Subscribed and sworn before me on September 13, 2025.

Roberta Bost

Roberta Bost

AFFIDAVIT OF LOLO BALDWIN

My name is Lolo Baldwin, and I'm 32 years young. I live in Dullsville, where I'm the manager of Cascade Community Bank. I work out of the main branch, which also is located in Dullsville. Cascade Community Bank is a small operation, but we like to think we're an important part of the community. We've been around for close to a hundred years, and since then, we've helped countless people in Cascade County buy a home, start a business, or get through a rough patch financially.

I've known Bronnie Parker—truth be told, just saying that name gives me chills—for a couple of years, I guess. The bank has long used a company called Dewing Security LLC to manage our security system, and every couple of months, they send a technician to each of our two branches to make sure everything's working as it should. I can't remember exactly when but beginning at some point in 2022 or 2021 (or maybe it was 2020?), Bronnie became our technician. I liked Bronnie well enough, but Bronnie was typically pretty quiet and businesslike. When Bronnie conducted Bronnie's inspections, a teller would let Bronnie back behind the counter, where Bronnie surely would've seen the cash, we've typically got back there.

In early 2024, Bronnie was wrapping up an inspection when Bronnie popped into my office. "Hey Lolo, I'm thinking about buying this beautiful little house on the edge of town. Do you think I would qualify for a mortgage?" I was glad to help Bronnie, and we ended up loaning Bronnie the money that Bronnie needed. Bronnie had gone on and on in my office about how the house was Bronnie's "dream home," and—at the time, anyway—I was happy to have been a part of it. For a time, everything went smoothly. Bronnie made the monthly payments in full and on time and continued visiting us every couple of months to inspect our security system.

Toward the end of 2024, I recall an odd interaction I had with Bronnie. Sometime in November or December—I can't remember when, exactly—Bronnie was wrapping up an inspection and flagged me down in the hallway. "Hey," Bronnie said, "your video cameras are looking pretty old. If you want, we can get you some upgraded cameras with much better resolution." Bronnie quoted me a price, which I thought was reasonable. I said "ok," in response to which Bronnie said: "Okay, great. I'll get the installation scheduled. There's a lot of demand for these, so it may

1 be delayed until July or August.” We ended up scheduling the installation for August of this
2 year, which is why the banks did not have cameras working on the days of the robberies.

3
4 In January, we had an inspection scheduled, but it wasn’t Bronnie who showed up. The new
5 inspector - her name was Beth, I think - said that Bronnie had been let go from Dewing Security.
6 “Bronnie had been stealing from the company, I heard,” she told me. I didn’t follow up, but I
7 found that pretty concerning. After all, Bronnie had access to basically all the secure areas of our
8 branches when performing inspections. Had Bronnie ever lifted a few dollars from a teller’s
9 counter without us knowing?

10
11 Bronnie made the February mortgage payment, but in March, all we got from Bronnie was radio
12 silence. Bronnie then missed the April and May payments as well. I tried calling Bronnie toward
13 the end of April, but I got a prerecorded message indicating that the line had been disconnected.
14 In mid-May, I decided to drive out to Bronnie’s house in person to see what was going on. When
15 I got to the house, it was looking pretty dilapidated; the grass hadn’t been cut for what seemed
16 like several weeks, Bronnie’s mailbox was stuffed to the brim, and there was a huge pile of trash
17 accumulating in front of the garage, which was closed. (I didn’t see a vehicle on the property, but
18 I assumed it was in the garage.) I knocked on the front door, and Bronnie answered, looking
19 surprised and a little worried when Bronnie saw it was me. Bronnie looked just as dilapidated as
20 the house; there were huge bags under Bronnie’s eyes, and Bronnie’s hair was unkempt. “Hey,
21 Bronnie,” I said, “I’ve tried calling, but I haven’t been able to get through. Is everything okay?”
22 “Well, uh,” Bronnie replied sheepishly, “I lost my job at Dewing back in January, and I’ve been
23 in sort of a rough patch. Money-wise, I’ve just really been in a jam, a bad one.” I wanted to be as
24 compassionate as I could: “Well, we do need to talk about your mortgage, but we also want to be
25 reasonable. Do you think you’ll be able to resume your payments soon?” “Um,” Bronnie
26 stammered, “about that... I’m looking for work, but there just seems to be nothing out there.”
27 “Well,” I said, “normally, we’d begin foreclosure proceedings after 120 days on nonpayment,
28 which would put us at about June 1st. But I think we can be flexible. Do you think you’ll be able
29 to get back on track by July 1st?” “I’ll do my best,” replied Bronnie halfheartedly. I thanked
30 Bronnie and walked away hoping for both of us that Bronnie would soon get back on Bronnie’s
31 feet.

1 Unfortunately, though, July 1st came and went, and we still hadn't received a cent from Bronnie.
2 I drove out to Bronnie's house again mid-month, but when I knocked on the door, nobody
3 answered, although I'm positive I heard footsteps inside. (The mailbox, I noticed, had been
4 emptied.) At that point we were basically out of options; we're a small bank, and we had
5 "floated" Bronnie for as long as we could. On July 25th, I sent Bronnie a letter indicating that we
6 could begin foreclosure proceedings on August 8th if Bronnie hadn't caught up on Bronnie's
7 payments by then. A copy of the letter I sent to Bronnie is shown in Exhibit 4. Sending letters
8 like that is undoubtedly the worst part of my job, but unfortunately, it's an unavoidable reality in
9 the banking business.

10
11 On the morning of August 4th, I had pretty much forgotten about Bronnie. I arrived at our
12 Dullsville branch a little before 9:00 a.m. to open things up. Johnnie Connolly, our assistant
13 manager, arrived at the same time, and we had just unlocked the bank's front door when I heard
14 rapid footsteps behind us. When I turned around, I froze. I saw a person dressed in white
15 sneakers, blue jeans, a black hoodie, a black mask, and black gloves. The person was
16 approximately the same height and weight as Bronnie, though, given the disguise, I couldn't
17 have said with absolute certainty that the person *was* Bronnie, at least not at that time. Truth be
18 told, though, the person's physical appearance wasn't what I was focused on. The person was
19 pointing a small, silver handgun directly at my chest. With the person's other hand, the person
20 threw a paper grocery bag and a crumpled note at my feet, which, when I unfurled it, read in
21 computer-printed font: "PUT EVERYTHING BEHIND THE COUNTER IN THE BAG." The
22 person didn't say anything but gestured with the gun toward the door when I looked up. Both of
23 us shaking, Johnnie and I opened the door, moved behind the counter, and emptied the tills and
24 the contents of a small safe behind the counter into the bag, which I then placed on the ground in
25 front of the person. I'd estimate that we put a little over \$3,000 in the bag. As soon as the bag hit
26 the floor, the person grabbed it, ran outside, jumped into what looked like a light blue sedan, and
27 sped away. I didn't catch the make, model, or license plate number; I was in shock! What's
28 more, it occurred to me in that moment that we wouldn't have video of the robbery; our new hi-
29 res cameras had been put up on the walls, but we were still waiting for a different technician to
30 come by and activate the system. Now that I think about it, Bronnie was the one who had
31 scheduled the activation date.

1 As soon as I could compose myself, I reached under the teller's counter and hit our alarm. A
2 patrol officer from the Cascade County Sheriff's Office arrived about 20 minutes later. (I guess
3 they had to drive all the way down from Coho City; Dullsville is small enough that it's only got
4 two cops in its police department, and neither seemed to be on duty that morning.) A detective
5 named Elliot Kress arrived a few minutes after that, and I told the detective everything that had
6 happened. I also mentioned - with a note of frustration in my voice—that Dewing Security was
7 in the process of replacing our security cameras, so nothing was caught on video.

8
9 In the day or so that followed, I still couldn't believe it. Why would someone rob a small
10 community bank like ours? It just seemed so senseless. You can only imagine my shock when I
11 heard from Detective Kress on Wednesday that our other branch had been hit by the same
12 robber. What was happening? I couldn't imagine who would do such a thing.

13
14 On Thursday morning, though, it all came into focus. At about 10:00 a.m. that morning, Bronnie
15 Parker walked into the Dullsville branch. I was surprised, given Bronnie's prior lack of
16 communication. "Bronnie!" I said with a smile. "What brings you in today?" "Hi Lolo,"
17 Bronnie said nervously, "Um, I have this for you." Bronnie handed me a check for \$5,212.14—
18 which was the exact amount that Bronnie owed on Bronnie's mortgage at that point, including
19 late fees. That check is shown in Exhibit 2. (Presumably, Bronnie had been receiving the paper
20 mortgage statements we send in the mail each month; that's the only way we communicate that
21 sort of information to our customers.) At first, I was elated. "Wow, Bronnie!" I said. "Mind if I
22 ask how you came up with it?" "Just had a lucky night at the casino," Bronnie replied with a
23 smirk. I laughed, didn't think much of it, and shook Bronnie's hand as hard as I could.

24
25 As Bronnie walked out the door, though, a darker thought came over me: was Bronnie the
26 robber, and was Bronnie paying us back with our own money? Immediately, I called Detective
27 Kress and recounted what had happened. Detective Kress came by to collect Bronnie's check,
28 and, well, the rest is history.

29
30 There's not a doubt in my mind that Bronnie robbed us. I mean, how else could Bronnie have
31 come up with that much money so fast? In September, Bronnie paid Bronnie's monthly

1 mortgage payment—a little over \$900—in cash, mostly in \$5, \$20, and \$50 bills. Unfortunately,
2 we don't have the technology to determine whether those bills are the same ones that were
3 behind our counters on the days of the robberies, but I can tell you that most of the cash we keep
4 behind the counter is usually in those denominations. The next month, shortly before Bronnie's
5 payment was due, we received direct deposit authorization paperwork from a place called
6 Hehnke's Espresso House. Since then, we've received regular mortgage payments from Bronnie
7 via direct deposit. (I guess someone gave Bronnie a job?)
8

9 A few days after the second robbery, I arrived at the bank for work, and Johnnie was nowhere to
10 be found. That was really odd, I thought. I've always thought Johnnie was a little shifty, but, then
11 again, he also was as punctual as pie and had been a thoroughly reliable employee. Johnnie
12 hasn't returned, and I haven't heard from him, since then. For a moment, I was tempted to
13 wonder whether Johnnie was in on the robbery, particularly because Johnnie and Bronnie
14 seemed to be pretty friendly whenever Bronnie stopped by for an inspection. In fact, a few times,
15 I heard the two of them talking together about how much they liked the movie *Butch Cassidy and*
16 *the Sundance Kid*. But the thought that Johnnie would've actually committed a robbery in real
17 life? That's ridiculous. Sure, Johnnie can have a temper—I've had to talk with him a few times
18 about speaking a bit too aggressively with disgruntled customers—but I just can't see him having
19 a hand in this. He was one of the victims, after all!
20

21 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
22 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
23 should contain all relevant testimony, and I followed those instructions. I also understand that I
24 can and must update this affidavit if anything new occurs to me until the moment before I testify
25 in this case.

