

No. CR-22-3209

STATE OF LONE STAR

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IN THE DISTRICT COURT

v.

IN AND FOR

JUSTICE JACKSON, Defendant

HALL COUNTY, LONE STAR

Prepared by:

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INDICTMENT

July 2022 Term

THE GRAND JURY CHARGES THAT:

COUNT ONE

(BURGLARY)

On or about January 5, 2022, in Armadillo, Hall County, Lone Star, Justice Jackson did, without the effective consent of the owner enter a building not then open to the public, to wit: Fox+Kat Vintage, with the intent to commit a theft in violation of Lone Star Penal Code Section 30.02.

COUNT TWO

(FELONY THEFT)

On or about January 5, 2022, in Armadillo, Hall County, Lone Star, Justice Jackson did, intentionally and knowingly, unlawfully appropriate the property of Ms. Katherine Gore, without the owner's effective consent, to wit: two fur coats valued at more than \$2,500.00 but less than \$30,000.00, in violation of Lone Star Penal Code Section 31.03.

\*\*\*\*\*

A TRUE BILL

\*\*\*\*\*

/s/ ReAnne Wentz

GRAND JURY FOREPERSON

ANDREW MARTINS

HALL COUNTY DISTRICT ATTORNEY

By: /s/ Carol Kim

Carol Kim, Assistant District Attorney

**NATIONAL TRIAL COMPETITION**

**STATE OF LONE STAR v. JUSTICE JACKSON**

**STATEMENT OF THE CASE**

This is a burglary to commit felony theft case filed by the State of Lone Star against Justice Jackson arising from an incident that appears to have been caught on closed circuit security footage and supported by fingerprints found at the scene of the crime. Justice Jackson claims not to be the individual in the footage pointing to an alibi.

Witnesses:

Prosecution

Lynn Brantley, Eyewitness  
Alex Hernandez, Responding Police Officer

Defense

Angel Nguyen, Alibi Witness  
Cameron Varnah, Fingerprint Expert

## **WITNESS AND EXHIBIT LIST**

### **WITNESSES**

#### Prosecution:

1. Lynn Brantley
2. Alex Hernandez

#### Defense:

1. Angel Nguyen
  2. Cameron T. Varnah
- 

### **EXHIBITS**

1. Photo of Business after Burglary
2. Fur Coat Purchase Invoice
3. Fur Coat Advertisement
4. Police Report
5. Fingerprint Analysis
6. Cooper/Young Map
7. 911 Transcript
8. Evidence Policy
9. Admonishment Letter
10. Photos of Pipe
11. Max Karlson Letter
12. Video
13. Hearing aid prescription – Brantley
14. Weather report dated January 5, 2022
15. Parking Lot Diagram
16. Lunar chart
17. Text Exchange – Jackson
18. Receipt – Jackson

### STIPULATIONS

1. Federal Rules of Evidence and Federal Rules of Criminal Procedure apply.
2. All witnesses called to testify who have identified the parties, other individuals, or tangible evidence in prior testimony will, if asked, identify the same at trial.
3. Other than what is supplied in the problem itself, there is nothing exceptional or unusual about the background information of any of the witnesses that would bolster or detract from their credibility.
4. This competition does not permit a listed witness, while testifying, to "invent" an individual not mentioned in this problem and have testimony or evidence offered to the court or jury from that "invented" individual.
5. "Beyond the record" shall not be entertained as an objection. Rather, teams shall use cross-examination as to necessary inferences from material facts pursuant to National Rules Article VII, Subparagraph 4(C). Any party wishing to file a complaint concerning a violation of this rule shall use the procedure found in Rule VIII, Subparagraph 3.
6. The Prosecution and the Defendant must call the two witnesses listed as that party's witnesses on the witness list.
7. All exhibits in the file are authentic. In addition, each exhibit contained in the file is the original of that document unless otherwise noted on the exhibit or as established by the evidence.

8. It is stipulated that no one shall attempt to contact the problem drafter about this problem before the conclusion of the 2024 National Trial Competition Final Round. Contact with the competition officials concerning this problem must be pursuant to the rules of the competition.

9. 2024 is the year in which this case comes to trial.

10. Presentation and argument on pretrial motions shall be limited to a total time of sixteen minutes divided equally between the parties as follows: (1) the Prosecution shall have four minutes to present any pretrial motions; (2) the Defendant shall have four minutes to respond to the Prosecution's motion(s); (3) the Defendant shall have four minutes to present any pretrial motions; and (4) the Prosecution shall have four minutes to respond to the Defendant's motion(s).