Lolo Baldwin

Lolo Baldwin

Dated: September 9, 2025

Subscribed and sworn before me on September 9, 2025.

Roberta Bost

Roberta Bost

AFFIDAVIT OF ALLIE PINKERTON

My name is Allie Pinkerton, and I'm 35 years old. I work in the Detective's Bureau of the Cascade County Sheriff's Office (the "CCSO") as a computer forensic specialist. I grew up, and I now live and work, right here in Coho City.

I'll say it loudly and proudly: I'm an all-purpose computer nerd. I still code for fun, but by the time I got to college, I had become curious about the electrical technology underlying the coding platforms on which I was doing most of my work. So, after a period of vacillating, I decided to double major in physics and computer science. I earned my bachelor's degree in those fields from Stanford University in 2020. Right after college, I worked for a bit as a coder at for a social media platform based down in Palo Pequeño, California, but I grew bored of that pretty quickly. (You can only watch so many cat videos before going completely bonkers, you know?) After about a year and a half, I handed in my notice and returned home to Coho City. I have a friend named Frankie Zapata who works up in the Chinook County Sheriff's Office. Frankie ended up putting in a good word for me here at CCSO, which, it turns out, was in need of a computer forensic specialist. In July 2022, I accepted their offer, and I've worked here ever since. In 2023, I completed a continuing professional education course at the University of North Carolina in cybersecurity and computer forensics, as a result of which I earned a CompTIA Security+ certification. ("CompTIA" is short for the Computing Technology Industry Association, which is one of the information technology industry's leading trade associations.)

My day-to-day is pretty diverse. If it's computer-related, and if it's involved in some sort of criminal enterprise, chances are I've worked on it. You'd be shocked—or maybe you wouldn't—how often criminals rely on things like text messaging and social media when committing crimes. To this day, I find that surprising because it's *way* easier than most people realize for me to dig up computer forensic evidence on a person's laptop or smartphone. Think your Google searches simply disappear after you hit "Enter"? Think again. In fact, a few years ago, I helped Frankie out on a case in which the defendant had done searches for "criminal penalties for threats" on her smartphone before posting a bomb threat on Facebook. Frankie and I extracted that data from her phone, and she ended up getting prosecuted.

1 Anyway, this case involves global positioning system or “GPS” technology, with which I’ve got
2 plenty of experience. In college, I attended several lectures given by Professor Bradford
3 Parkinson, who developed much of the technology underlying the GPS system in the 1970s.
4 That technology, as well as its various law enforcement applications, was also a key topic
5 covered during my classes at UNC. And, maybe most saliently, I’ve worked several times with
6 GPS technology in my career at the CCSO. For the most part, I’ve used the technology to locate
7 automobiles that officers believe are or will imminently be involved in criminal activity. All of
8 the work I’ve done with GPS systems—including my work in this case—has been based on what
9 I consider to be sufficient facts and data. It’s similarly based on what are widely accepted as
10 reliable principles and methods, all of which I have applied reliably in the cases I’ve worked on.
11

12 On the morning of August 6, 2025, I was sitting at my desk tinkering with an infrared camera
13 when I received a call from Detective Elliot Kress. “Allie,” barked Detective Kress, “grab a pen.
14 We’ve got another robbery down at Cascade Community Bank, and it looks like one of the
15 tellers managed to slip a GPS device into the bag of cash.” I practically fell out of my chair. I had
16 heard about the first robbery, and I knew from Detective Kress that we basically had zero leads.
17 Detective Kress told me that the GPS device was one manufactured by a company called 4XT
18 Security Systems, a company based in Pennsylvania. I’m familiar with those systems—in fact,
19 the CCSO has used them in other contexts before—and was glad to know that I’d be working
20 with technology with which I was familiar, and which I consider to be especially reliable.
21

22 Let me pause for a moment, though, to explain how GPS technology works. It involves two basic
23 components: a “receiver,” which is the tracker whose position we’re monitoring on the ground,
24 and satellites, which orbit the earth and are used to determine the receiver’s position with
25 precision. The basic concept is fairly simple: the satellites broadcast electromagnetic waves to
26 the receiver, which are modulated to convey information concerning the time at which the
27 signals are transmitted. Unsurprisingly, these are called “time of transmission” or “TOT” values.
28 Then, when it receives the signal, the receiver calculates the signal’s time of arrival (a “TOA”
29 value) based on its own internal clock. The difference between those values is called the “time of
30 flight” or “TOF” value. Since the speed of those waves is, as a matter of physics, always going to
31 be constant, the TOF value will be proportional to the distance between the satellite and the

1 receiver at that moment. Using a similar process, the system can independently determine each
2 satellite's position at each TOT, so, based on that data and the receiver's TOF value, the receiver
3 can calculate exactly how far away from the satellite it is at that moment. Sounds simple enough,
4 right?

5
6 Well, it's actually a little more complicated. In order to accurately determine the real position of
7 the receiver, you need to calculate *four* separate values. After all, if I simply told you that I was a
8 hundred feet away from you, you wouldn't know exactly where I was based on that information
9 alone, would you? Are you a hundred feet in front of me? Behind me? Above me? The first
10 three values correspond to what are commonly known as Cartesian coordinates, *i.e.*, latitude,
11 longitude, and height relative to the geoid (which essentially means height above sea level). The
12 fourth has to do with the difference between the satellites' clocks and the receiver's clocks.
13 While the satellites all have extremely reliable atomic clocks, it's usually going to be impractical
14 to put an atomic clock into a receiver—particularly one as small and inexpensive as the one
15 we're discussing here. That means there will almost always be small differences between the
16 receiver's clock and the satellites' clocks, which, in order to accurately calculate the receiver's
17 position, need to be accounted for.

18
19 So, four values means that a receiver needs four satellites in order to calculate its location
20 accurately. Based on those four values, the receiver then can calculate its position, which a user
21 then can see in an overlaid map; think of what you typically see on your phone when you open
22 your "Maps" app.

23
24 GPS technology, including the 4XT system that I was using on the 6th, is *extremely* reliable.
25 There currently are 32 GPS satellites orbiting the earth in different positions, which means it's
26 virtually impossible for a receiver anywhere in the world to have access to fewer than the
27 required four at any given time. In fact, a given receiver often has access to between six and ten
28 satellites at any given moment; that extra data makes the positioning process even more reliable.
29 Like any computer system, though, the GPS system isn't 100% perfect. There are two primary
30 aspects of it that can lead to small imperfections, although I have to emphasize that such errors
31 are usually only a matter of a few feet, if that. First, in some cases, GPS satellites will

1 sometimes “drift” in their orbits, leading to miniscule errors in the way we calculate their
2 position here on earth. Such errors are corrected on a daily basis, but, if you’ve got a TOT value
3 that’s off by a microsecond, it’s possible that you’ll end up with a GPS location that’s slightly
4 off. Again, though, we’re usually talking about no more than a few feet, if not inches. And the
5 fact that there are usually more than four satellites connected to a receiver at any given time
6 makes this a *really* remote possibility, although it is theoretically possible.

7
8 Second, we’ve got to keep in mind that, in this case, the receiver I was tracking wasn’t in a static
9 position; it was moving. That adds another layer of complication, because the continuous
10 movement you see when you open your “Maps” app on your smartphone when you’re riding in a
11 car is actually a little misleading. In that case, the GPS system isn’t tracking your location on a
12 continuous basis; rather, it’s collecting a series of data points over time that happen to be close
13 together. What’s key here is that the software underlying the program isn’t just doing
14 retrospectively. Instead, it’s using that data—as well as artificial intelligence—to *predict* where it
15 thinks the receiver will go next. Take a simple example: if you detect a receiver at one point on a
16 road at 11:45:30, and then the receiver moves 100 feet east on the same road at 11:45:31, the
17 system is going to predict that the receiver will be 100 feet further east on the same road at
18 11:45:32. Sometimes, this can lead to small errors. Take the same example let’s say you’re in the
19 car and you’ve made a right turn at 11:45:31. For a brief moment, your “Maps” app might show
20 incorrectly that you’re continuing straight, rather than turning right, because that’s what the prior
21 two data points suggest.

22
23 Anyway, back to this case. After logging into the 4XT online system and entering the login
24 information that Detective Kress gave me, I saw a blue dot traveling northward on Interstate 17,
25 from Randolph River toward Rowe. “It’s going to Rowe on the 17—get after ‘em!” I yelled into
26 the phone to Detective Kress. I said I’d call back with any updates and hung up the phone. About
27 35 minutes later, I was watching the blue dot approaching the Zell Avenue exit, just outside of
28 Rowe. The dot appeared to pass just beyond the exit, but then, it reappeared at a location on the
29 exit ramp, off the highway. I thought it might just be a temporary error with the system, but alas,
30 the dot stopped moving there. Exhibit 1, which is a screenshot of the map that I saw on the

1 screen at that moment. I've indicated in a red marker the last place on the highway that I saw the
2 blue dot before it came to rest on the exit ramp.

3
4 I would have liked to try to confirm that the blue dot I saw on the screen actually was Bronnie
5 Parker, but given the information I had, I wasn't able to do that. The only real way I could have
6 done that with certainty would have been to run a geofence search, but we weren't able to
7 acquire any sort of electronic identifier unique to Bronnie that would have allowed us to do that.
8 Our best bet would've been Bronnie's personal email address, but we weren't able to locate that.

9
10 Regardless, in my expert opinion, the data I viewed while watching the blue dot on the 4XT
11 online system compels the conclusion that the car exited the highway at Zell Avenue, rather than
12 continuing along the highway. True, the blue dot did appear briefly at a point beyond the exit,
13 but that's likely due to the predictive technology I discussed above; after all, the car had been
14 moving continuously northward on Interstate 17 for about 30 or so minutes beforehand, and, in
15 my experience as a coder, I'd say it'd be natural for that or any other software program that
16 incorporates predictive technology to predict that the car would simply continue along on the
17 same road. To be fair, I can't say exactly how it got to the place where Detective Kress
18 ultimately found it. Given the data I saw on the screen, it's possible, I suppose that a driver threw
19 it out of the window while continuing along the highway. But, in that case, it's likely that I
20 would've seen the blue dot move once or twice along the exit ramp as it bounced down the
21 pavement. The data is much more consistent with a scenario in which the driver exited the
22 highway, slowed down, and simply dropped the device out of the window. Plus, I'm not sure
23 about you, but think about how far a throw that would've been—I certainly couldn't have done
24 that!

25
26 I did submit a geofence search warrant to Google for any accounts that were present at both
27 robberies, but it was of no investigative use. First, Google didn't respond to the search warrant
28 until about a week ago. They are always so late, claiming they don't have the resources to
29 respond in a timely manner, which seems pretty sketchy. Second, Google said there weren't any
30 devices that were present at both robberies. This is not that unusual. You always hope for a home
31 run with a geofence warrant, but people are a lot better these days about controlling their location

1 settings on their mobile devices. I was hoping that we would find Bronnie's cellphone when
2 Bronnie was arrested, but we were never able to find one. (Often the phone will have more
3 location information than we can glean from Google.) I couldn't do anything else because I
4 didn't know Bronnie's phone number, email account, or anything else that would allow me to
5 seek more location information. So that was all pretty much a dead end.

6
7 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
8 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
9 should contain all relevant testimony, and I followed those instructions. I also understand that I
10 can and must update this affidavit if anything new occurs to me until the moment before I testify
11 in this case.

Allie Pinkerton

Allie Pinkerton

Dated: September 14, 2025

Subscribed and sworn before me on September 14, 2025

Roberta Bost

Roberta Bost

AFFIDAVIT OF BRONNIE PARKER

My name's Bronnie Parker, and I'm 27 years old. I live in Dullsville near the baseball field. There's really not much to tell about me, I guess. I was born in Rowe and graduated from Hamilton High School back in 2016. Back then, I was interested in two things, playing baseball and music. I was a pretty good pitcher, some scouts checked me out, but music was my real passion. So, when I graduated, I figured I'd try to join a band. I'm a bass player, so I figured it'd be easy. (We're supposed to be in high demand, you know?) As it turned out, though, the first few years were kinda rough; I waited tables, worked odd jobs, and did my best to save money while I was looking for a permanent gig. I have to say, I hated being constantly short of cash. I ended up having to borrow money a few times from my friends, and on more than one occasion, I ended up "forgetting" to pay the money back. The thought of being such a deadbeat still makes me sick to my stomach, but, at the time, I didn't really have any other options. Still, nobody likes a deadbeat.

Anyway, I was still living in Rowe, waiting tables and working odd jobs, and still just barely scraping by. I figured it was time for a change, so I packed up what little I had and drove to Coho City. After a week or two in a motel, I found an apartment, and a few weeks after that, I found a job as a landscaper at the Coho Community Association.

It was hot, hard work, but I enjoyed being outside and liked working with my hands. At night, I attended computer security classes at Coho Community College, and I ended up earning my Associate's degree in that field in 2020. A few weeks after that, I got a job at Dewing Security, a small company based in Coho City that installs and manages security systems across the state. After years of living paycheck-to-paycheck, things were finally looking up for me!

As a Dewing technician, I had a regular rotation of companies at which I'd perform periodic inspections. One of those companies was Cascade Community Bank, a small place with branches in both Dullsville and Randolph River. During my first few years as their security specialist, I got to know Lolo Baldwin, the bank's manager, reasonably well. I liked Lolo well enough, I suppose, but, in my opinion, Lolo is definitely a penny-pincher—and is willing to shade the truth if it can help Lolo make an extra buck. More than once, I've performed services or installed

1 upgrades at the bank that Lolo has verbally approved in advance. Then, when my office would
2 get the bill, Lolo would tell us that Lolo didn't approve those expenses and wouldn't be paying
3 for them, even though Lolo knew perfectly well that the bank owed us the money. Speaking of
4 which, I don't remember ever suggesting to Lolo that the bank install a new security system,
5 much less scheduling any such installation, but frankly I'm surprised Lolo would have agreed to
6 it, on account of Lolo's aversion to spending money. Regardless, scheduling the installation
7 sounds like something I might have done, I guess—I had regularly done it with other
8 customers—but I just don't recall ever doing it with Cascade County Bank.

10 Still, Lolo isn't all bad. Back in January of 2024, I had just finished up an inspection at the bank
11 and popped my head into Lolo's office. See, I had finally saved up enough money for a down
12 payment on a house; it had been my dream to own a home since I arrived in Cascade County,
13 and I had recently found this wonderful little property near the city park in Dullsville. It was
14 small, but it was (and is) my dream house! It has two bedrooms, a wonderful kitchen, and a
15 great deck that backs up to the baseball field. Even better, it's a short walk, like maybe ten
16 minutes, to my favorite coffee shop, Keira's Yogurt and Coffee. I go there just about every
17 morning to get my day going.

19 I needed a mortgage to finance what the down payment wouldn't cover, so I asked Lolo if the
20 bank would be able to help. When I popped the question, Lolo smiled and said, "Sure! Come
21 have a seat, and we'll see if we can figure something out." I gave Lolo my personal information,
22 and Lolo ran a credit check right then and there. I thought I saw Lolo frown for a moment, but
23 Lolo's face quickly brightened. "Look," Lolo said, "your credit isn't exactly stellar, and so this
24 isn't something we'd normally do, but for you, we'll make an exception." Lolo concluded with a
25 wink and a grin: "Just don't make me look bad." I signed the paperwork the next day, and before
26 I knew it, I was living in my dream home. I had never been happier! Finally, I felt like I had
27 made something of myself, and I was living my American dream, you know?

29 Things went fine for a while. The money I was earning from Dewing was good, and I made my
30 monthly payments each month on time and in full. In late 2024, I even started a DIY
31 construction project to expand my back deck. In January, though, I got blindsided. Just after the

1 new year, my boss Amy Jamieson called me into her office and delivered what turned out to be
2 horrible, shocking news: Dewing Security was firing me, effective immediately. I couldn't
3 believe it! "Wh... I... Why?" I stammered "We've received a report that you've been
4 embezzling money from us," Amy replied coldly. "We're just going to let it go but suffice to say
5 this isn't going to work out any longer. Please go and collect your things from your cube." Still
6 in shock, I stumbled out of Amy's office. What she was telling me was absolutely, positively
7 untrue. I had never stolen anything from anybody, and, to this day, I have no idea why I was let
8 go. As I trudged into the parking lot with my things, I felt tears welling up in my eyes. My mind
9 wandered pretty quickly to my house, and to my mortgage. What was I going to do?

10
11 I had spent most of my savings on the materials I needed for my new deck, and, if I still wanted
12 to eat and pay the utility bills, I had enough money left for one month's mortgage payment. I
13 paid the February payment, but come March, I just couldn't scrape enough together. I was trying
14 as hard as I could to get a new job, but since I obviously wasn't going to get a reference from
15 Dewing, my options were limited. March, April, and May passed, and I didn't make my
16 payments. In retrospect, I wish I had reached out to the bank to talk things through—Lolo had
17 been so kind to me, I now feel like maybe I owed Lolo that—but I was just too embarrassed to
18 pick up the phone. Plus, in May, the phone company disconnected my landline for non-payment
19 of my monthly fees, which is the only number I had given to the bank. I still had a Google
20 "Android" cellphone, so I didn't think it was a big deal to lose the landline. You can't get by
21 these days without a cellphone, and I take it everywhere with me. But I don't pay too much
22 attention to it or the settings on it. I know "big data" and the government can track me regardless
23 of what I do, so I don't worry too much about it.

24
25 Sometime toward the end of May, I heard a knock on my door, and when I answered, it was
26 Lolo. Lolo asked if everything was okay, in response to which I explained that I had lost my job
27 and was going through a bit of a hard time. Lolo asked if I'd be able to resume payments soon,
28 and I said I'd do my best. Lolo smiled and said, "Look, Bronnie, this can't go on forever, but
29 we're going to find a way to figure this out. Just don't worry." Lolo definitely didn't say
30 anything about a July 1st deadline. Following Lolo's visit, I remember feeling reassured in a way
31 I hadn't in months; I was having a tough time, but Lolo and the bank were looking out for me.

1 That was the last I heard from Lolo until I was arrested. I definitely didn't see the letter shown in
2 Exhibit 4 until the state produced it in discovery in this case, and I wasn't aware that the bank
3 was going to begin foreclosure proceedings on August 8th if I didn't pay. After all, Lolo had
4 made it sound like the bank was going to take care of me. Maybe the letter was in my mailbox,
5 but I don't check my mail that often—I try to do everything electronically—and I'm positive I
6 didn't see it until sometime in November or December.

7
8 Still, by August, I was starting to feel worse and worse about my mortgage situation. Lolo had
9 shown me good faith, and I wanted somehow to return the favor. I tried to go and talk to Lolo on
10 the morning of the 4th, but it wasn't until I got to the bank that I realized it was not open yet. I
11 didn't like it, but eventually, I knew what I had to do: I would sell my car and get current on my
12 mortgage payments, even if I still didn't know how I was going to make the rest of them. I had
13 held off on selling the car because I really needed a way to get around—I live in what's known
14 as a "food desert," and it's a three-and-a-half-mile hike from my front door to the nearest grocery
15 store (thanks a lot, Amazon!)—but I figured I was out of options. I put an ad on Craigslist on
16 around noon of August 4th, and within an hour I had a buyer. The car wasn't anything special—
17 it's an old, 2003 Lincoln Town Car—but I was able to get \$5,000 for it, which is about double
18 the bluebook value. (The car, by the way, was dark blue, not light blue.) I don't remember the
19 name or anything else about the person who came and bought it, other than that he paid cash,
20 small bills which was definitely annoying, and said he was a collector. I signed some release he
21 had and he said he would have the car retitled, that is why I still had my title – I didn't think it
22 was a big deal, he sounded like he knew what he was doing.

23
24 I was feeling pretty good at that point, so, later that day, I decided to head up to Chalmer's
25 Casino near Rowe to see whether I could turn my five grand into a little more. I've been playing
26 poker since my high school, and, at risk of sounding like I'm bragging, I'm really good. Since I
27 didn't have my car anymore, I took a bus up there and arrived around 4:30. I remember chatting
28 with Pat Hurst in the cage before I hit the floor, and I told Pat that I had just sold my car. I wasn't
29 going to risk all my money, so I only decided to play with \$2,000. That's way more than I
30 usually would play with—I usually limit myself to a few hundred bucks at the most—but, like I
31 said, I was feeling good. I had a great night and came away with something like three or four

1 grand. I gave Pat my chips and asked for my money back in cash. (I was thinking about opening
2 a new bank account and wanted to be able to make a cash deposit for that purpose.) I then took a
3 bus home. Other than Pat, the poker dealer and the guy who bought my car, I didn't see or talk
4 with anyone else that day.