11. This competition permits teams to argue additional case law and other relevant authority to support the team's argument on motions and evidentiary issues. However, no additions or deletions are permitted to the provided jury instructions or to the jury verdict form.

12. This is the second trial of the charges against Justice Jackson. The first trial resulted in a mistrial because the jury could not reach a unanimous verdict. The testimony presented here is from the transcript of the first trial and is authenticated and certified by the official court reporter, Joseph Reynolds.

13. The trial court has previously overruled the following objections to the testimony of Alex Hernandez: That the qualifications and testimony of Hernandez fail to meet the standard set forth in *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579, 113 S. Ct. 2786, 125 L. Ed. 2d

469 (1993) and *E.I. du Pont de Nemours and Co. v. Robinson*, 923 S.W.2d 549 (Tex. 1995).

See also, *Rochkind v. Stevenson*, 471 Md. 1, 236 A.3d 630 (2020).

14. The trial court has previously overruled the following objections to the testimony of Cameron T. Varnah: a. That the testimony invades the province of the jury; b. That the testimony goes to the ultimate issue in the case; c. That the qualifications and testimony of Varnah fail to meet the standard set forth in *Daubert v. Merrell Dow Pharms., Inc*, 509 U.S. 579, 113 S. Ct. 2786, 125 L. Ed. 2d 469 (1993) and *E.I. du Pont de Nemours and Co. v. Robinson*, 923 S.W.2d 549 (Tex. 1995). See also, *Rochkind v. Stevenson*, 471 Md. 1, 236 A.3d 630 (2020).

15. The trial court rules that Max Karlson is an unavailable witness pursuant to FRE 804(a), as he passed away prior to this case coming to trial.

16. The trial court rules that all interviews, interrogations, searches, and seizures were Constitutional and that Exhibit 5 may be used for all purposes without contravention of the Sixth Amendment to the U.S. Constitution; all objections otherwise have been heard and denied.

17. The trial court rules that it is permissible for Officer Hernandez to testify to the fingerprint analyst's findings regarding this case, ruling that this does not violate the precedent set out within *Crawford v. Washington*, 541 U.S. 36 (2004) and the Sixth Amendment to the U.S. Constitution.

18. Lone Star Penal Code Section 30.2 provides in relevant part that:

BURGLARY. (a) A person commits an offense if, without the effective consent of the owner, the person: (1) enters a habitation, or a building (or any portion of a building) not then open to the public, with intent to commit a felony, theft, or an assault; or (2) remains concealed, with intent to commit a felony, theft, or an assault, in a building or habitation; or (3) enters a building or habitation and commits or attempts to commit a felony, theft, or an assault.

(b) For purposes of this section, "enter" means to intrude: (1) any part of the body; or (2) any physical object connected with the body.

19. Lone Star Penal Code Section 31.03 provides in relevant part that:

THEFT. (a) A person commits an offense if he unlawfully appropriates property with intent to deprive the owner of property.

(b) Appropriation of property is unlawful if: (1) it is without the owner's effective consent;

....

(e) Except as provided by Subsection (f), an offense under this section is: ... (4) [The theft] is a state felony if: (A) the value of the property stolen is \$2,500.00 or more but less than \$30,000.00, or the property is less than 10 head of sheep, swine, or goats or any part thereof under the value of \$30,000.00.

20. Lone Star Penal Code Section 2.01 provides:

PROOF BEYOND A REASONABLE DOUBT. All persons are presumed to be innocent and no person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt.

21. Lone Star Penal Code Section 7.01 provides:

LAW OF PARTIES. (a) A person is criminally responsible as a party to an offense if the offense is committed by [their] own conduct, by the conduct of another for which [they] are criminally responsible, or by both. (b) Each party to an offense may be charged with commission of the offense. (c) ... and each party to an offense may be charged and convicted without alleging that [they ] acted as a principle or accomplice.



22. Exhibit 2 refers to the merchandise allegedly stolen in this case.

23. Exhibits 2 and 5 are admissible and may be used at any time for any purpose.

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The Defendant, hereby, notifies the Government of their intention to rely upon an alibi defense as the Defendant was not at the scene of the alleged crime on the night in question. Rather, the Defendant was at the home of a romantic partner, miles away from the scene on the night in question.

The Defense provides the name(s) of the following witnesses who can verify that this is true: Angel Nguyen.

//Original Signed

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Hans Zeller  
Defense

I, the undersigned, hereby certify that the above was delivered to the Prosecution on 8 December 2023.