5
6 I had been planning on making my mortgage payment the next day but given how well I had
7 done at the casino, I was wondering whether I could make even more money at the poker table
8 before doing so. Sure, it was a dumb idea, but hindsight's 20-20, you know? The next day, I sat
9 around the house and worked a bit on the deck—I didn't see or talk to anyone all day—and the
10 next day, August 6th, I decided to take a late morning bus back up to Chalmer's Casino. I got
11 there right when they opened at noon. That was a little unusual for me, but I was unemployed, so
12 it's not like I had anything else to do. I followed the same routine as before; I played about
13 \$2,000, did relatively well, and a few hours later decided to cash it in at about \$3,000. I don't
14 remember what I talked about with Pat when I was trading in my chips, other than mentioning
15 something about needing to pay back the bank and asking that Pat issue me a check for
16 \$5,212.14 that I could give to the bank. (That was the amount due on my mortgage, which I had
17 seen on my most recent mortgage statement.) I gave Pat the extra cash that would go into the
18 check, got it printed, and left the casino at about 3:30 p.m. and headed home.

19
20 The next day, I walked down to the bank's Dullsville branch and gave Lolo the check, which is
21 shown in Exhibit 2. Lolo seemed really happy and asked how I came up with the money; I
22 mentioned something about the casino. I didn't think anything of it, other than feeling good
23 about getting current on my payments. After all, why would I?

24
25 That afternoon, though, I received yet another shock: a Cascade County Sheriff's Detective
26 whom I now know to be Elliot Kress showed up at my door and started asking me a bunch of
27 really aggressive questions. I don't remember all the details, but I do remember the detective
28 asking about a stolen car that sounded like the one I had just sold. I told the detective that I had
29 just sold a *dark* blue car, not a light blue one, but the detective didn't seem to care. I told the
30 detective that I sold it to some guy on Craigslist and that I didn't know exactly who he was, and
31 that I had been at home alone on both Monday and Wednesday mornings. The detective was

1 making me really uncomfortable, so at that point, I said, “Look, I really need to get going. Can
2 you tell me what’s going on?” “Not yet,” said the detective, “but you’ll find out.” That irritated
3 me; I shut the door in the detective’s face.

4
5 Next thing I know, I’m in handcuffs. I know some of the facts look bad but let me say in no
6 uncertain terms that I had nothing to do with the two robberies, which I read about in the
7 newspaper. I just hope I can clear my name.

8
9 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
10 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
11 should contain all relevant testimony, and I followed those instructions. I also understand that I
12 can and must update this affidavit if anything new occurs to me until the moment before I testify
13 in this case.

Bronnie Parker

Bronnie Parker

Dated: September 12, 2025

Subscribed and sworn before me on September 12, 2025.

Roberta Bost

Roberta Bost

AFFIDAVIT OF PAT HURST

I'm Pat Hurst. I'm 37 years old, and I live in Rowe, North Carolina. I've bounced around quite a bit over the years, I guess. I grew up in the San Francisco Bay Area. My parents were big, fancy businesspeople who owned a bunch of newspapers all around the country. That life really wasn't for me, though. Remember, when I graduated from Piedmont High School in 2006, things were really *happening* down there. My parents wanted me to follow them into the newspaper business, but the idea of leading such a starched, boring existence made me sick to my stomach. All around me, people were taking it to the streets, trying to throw off the cultural shackles that had bound them for generations, you know? It was totally exhilarating to me. I ended up running in a few different circles - mostly social clubs, a few bands, one or two secret societies, things like that. Anyway, it was a wild time.

Unfortunately for me, I ended up falling in with a particularly bad crowd when I was in my mid-20s. Through a friend of a friend of a friend, I ended up getting into an elaborate check-kiting scheme; we'd open small bank accounts, write one check for way more than we had in the account, write another check from another under-funded bank account to cover the first check, and so on. We ended up being pretty successful—over a couple of years, we accumulated something like \$10,000—but, of course, what we were doing was fraudulent. Uncle Sam ended up catching on, and in 2012, I was convicted following a trial of multiple counts of bank fraud. I served 5 years in prison and was released in 2017. That whole thing was a sobering experience, and I've been squeaky clean ever since. Still, to this day, I don't want to go near a bank if I can avoid it. I mean, was what we were doing *really* all that bad? The banks were federally insured, after all, so it wasn't like we were hurting anyone...

Anyway, after I got out, things were pretty tough. It is really hard for a recently convicted felon to find work, so I worked lots of odd jobs. I was a gardener, a delivery driver, a waiter... I can't even remember all the jobs I've had since I got out.

When COVID hit in 2020, I decided it was time to leave California, so I moved across country to Rowe from the Bay Area and told myself I needed to make a new start. That year, it turned out, was when Chalmer's Casino opened just outside of town. I started as a janitor that year. Since

1 then, I worked my way up to the casino's assistant floor manager. They asked on the application
2 whether I'd ever been convicted of any crimes, and this time, I decided I'd simply write "no." I'd
3 been honest about my conviction before, and the only thing it had gotten me was rejection letters.
4 I figured I'd take a chance and see if the casino would follow up on it. As far as I know, they
5 never did, and I got the job.

6
7 As the floor manager, I divide my time between the "cage" and the floor itself. The cage is the
8 area where customers come to exchange their money for chips, which they can then use to play
9 poker, blackjack, and many of our other games. It's a pretty routine job—the customer gives me
10 the money; I count it and then give them the chips—but someone's got to do it.

11
12 It was primarily in the cage that I met Bronnie, who's been a regular at the Casino since, I don't
13 know, maybe 2021? Since then, Bronnie has visited us about once a month. Bronnie has told me
14 before that Bronnie's game is poker—Texas Hold 'Em, to be precise—and from what I can tell,
15 Bronnie is a really good player. A number of times over the years, Bronnie has come to the cage
16 with only \$50 or \$100, and then come back at the end of the night with \$2,000 or \$3,000 in
17 chips. Of course, that doesn't happen every time; sometimes Bronnie more or less breaks even,
18 and sometimes Bronnie loses money, but overall, I'd say that Bronnie seems to win more money
19 than loses.

20
21 You want to know about August 4th? Yeah, I think I remember that. It was a busy night, and I
22 was alternating between the cage and the floor. At about 4:30 p.m.—which is earlier than
23 Bronnie usually comes in—Bronnie showed up at the cage with a wad of cash in a paper bag. It
24 was a lot more than Bronnie usually brings. "Wow," I said, "looks like someone just won the
25 lottery." Bronnie chuckled. "No, Pat," Bronnie replied, "I just sold one of my old cars and
26 wanted to try my luck." I definitely counted the money, but to be honest, I can't remember
27 exactly how much Bronnie gave me. (I count cash like that dozens of times every night I'm
28 working, and it all bleeds together pretty easily.) It could've been as little as \$2,000 and it
29 could've been as much as \$2,500, somewhere in between there. I do remember, though, that it
30 was mostly twenties and fifties that Bronnie gave me, along with a few fives. Bronnie seemed
31 relaxed for the whole interaction; if you had told me that Bronnie had just robbed a bank, I'd be

1 surprised. Bronnie was wearing blue jeans and a t-shirt. (I didn't see Bronnie's shoes.) There
2 were *plenty* of other people there on the floor that night wearing dark hoodies; after all, it's a
3 pretty good way to protect your poker face, but not Bronnie that night.

4
5 Bronnie grabbed the chips and headed straight to the poker table. I didn't see Bronnie again until
6 later in the evening, when Bronnie came back to cash in chips. I *do* remember counting those—
7 they're much easier to count than cold, hard cash. Bronnie's take-home added up to a little over
8 \$3,000. "Good going, my friend! Looks like you won some," I said absentmindedly. "Yeah,"
9 Bronnie replied, "it was a good night." Bronnie still seemed relaxed; the whole evening had been
10 perfectly ordinary, as far as I was concerned. "How do you want your money?" I asked. "Can
11 you do it in cash?" Bronnie asked. I counted out the money mostly in fifties and gave it to
12 Bronnie.

13
14 I saw Bronnie again on August 6th. I remember that day a little more clearly because Bronnie
15 came in at about 12:15 p.m., right after we opened. Bronnie was the first person up at the cage,
16 again with a paper bag full of cash. I was a bit taken aback, only because Bronnie had just been
17 in the previous Monday and, as far as I can remember, has never come in this early. "What
18 gives?" I asked. "Oh, it's my day off," Bronnie said with a shrug. "Thought I'd try my luck
19 again, seeing as how well I did last time." I counted the cash, but, again, I don't remember
20 exactly how much Bronnie gave me—only that it was somewhere between about \$4,000 and
21 \$5,000 and that it was mostly in twenties and fifties, with a few fives thrown in for good
22 measure. "You sell another car?" I asked while I was counting. "No," Bronnie said with a
23 chuckle, "this is just the rest of what I got for the first one." As on the 4th, there were a few
24 people who came in later in the afternoon wearing dark hoodies. From what I remember Bronnie
25 was dressed similarly to the previous visit, jeans, t-shirt, but this time Bronnie was also wearing
26 a hoodie, dark hoodie I believe.

27
28 Bronnie came back an hour or two later with Bronnie's chips, which I counted, and which
29 amounted to something just under \$5,000—I don't remember precisely. "How do you want it?" I
30 asked. Bronnie paused, and a sad look seemed to come over Bronnie's face. "Look," Bronnie
31 said, "I was kidding you, earlier. I actually lost my job a while ago, and I'm behind on my

1 mortgage. The car was the last thing I had, so I really need to pay the bank. If I give you the rest
2 in cash, can you make out a check to Cascade Community Bank for \$5,212.14?” “Sure,” I said.
3 Bronnie gave me the rest—mostly in what looked like the same fifties I had given Bronnie on
4 Monday—and I made out the check. “Thanks, Pat,” said Bronnie plaintively. “You’re a real
5 friend.” As on Monday, Bronnie seemed relaxed for our entire interaction.

6
7 I later read about the bank robberies in the Coho Chronicle, but if you ask me, I don’t think
8 Bronnie is the one who did them. Bronnie seemed totally calm on both nights; I mean, how
9 would you be if you had just robbed a bank? If anybody’s robbing anybody, it’s the bankers
10 themselves.

11
12 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
13 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
14 should contain all relevant testimony, and I followed those instructions. I also understand that I
15 can and must update this affidavit if anything new occurs to me until the moment before I testify
16 in this case.

Pat Hurst

Pat Hurst

Dated: September 11, 2025

Subscribed and sworn before me on September 11, 2025.

Roberta Bost

Roberta Bost

AFFIDAVIT OF DOLRAY MAPP

My name is Dolray Mapp. I live in Coho City. I'm 33 years old, and I work as a private investigator. I was hired by Bronnie Parker's defense team to conduct an investigation into the bank robberies that took place on August 4th and August 6th. In my opinion, given the shoddy work by the Cascade County Sheriff's Office (the "CCSO"), I'm really the first person to meaningfully investigate these robberies.

I grew up in Coho City and attended the University of North Carolina, where I studied criminal justice. When I graduated in 2014, tech companies were hiring everyone they could. You didn't even need a background in computer science to get a good-paying job at one! So, I started my career as a designer at Urban Engines in 2015. It was really exciting being at the forefront of computer mapping and navigation, but I didn't work on any code or anything. I mostly worked on the look and "feel" of the site. We were all thrilled the next year when Google bought us out, but the good times didn't last, and I was let go 2017. It was tough at first, but I realized that my termination had been a blessing in disguise when I found my true calling — being an investigator for criminal defense lawyers. I opened my own investigative agency in 2019, and I've worked there ever since.

Over the years, I've taken a number of continuing education courses at Coho Community College on GPS and location technology, which comes up in my work more often than you might realize. I also have a certification in GPS and location technology from the Defense Institute of Continuing Education, which I obtained in 2020. I've worked on dozens of cases and have previously testified as an expert witness in both state and federal court on GPS and location technology (among many other subjects). I've always testified for the defense. Maybe I just like rooting for the little guy, you know?

Bronnie Parker's attorneys showed me the affidavit of Allie Pinkerton, who I understand to be a computer forensic specialist with the CCSO and asked me to comment on Allie's conclusions. I cannot question Allie Pinkerton's general mode of analysis, but I don't agree with the ultimate conclusion that the robber's car must have exited the freeway at Zell Avenue. Now, to be fair, I haven't actually been to the location where the tracking device was found, but it just seems odd

1 to me that you could make any conclusion as to whether the device was thrown from the
2 freeway or dropped out of the window on the exit ramp; in my experience with GPS technology
3 and based on the readings that Allie describes in Allie's affidavit, either scenario is equally
4 possible. Allie's conclusion is definitely not one that I think is based on any kind of peer
5 reviewed analysis or scientific method. No offense to Allie, but, in my opinion, Allie's
6 conclusion is nothing more than conjecture.

7
8 The way I see it, because the tracking data on which the government relied doesn't tell us very
9 much—including, most importantly where Bronnie was at the time of the robberies—I decided
10 that I needed more information. So, I asked if Bronnie had a cellphone. Bronnie provided an
11 Android device, which is great. See, anyone with an Android device is automatically connected
12 to a Google account. So, depending upon the privacy settings you have setup on your phone,
13 Google can and will collect location information on your device anytime you access a Google
14 service. Heck, sometimes it will collect location information even if you're not explicitly using a
15 Google App, like it will collect that information in the background of your device. (By the way,
16 this doesn't apply just to phones with the Android operating system. If you have an Apple device
17 on which you've installed a Google app, Google can collect your location information in that
18 way, too.) What's the upshot of all that? Well, if you know where to look, a savvy investigator
19 can use location data from Google to "break a case wide open," as they say. I remember one case
20 years ago in which I used location data not only to prove that my client was not guilty, but also
21 to help the police find and arrest the true culprit. Now that's what I call a win-win!

22
23 When it comes to location data, though, it's important to know that the technology is generally
24 very reliable but not foolproof. The location data we get from Google tells us only that the
25 user's device sent information to Google at a particular time and from a particular location—but
26 not that the device's user *actually* was present at that location at that time. "Virtual private
27 networks," for example, can mask a user's real location by hiding the user's real IP address
28 (from which a user's location is sometimes determined). That said, Bronnie had no such software
29 installed on Bronnie's phone, which I inspected.

1 Now, I understand that Allie Pinkerton sent a search warrant to Google directing it to provide
2 information on any Google accounts associated with devices that, according to any saved
3 location data, were present at the times and locations of *both* robberies. I must applaud Allie
4 Pinkerton on the narrowness of the request; some investigators would have sought information
5 concerning devices present at *either* robbery, which would lead to the collection of a huge
6 number of innocent people's location information. As Allie testified in Allie's affidavit, they got
7 no results in response to that request. That, I think, is an indication that Bronnie is not the robber,
8 because Bronnie told me that Bronnie always carries Bronnie's phone. But I didn't want to stop
9 there; I wanted to see if I could prove Bronnie was somewhere else at the time of the robberies.

10
11 I decided to go straight to the source: I wanted to see if Google could tell us where Bronnie
12 Parker actually *was* at the time of the robberies. Bronnie told me that Bronnie's email address
13 was "br0nni3@gmail.com," and that Bronnie's password was "ButchCassidy1908." I was a bit
14 puzzled by this and asked Bronnie why, but Bronnie just laughed and said, "I guess I'm just a
15 movie buff. I change my password all the time for security reasons, so it's only been that for a
16 day or so."

17
18 Anyway, using that information, I accessed Bronnie's Google account. Because of a couple of
19 new data protection laws, Google now is required to allow users to access and download all their
20 personal information. I downloaded the data and reviewed Bronnie's location information from
21 the mornings of August 3, 4, 6 and 7, 2025. (I included a day before the first robbery and a day
22 after the second robbery just for context.) I then filtered the data such that it included only
23 information related to the immediate surroundings (a few blocks) of the two robbery locations.
24 There was a lot of other location data showing Bronnie elsewhere, like at Chalmer's Casino, but
25 I didn't bother analyzing any of that information because I didn't think it was important. I was
26 just focused on any location data near the robberies around the time of the robberies. That
27 information provided sufficient facts and data for me to form an opinion concerning Bronnie's
28 whereabouts around the time of each robbery. My evaluation in that regard was based on reliable
29 principles and methods applicable to virtually all types of location data analysis, all of which I
30 have applied reliably in this case.

1 I began by considering the Randolph River robbery. That part of my analysis was
2 straightforward: none of the location data I reviewed showed Bronnie near Cascade Community
3 Bank's Randolph River branch around the time of the robbery on August 6th. In fact, none of
4 the data suggested that Bronnie had been anywhere in Randolph River on any of the four days I
5 examined.

6
7 The Dullsville Robbery was a slightly different story, although in the end it showed the same
8 thing: I examined the data, and lo and behold, none of it showed Bronnie at the site of the
9 robbery in Dullsville on August 4th, either. There was, however, location data showing Bronnie
10 in other parts of the Dullsville area on each of the four days I considered. I plotted those points
11 on a map, which is shown in Exhibit 5.

12
13 Now, by itself, does this data prove beyond all doubt that Bronnie wasn't the robber? No. It's
14 theoretically possible that Bronnie could have turned off Bronnie's phone or the phone's
15 "location services" function; it's also possible that Bronnie simply did not connect to any Google
16 services at the time of the robberies. In any of those cases, Bronnie's location data wouldn't track
17 Bronnie's actual movements. But, in my opinion, the location data we have makes it unlikely
18 that Bronnie is the robber. First, Google tracked Bronnie's location when Bronnie was at the
19 Dullsville branch on August 4th and 7th, and also tracked certain of Bronnie's other movements,
20 so I can say with certainty that Bronnie does allow location tracking, at least sometimes, on
21 Bronnie's device. Further, I know that Google makes it very, very difficult to manage your
22 privacy settings, especially when it comes to third-party apps. I have read many peer reviewed
23 studies showing that, over the years, Google can continue to track your location even if you think
24 you have turned off certain location settings. On top of all that, I just don't think Bronnie ever
25 would have turned off Bronnie's phone. I guess I can't really say why Bronnie would have had
26 Bronnie's phone on at all times, but it's just my hunch, having talked to Bronnie a few times.

27
28 I'm so confident in my opinion that I was hoping to resolve this case short of trial. To that end, I
29 presented the evidence discussed above, as well as Exhibit 5, to Detective Kress, but Detective
30 Kress just blew me off. "Look Dolray," Detective Kress grumbled, "I don't need your help in my
31 investigation. I've been doing this a long time, and I know a criminal when I see one." I was

1 bothered by that statement, and it only confirmed my suspicion that Detective Kress's
2 investigation was troubled from the start.

3

4 I hereby attest to having read the above statement and swear or affirm it to be my own. I also
5 swear or affirm to the truthfulness of its content. Before giving this statement, I was told it
6 should contain all relevant testimony, and I followed those instructions. I also understand that I
7 can and must update this affidavit if anything new occurs to me until the moment before I testify
8 in this case.

Dolray Mapp

Dolray Mapp

Dated: September 25, 2025

Subscribed and sworn before me on September 25, 2025.

Roberta Bost

Roberta Bost

EXHIBIT 1 – BANK GPS LOCATOR

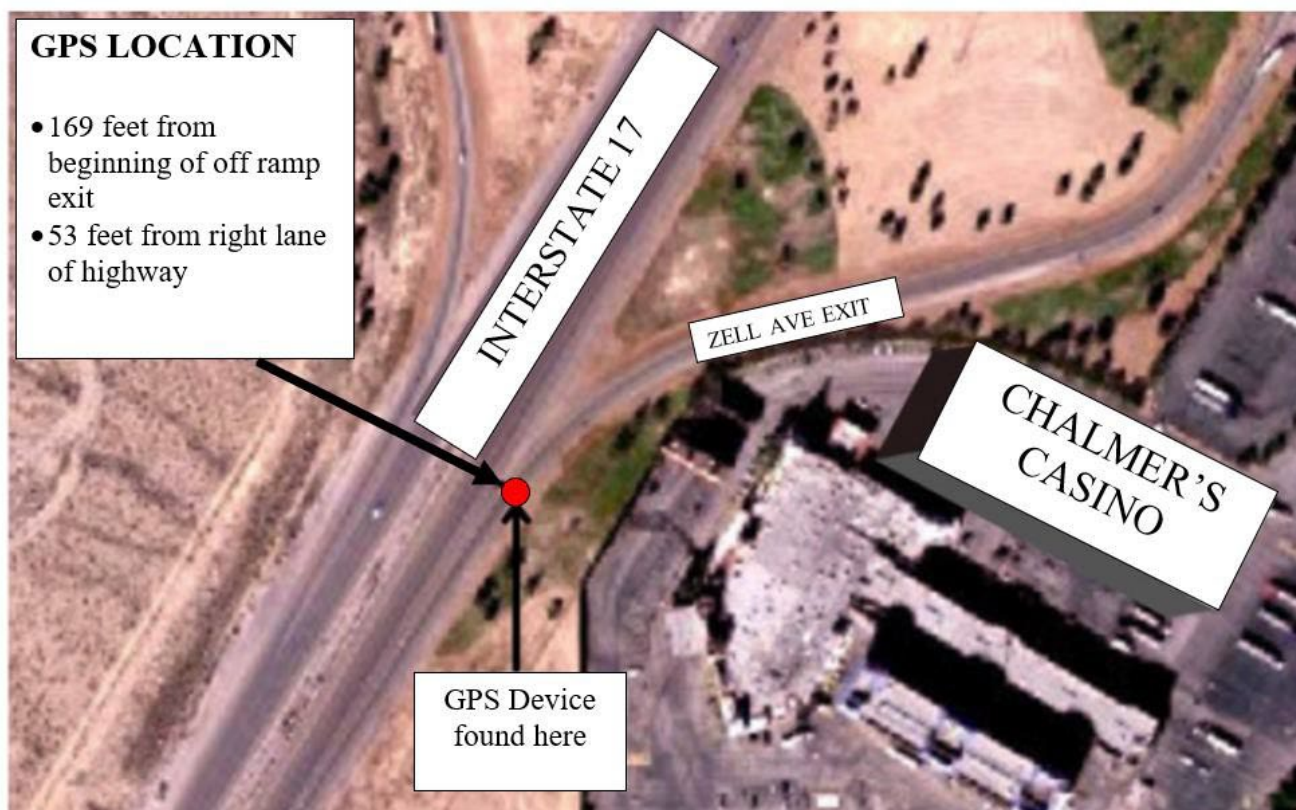


EXHIBIT 2 – CASHIER’S CHECK FOR PARKER’S MORTGAGE


CHALMERS CASINO, LLC 400 Zell Avenue Rowe, NC 28601		Cashier's Check 0008675309 Account 000131567412	
		<u>August 6, 2025</u> Date	
Pay to the Order of	Cascade Community Bank	\$	\$5,212.14
<u>Five Thousand Two Hundred Twelve and 14/100</u>		Dollars	
Cascade Community Bank, NA FDIC Insured		Security Details On Back	
<u>MEMO Parker Mortgage</u>		<u>Pat Hurst</u>	

EXHIBIT 3 – PARKER CAR TITLE

MVR 191 (Rev 1/13)

STATE OF NORTH CAROLINA

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER 1D7HU18E33J4657	YEAR MODEL 2003	MAKE Lincoln	BODY STYLE Town Car - Sedan
TITLE NUMBER 7777109163	TITLE ISSUE DATE 1/13/2022		PREVIOUS TITLE NUMBER

MAIL TO

OWNER(S) NAME AND ADDRESS

**Bronnie Parker
26 Piper Lane
Dullsville, NC 28601**

SHIPPING WEIGHT
5005

ODOMETER READING

ODOMETER STATUS

TITLE BRANDS

The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

Kelly J. Thomas
COMMISSIONER OF MOTOR VEHICLES

FIRST LIENHOLDER:	DATE OF LIEN	LIEN RELEASED BY: SIGNATURE	TITLE	DATE
SECOND LIENHOLDER:	DATE OF LIEN	LIEN RELEASED BY: SIGNATURE	TITLE	DATE
THIRD LIENHOLDER:	DATE OF LIEN	LIEN RELEASED BY: SIGNATURE	TITLE	DATE
FOURTH LIENHOLDER:	DATE OF LIEN	LIEN RELEASED BY: SIGNATURE	TITLE	DATE

ADDITIONAL LIENS:

98464799
014 TIC0143

ANY ALTERATIONS OR ERASURES VOID TITLE

EXHIBIT 4 – BANK LETTER TO PARKER ABOUT MORTGAGE



Dullsville Branch
1721 Harrington Ave
Dullsville, NC 28601

Randolph River Branch
880 Atwood St
Randolph River, NC 28509

July 26, 2025

Bronnie Parker
26 Piper Lane
Dullsville, NC 28601

RE – Mortgage Default

Dr. Bronnie Parker:

I write regarding your mortgage with Cascade Community Bank. As we have discussed, you have not made a payment since February of 2025. Your current outstanding balance, including all applicable interest and late fees, is \$5,212.14.

Regrettably, if we do not receive payment in full by the end of business Friday, August 8, 2025, we will have no choice but to initiate foreclosure proceedings.

If we can be of any assistance in helping you pay down this balance or establishing a payment plan to get current, please let us know as soon as possible. On behalf of all of us at Cascade Community Bank, we thank you for your business and wish you all the best.

Sincerely,

Lolo Baldwin

Lolo Baldwin
Manager, Cascade Community Bank

EXHIBIT 5 – AREA MAP

PARKER’S GOOGLE LOCATION DATA

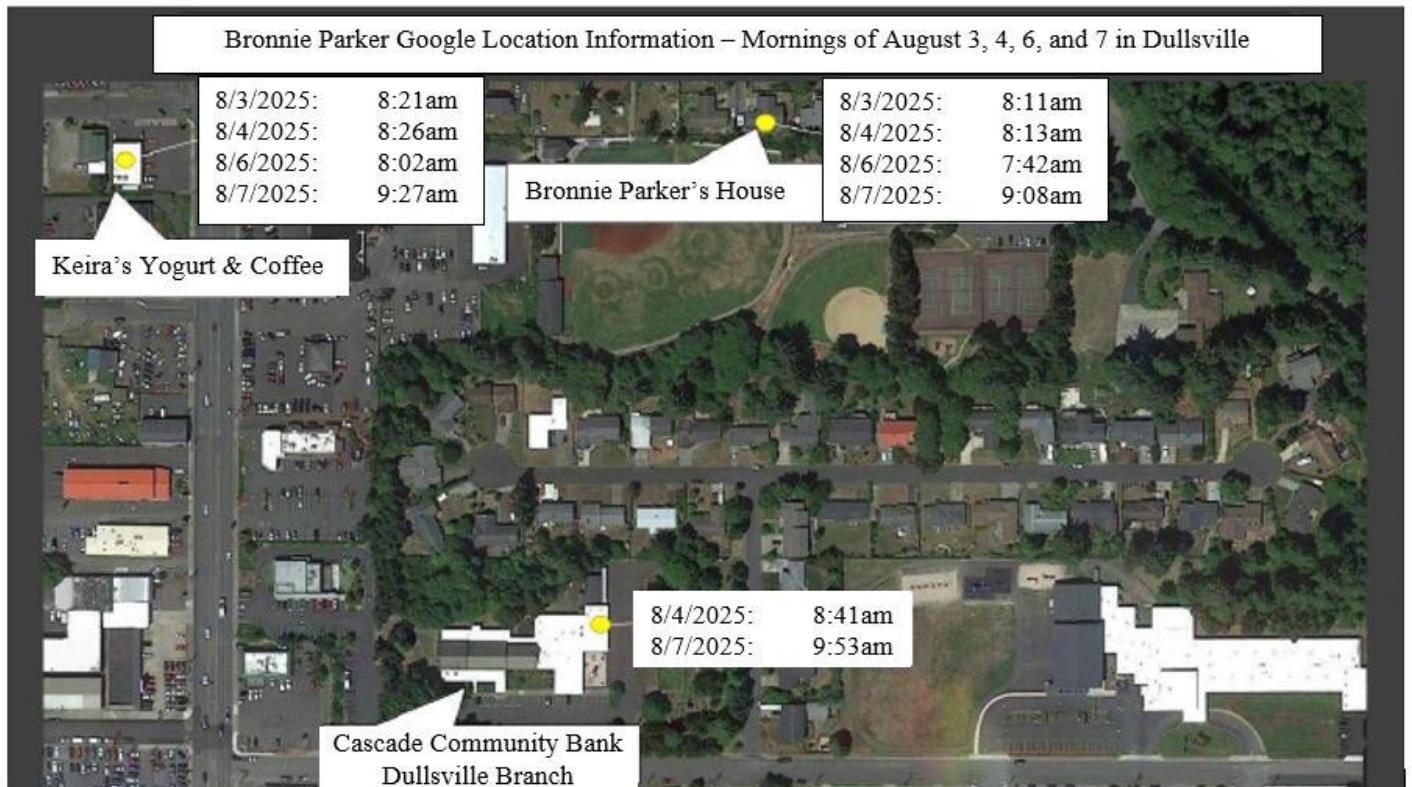


EXHIBIT 6 – NOTE FROM ROBBERY ON AUGUST 4

Put Everything
Behind the Counter
in the Bag

SIMPLIFIED RULES OF EVIDENCE AND PROCEDURE

Simplified Rules of Evidence are provided for informational purposes and may be used at the discretion of the teacher and/or coach. They are provided as an outline for the trial process but should not complicate the instructional process.

In American courts, elaborate rules are used to regulate the kind of proof (i.e., spoken testimony by witnesses or physical evidence) that can be used in trials. These rules are designed to ensure that both parties receive a fair hearing. Under the rules, any testimony or physical objects deemed irrelevant, incompetent, untrustworthy, or unduly prejudicial may be kept out of the trial.

If it appears that a rule of evidence is being violated, an attorney may raise an objection to the judge. Usually, the attorney stands and says, "I object, your honor," and then gives the reason for the objection. Sometimes the attorney whose questions or actions are being objected to will then explain why he or she thinks the rule was not violated. The judge then decides whether the rule has been violated and whether the testimony or physical items must be excluded from the trial.

Official rules of evidence are quite complicated. They also differ depending on the kind of court where the trial occurs. For purposes of this mock trial competition, the rules of evidence you will use have been made less complicated than those used in actual courts. The ideas behind these simplified rules are similar to actual rules of evidence.

A. Direct Witness Examination / Questioning

1. Direct Examination - Attorneys call and question their own witnesses using direct as opposed to leading questions. For example, Elyse Roberts is called by her attorney to explain the events leading up to her filing suit against Potomac County.

- "Ms. Roberts, where do you work?"
- How long have you worked there?
- Please describe your working relationship with Mr. Kevin Murphy during the first month of employment.
- Why did you meet with your supervisor, Fran Troy?
- What, if any, advice did you seek from a therapist during this time?"

Questions such as the above do not suggest the answer. Instead, they introduce a witness to a particular area of importance, leaving the witness free to relate the facts, typically one fact per question. Obviously, the witness will have been prepared to answer such

questions in a particular way. But the question by its terms does not "lead" to the answer.

a. Leading Questions

A leading question is one that suggests the answer. It does not simply call the witness' attention to a subject. Rather, it indicates or tells the witness what the answer should be about that subject. Leading questions are not permitted on direct examination, but questions on cross-examination should be leading.

- "Mrs. Roberts, despite repeated invitations, you chose not to participate in office social functions, correct?"
- "Isn't it true, that due to all the stress from work you decided to go to a therapist?"

These questions are obviously in contrast to the direct examination questions in the preceding section. Leading questions suggest the answer to the witness. This is not proper for direct examination when a party is questioning its own witness.

To object to leading on direct / re-direct examination, opposing counsel would stand and say "Objection Your Honor, opposing Counsel is leading the witness / leading question."

b. Narrative

While the purpose of direct examination is to get the witness to tell a story, the questions must ask for specific information. The questions must not be so broad that the witness is allowed to wander or "narrate" a whole story. At times, the witness' answer to a direct question may go beyond the facts asked for by the question asked. Narrative questions and answers that become narrative are objectionable.

- "Ms. Roberts, please tell the court about the events that contributed to your decision to sue the county."
- "It all began the night I found out that it was the county that was dumping on my land. At first I thought it was my neighbors, but they denied having any part in the dumping. I decided to watch my vacant lot and see if I could catch the person responsible. I drove down to my lot the night of the 13th and parked in a place where I could see the lot but no one could see me..."

To object, opposing counsel would stand and say, "Objection Your Honor, Counsel's question asks for a narrative. Objection Your Honor, the witness's answer has launched into a narrative."

c. Scope of Witness Examination

Direct examination may only cover facts relevant to the case of which the witness has first-

hand knowledge. This would include all of their witness statement as well as parts of the fact situation, and potentially exhibits. Attempts to elicit facts and testimony from a witness outside of their first-hand knowledge is objectionable.

To object to a question asking for information outside the witness's knowledge, "Objection Your Honor, lack of personal knowledge."

Should a witness testify outside their known fact pattern, opposing Counsel should attempt to Impeach the witness. (see 2.b.)

d. Character

For the purpose of this mock trial, evidence about the character of a party may not be introduced unless the person's character is an issue in the case. There are two methods of proving character:

1. Reputation: When evidence of the character of a person or of a trait of his/her character is admissible, proof may be made by testimony about his/her reputation.
2. Specific Instances of Conduct: When character or a trait of character of a person is an essential element of a charge, claim, or defense, proof may be made of specific instances of his/her conduct.

e. Refreshing Recollection

When a witness uses a writing or other item to refresh his/her memory while testifying, an adverse party is entitled to have such writing or other item produced at the hearing to inspect it, to cross-examine the witness thereon, and to introduce it, or in the case of writing, to introduce those portions which relate to the testimony of the witness, in evidence.

2. Cross Examination (questioning the opposing side's witnesses)

Cross-examination should involve leading questions. In fact, it is customary to present a witness with a proposition and ask the witness to either agree or disagree. Thus, good cross-examination calls only for a yes or no answer.

- "Mr. Roberts, in direct examination you testified that litigation was very stressful for you, correct?"
- In fact you were so stressed that you did work at home or called in sick. Isn't this true?"
- "As an assistant district attorney, you knew that trying only three cases while settling 75 cases was not a job performance your supervisor would rate highly, didn't you?"
- "Thus given the stress you felt, your poor attendance at work and poor job performance, it was not unusual for your supervisor to transfer you to another Bureau, was it?"

Leading questions are permissible on cross-examination. Questions tending to evoke a narrative answer should be avoided.

a. Scope of Witness Examination

Cross-examination is not limited. Attorneys may ask questions of a particular witness that relate to matters brought out by the opposing side on direct examination of that witness, matters relating to the credibility of the witness, and additional matters otherwise admissible, that were not covered on direct examination. Attempts to elicit facts and testimony from a witness outside of their first-hand knowledge is objectionable.

To object to a question asking for information outside the witness's knowledge, "Objection Your Honor, lack of personal knowledge."

Should a witness testify outside their known fact pattern, opposing Counsel should attempt to Impeach the witness. (see 2.b.)

b. Impeachment

On cross-examination, the attorney may want to show the court that the witness should not be believed. A witness' credibility may be impeached by showing evidence of the witness' character and conduct, prior convictions, and prior inconsistent statements. If the witness testifies differently from the information in their sworn affidavit, it may then be necessary to "impeach" the witness. That is, the attorney will want to show that the witness previously said something that contradicts the testimony on the stand.

i. Impeachment Procedure

Impeachment may be done by comparing what a witness says on the witness stand at trial to what is contained in the witness' affidavit. By pointing out the differences between what a witness now says and what the witness' affidavit says, the attorney shows that the witness has contradicted himself or herself.

ii. Who May Impeach?

Any party, including the party calling the witness, may attack the credibility of a witness by:

1. Introducing statements of the witness which are inconsistent with his/her present testimony;
2. Showing that the witness is biased;
3. Attacking the character of the witness in accordance with the state mock trial competition rules of evidence and procedure;

4. Showing a defect of capacity, ability, or opportunity in the witness to observe, remember, or recount the matters about which he/she testified; and
5. Proof by other witnesses that material facts are not as testified to by the witness being impeached.

iii. Conviction of Certain Crimes as Impeachment

A party may attack the credibility of any witness, including an accused, by evidence that the witness has been convicted of a crime if the crime was punishable by death or imprisonment in excess of 1 year under the law under which he was convicted, or if the crime involved dishonesty or a false statement regardless of the punishment, with the following exceptions:

1. Evidence of any such conviction is inadmissible in a civil trial if it is so remote in time as to have no bearing on the present character of the witness.
2. Evidence of juvenile adjudications is inadmissible under this subsection.

iv. Prior Statements of Witness

1. When witness is examined concerning his prior written statement or concerning an oral statement that has been reduced to writing, the court, on motion of the adverse party, shall order the statement to be shown to the witness or its contents disclosed to him.
2. Extrinsic evidence of a prior inconsistent statement by a witness is inadmissible unless the witness is first afforded an opportunity to explain or deny the prior statement and the opposing party is afforded an opportunity to interrogate him on it, or the interests of justice otherwise require. If a witness denies making or does not distinctly admit that he has made the prior inconsistent statement, extrinsic evidence of such statement is admissible. This subsection is not applicable to admissions of a party-opponent.
3. Re-direct and re-cross examination/questioning. If the credibility or reputation for truthfulness of the witness has been attacked on cross-examination, the attorney whose witness has been damaged may wish to ask several more questions. These questions should be limited to the damage the attorney thinks has been done and should be phrased so as to try to "save" the witness' truth-telling image in the eyes of the court. Re-direct examination is limited to issues raised by the attorney on cross-examination. Re-cross examinations follows re-direct examination but is limited to the issues raised on re-direct only and should avoid repetition. The presiding judge may exercise reasonable control over questioning so as to make questioning effective to ascertain truth, avoid needless waste of

time, and protect witnesses from harassment.

B. Objections

An attorney can object any time the opposing attorneys have violated the rules of evidence. The attorney wishing to object should stand up and do so at the time of the violation. When an objection is made, the judge may ask the reason for it. Then the judge may turn to the attorney whose question or action is being objected to, and that attorney usually will have a chance to explain why the judge should not accept the objection. The judge will then decide whether a question or answer must be discarded because it has violated a rule of evidence or whether to allow the question or answer to be considered as evidence. The legal term “objection sustained” means that the judge agrees with the objection and excludes the testimony or item objected to. The legal term “objection overruled” means that the judge disagrees with the objection and allows the testimony or item to be considered as evidence.

1. Standard Objections on Direct and Cross Examination

1. *Irrelevant Evidence / Testimony*: “I object, Your Honor. This testimony is irrelevant to the facts of this case.”
2. *Leading Questions*: “Objection. Counsel is leading the witness.” Remember, this is only objectionable when done on direct examination (Ref. Section A1.a).
3. *Narrative Questions and Answers*: may be objectionable (Ref. Section A1.b).
4. *Improper Character Testimony*: “Objection. The witness’ character or reputation has not been put in issue or “Objection. Only the witness’ reputation/character for truthfulness is at issue here.”
5. *Hearsay*: “Objection. Counsel’s question / the witness’ answer is hearsay.” If the witness makes a hearsay statement, the attorney should also say, “and I ask that the statement be stricken from the record.”
6. *Opinion*: “Objection. Counsel is asking the witness to give an opinion.” (Non-expert witnesses cannot give opinions and experts can only give opinions on matters within their area of expertise.)
7. *Lack of Personal Knowledge*: “Objection. The witness has no personal knowledge that would enable him/her to answer this question.”
8. *Lack of Foundation*: Prior to eliciting testimony and evidence, attorneys must have the witness explain “how” they have such knowledge. For example, that they were at a particular location at a specific time. Exhibits will not be admitted into evidence until they have been identified and shown to be authentic (unless identification and/or authenticity have been stipulated). Even after a foundation has been laid, the exhibits may still be

objectionable due to relevance, hearsay, etc.

9. *Ambiguous Questions*: An attorney shall not ask questions that are capable of being understood in two or more possible ways.
10. *Non-responsive Answer*: A witness' answer is objectionable if it fails to respond to the question asked.
11. *Argumentative Question*: An attorney shall not ask a question which asks the witness to agree to a conclusion drawn by the questioner without eliciting testimony as to new facts. However, the Court may, in its discretion, allow limited use of argumentative questions on cross-examination.
12. *Unfair Extrapolation/Beyond the Scope of the Statement of Facts*

Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation. Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial. A fair extrapolation is one that is neutral.

Note: Fair extrapolations may be allowed, provided reasonable inference may be made from the witness's statement. If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to objection Outside the Scope of the Problem. If in CROSS examination, an attorney asks for unknown information, the witness may or may not respond, so long as any response is consistent with the witness' statement or affidavit and does not materially affect the witness' testimony.

13. *Asked and Answered*: During Direct Examination, a question attempting to elicit a fact may only be asked once. Additionally, if a question asking for testimony was asked in Direct Examination, it cannot be asked again during Re-Direct. There is no objection for "asked and answered" on Cross Examination, although repeated attempts to get the same answer could be considered Argumentative or Badgering. "Objection. Your honor, the question has already been asked and answered."
14. *Compound Question*: A question that asks for two separate facts. "What time did you leave and what time did you arrive?" "Objection, Your Honor, compound question."
15. *Objections Not Recognized in This Jurisdiction*: An objection which is not contained in these materials shall not be considered by the Court. However, if counsel responding to the objection does not point out to the judge the application of this rule, the Court may exercise its discretion in considering such objection.

Note: Attorneys should stand during arguments on objections and opening/closing statements. No objections should be made during opening/closing statements but

afterwards the attorneys may indicate what the objection would have been. The opposing counsel should raise his/her hand to be recognized by the judge and may say, "If I had been permitted to object during closing arguments, I would have objected to the opposing team's statement that ." The presiding judge will not rule on this objection individually and no rebuttal from the opposing team will be heard.

16. *Opinion Testimony*

A. Expert Opinion

1. Testimony by Experts - If scientific, technical, or other specialized knowledge will assist the trier of fact in understanding the evidence or in determining a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training or education may testify about it in the form of an opinion; however, the opinion is admissible only if it can be applied to evidence at trial.
2. Opinions on Ultimate Issue - Testimony in the form of an opinion or inference otherwise admissible is objectionable because it included an ultimate issue to be decided by the trier of fact.
3. Basis of Opinion Testimony by Experts - The facts or data upon which an expert bases an opinion or inference may be those perceived by, or made known to, him at or before the trial. If the facts or data are of a type reasonably relied upon by experts in the subject to support the opinion expressed, the facts or data need not be admissible in evidence.
4. Expert Opinion (additional information) - An expert shall not express an opinion as to the guilt or innocence of the accused.

B. Lay Opinion

1. Opinion Testimony of Lay Witnesses - If a witness is not testifying as an expert, his testimony about what he perceived may be in the form of inference and opinion when:
 - a. The witness cannot readily, and with equal accuracy and adequacy, communicate what he has perceived to the trier of fact without testifying in terms of inferences or opinions and his use of inferences or opinions will not mislead the trier of fact to the prejudice of the objecting party; and
 - b. The opinions and inferences do not require a special knowledge, skill, experience, or training.
2. Lay Opinion (additional information) - All witnesses may offer opinions based on the common experience of laypersons in the community and of which the witnesses have first-hand knowledge. A lay opinion may also be obtained. For example, Sandy Yu, as the personnel director, would know of other complaints of sexual harassment in the office and

any formal reprimands, even though he is not an expert in sexual harassment. They may be asked questions within that range of experience. No witness, not even an expert, may give an opinion about how the case should be decided.

The cross-examination of opinions proceeds much like the cross-examination of any witness. Questions, as indicated above, may be based upon the prior statement of the witness. Inconsistencies may be shown. In addition, the witness may be asked whether he or she has been employed by any party, to show bias or interest. Or a witness giving an opinion may be asked the limits of certainty in that opinion, as follows:

- “Dr. Isaacs, please read this portion of your sworn statement to the court.”
- "I have studied the records of this case, and have conducted two one-hour interviews with Elyse Roberts on March 29 and 31st. In those interviews, she described to me her family history, her work environment, the actions of her co-workers and supervisor and her resulting feelings."
- “This is your statement, is it not, Dr. Isaacs? Ms. Roberts selected you because of your expertise in sexual harassment in the workplace, correct?”
- During your two-hour interview you were only concerned with evaluating Ms. Roberts’ working environment and not other psychological factors that may have caused her problems, do I have that right?
- So you really can't say that Ms. Roberts' difficulty on the job was only caused by the actions of Mr. Murphy, can you?”

The point of these questions is not to discredit the witness. Rather, the objective is simply to treat the witness as a responsible professional who will acknowledge the limits of her or his expertise and testimony. If the witness refuses to acknowledge those limits, the witness then is discredited.

It is always important in cross-examination to avoid arguing with the witness. It is particularly important with an expert. Thus, the cross-examination should be carefully constructed to call only for facts or to draw upon statements the witness has already made.

3. Lack of Personal Knowledge - A witness may not testify to any matter of which the witness has no personal knowledge. The legal term for testimony of which the witness has no personal knowledge is "incompetent."

17. *Relevance of Testimony and Physical Objects* - Generally, only relevant testimony may be presented. Relevant evidence is physical evidence and testimony that makes a fact that is important to the case more or less probable than the fact would be without the evidence. However, if the relevant evidence is unfairly prejudicial, may confuse the issues, or is a waste of time, it may be excluded by the court. Such relevant but excludable evidence

may be testimony, physical evidence, or demonstrations that have no direct bearing on the issues of the case or do not make the issues clearer.

Introduction of Documents, Exhibits, Items, and Other Physical Objects Into Evidence

There is a special procedure for introducing physical evidence during a trial. The physical evidence must be relevant to the case, and the attorney must be prepared to lay the foundation for its use on that basis. Below are the basic steps to use when introducing a physical object or document for identification and/or use as evidence.

1. Ask the judge if you can approach the witness. "Your Honor, may I approach the witness with what has been marked for identification as Exhibit "
2. Show the exhibit to opposing counsel for possible objection. Ask the witness to identify the exhibit. "I now hand you what is marked as Exhibit _____. Do you recognize this document?"
3. At this point the attorney may proceed to ask the witness a series of questions about the exhibit.
4. If the attorney wishes to place the document into evidence, say, "Your Honor, I offer this marked as Exhibit _____ into evidence and ask the Court to so admit it."

Court: "Is there any objection?"

Opposing Counsel: "No, your Honor." or "Yes, your Honor." (then state objection). Court: "Exhibit _____ is (is not) admitted."

NOTE: A witness may be asked questions about his/her statement without its introduction into evidence; but to read from it or submit it to the judge, it must first be admitted into evidence. For purposes of this Mock Trial the Exhibit is pre-marked as Exhibit A and shall not be designated as either a Prosecution or Defense Exhibit.

Hearsay and Exceptions to this Ruling

1. What is Hearsay?

Hearsay evidence is normally excluded from a trial because it is deemed untrustworthy. "Hearsay" is a statement other than one made by the witness testifying at the trial, offered in evidence to prove that the matter asserted in the statement is true. An example of hearsay is a witness testifying that he heard another person saying something about the facts in the case. The reason that hearsay is untrustworthy is because the opposing side has no way of testing the credibility of the out-of-court statement or the person who supposedly made the statement. Thus, for example, the following questions would be objectionable as "hearsay" if you are trying to prove that the color of the door was red:

- “Mr. Edwards what color did Bob say the door was?”

This is hearsay. Mr. Edwards is using Bob's statement for him to prove the color of the door. Instead, Bob or someone who saw the door needs to be called to testify as to the color of the door.

2. Reasons for Prohibiting Hearsay

Our legal system is designed to promote the discovery of truth in a fair way. One way it seeks to accomplish this goal is by ensuring that the evidence presented in court is “reliable”; that is, we can be fairly certain the evidence is true. Hearsay evidence is said to be “unreliable” for four reasons:

1. The hearsay statement might be distorted or misinterpreted by the witness relating it in court.
2. The hearsay statement is not made in court and is not made under oath
3. The hearsay statement is not made in court, and the person who made it cannot be observed by the judge or jury (this is important because the judge or jury should be allowed to observe a witness' behavior and evaluate his/her credibility).
4. The hearsay statement is not made in court and the person who made it cannot be challenged by cross-examination.

3. When Can Hearsay Evidence Be Admitted?

Although hearsay is generally not admissible, there are certain out-of-court statements that are treated as not being hearsay, and there are out-of-court statements that are allowed into evidence as exceptions to the rule prohibiting hearsay.

Statements that are not hearsay are prior statements made by the witness himself and admissions made by a party opponent.

Exceptions - Hearsay is not admissible, except as provided by these rules. For purposes of this mock trial, the following exceptions to the hearsay rule will be allowed; even though the declarant is available as a witness.

1. *Spontaneous Statement* - A statement describing or explaining an event or condition made while the declarant perceived the event or condition, or immediately thereafter, except when such statement is made under circumstances that indicate its lack of trustworthiness.
2. *Excited Utterance* - A statement or excited utterance relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition.

3. *Medical Statements* - Statements made for the purpose of medical diagnosis or treatment by a person seeking the diagnosis, or made by an individual who has knowledge of the facts and is legally responsible for the person who is unable to communicate the facts, which statements describe medical history, past or present symptoms, pain, or sensations, or the inception or general character of the cause or external source thereof, insofar as reasonably pertinent to diagnosis or treatment.
4. *Recorded Recollection* - A memorandum or record concerning a matter about which a witness once had knowledge but now has insufficient recollection to enable the witness to testify fully and accurately, shown to have been made by the witness when the matter was fresh in his memory and to reflect that knowledge correctly. A party may read into evidence a memorandum or record when it is admitted, but no such memorandum or record is admissible as an exhibit unless offered by an adverse party.
5. *Records of a Regularly Conducted Activity*
 - A. A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinion, or diagnosis, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity and if it was the regular practice of that business activity to make such memorandum, report, record, or data compilation, all as shown by testimony of the custodian or other qualified witness, unless the sources of information or other circumstances show lack of trustworthiness. The term “business” as used in this paragraph includes a business, institution, association, profession, occupation, and calling for every kind, whether or not conducted for profit.
 - B. No evidence in the form of an opinion or diagnosis is admissible under paragraph (a) unless such opinion or diagnosis would otherwise be admissible if the person whose opinion is recorded were to testify to the opinion directly.
6. *Admission by Party Opponent / Statement Against Interests* – Any statements made by the Defendant are considered an Admission by Party Opponent and are admissible as an exception to hearsay. An admission or statement made by any party that is against their own pecuniary, proprietary, or penal interest, is admissible as a statement against interest.
7. *Then Existing Mental, Emotional, or Physical Condition* - A statement of the declarant’s then existing state of mind, emotion, or physical sensation, including a statement of intent, plan, motive, design, mental feeling, pain, or bodily health, when such evidence is offered to:
 - A. Prove the declarant’s state of mind, emotion, or physical sensation at that time or at any other time when such state is an issue in the action.
 - B. Prove or explain acts of subsequent conduct of the declarant.

- C. However, this subsection does not make admissible an after-the-fact statement of memory or belief to prove the fact remembered or believed, unless such a statement relates to the execution, revocation, identification, or terms of the declarant's will.

C. Trial Motions

No trial motions are allowed except for special jury instructions as permitted in these case materials.

Exception - Motion for Recess may only be used in emergency situations.