//Original Signed

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Hans Zeller  
Defense

**TESTIMONY OF LYNN BRANTLEY**  
OCTOBER 26, 2022

1   **DIRECT**

2   Q: State your name for the record.

3   A: Bless! Sorry. That's not my name — my name is Lynn Brantley. Brantley is spelled B-R-A-  
4   N-T-L-E-Y. L-Y-N-N spells Lynn. That's two n's, if you're counting.

5   Q: What do you do for a living?

6   A: I work at the hospital as a nurse practitioner. Palliative Care, actually.

7   Q: That's interesting. Do you like it?

8   A: Well, I do most of the time. Palliative care can be a real challenge because you are frequently  
9   present at the final moments of a person's life. It can be an emotional time for family members  
10   and, of course, the patients themselves. It's a hard job for those reasons, but in many ways, it's  
11   the easiest job in the world because you know that you are doing the right thing for people,  
12   telling them hard truths, and making them comfortable at the end, treating them with the  
13   kindness you'd want to receive.

14   Q: What hospital is it that you work at?

15   A: Armadillo Baptist Memorial, downtown.

16   Q: Do you remember where you were on January 5<sup>th</sup> of 2022?

17   A: Oh, absolutely I do. I will never forget.

18   Q: Tell me about it. Did you work that day?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Yes, I did. I worked for 14 hours that day, I think. It was a challenging day because those  
2 folks who were hanging on for the holidays were starting to give up. Also, I was training some  
3 younger nurses, and it can be difficult for less experienced practitioners. With time, they always  
4 get better though. Just have to be patient as that is happening.

5 Q: What time did your shift end?

6 A: I think it was at about 11:00 pm. I remember that it was super dark, and it was super cold.  
7 This is why I was so frustrated when I noticed that my tank was on empty.

8 Q: Did you need to get gas that night, or were you able to make it home without?

9 A: I hate to drive while I am worried that my car will just stop because I was irresponsible, so I  
10 had to pull over in the Cooper-Young neighborhood to get gas. I live out east, so this was on my  
11 way from the hospital to my house. Anyway, I got gas that night, and I wish I hadn't.

12 Q: Why is that?

13 A: I had to get gas because I was out. Oh, you mean, why did I wish I hadn't?

14 Q: Exactly, I mean why did you wish you had not gotten gas?

15 A: It was the scariest thing that I have experienced. I saw a robbery that night.

16 Q: I'm sorry; it seems like you are starting to breathe heavily. Let's all take a deep breath. Now,  
17 tell me about the incident you saw on January 5<sup>th</sup>?

18 A: Yeah. Sorry. I don't know why, but the robbery really scared me. I was so panicked because it  
19 was just... not something you see every day, and initially, I thought the robbers would charge

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 across the street and come for me. I'd already seen death that day, so it was really stressing me  
2 out.

3 Q: Well, were you still at the gas pump when this happened?

4 A: Yes. Ok, so I was getting gas for my car. It's a hybrid-electric, but sometimes it feels like it  
5 guzzles gas after that recall last year to fix the auto-driving feature. So, I pushed the button to get  
6 gas, and I was thinking about my shift and how hard it had been, when right in front of me I saw  
7 someone take a pipe in their hand and, bam, I heard a smash, crash, bam! I was so tired, but that  
8 woke me right up when they used that pipe to smash the window.

9 Q: What happened next?

10 A: Well, I quickly realized that some folks were robbing the store across the street by Urban  
11 Outfitters. It looked like two of them, but then I realized there was a third in the parking lot  
12 because they sped off.

13 Q: What was the name of the store?

14 A: It was Cat+Fox Vintage or maybe those words reversed, something like that.

15 Q: Does Fox +Cat Vintage sound familiar?

16 A: Oh yeah, yes! It was that vintage shop. Right there. Urban Outfitters faces Central Avenue,  
17 and the shop that was getting robbed is on the other side of the building towards Café Palladio.

18 Q: If I showed you a map, would that help you to explain where it is?

19 A: Yes, I think so.

20 Q: [Handing the witness Exhibit 6] Do you recognize this area?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Yes, absolutely. This is exactly where it was.

2 Q: Do you recognize the location depicted on this map?

3 A: Yes. This is where I was on, what do you call it? “The night in question?” Where that star is.

4 Q: And where was the scene of the crime?

5 A: It was right across the street, where it is circled in red.

6 Q: And where were you?

7 A: I was at the pump getting gas, closest to crossing the street, closest to the robbery.

8 Q: I’m so sorry, because I know it can be confusing, but let’s stick to the terms “burglary and  
9 theft.”

10 A: Oh yes, you told me that before when we were preparing for this case. So sorry, so I was  
11 closest to the burglary and theft location. It was so loud that it was deafening to hear all the glass  
12 shattering on that big door.

13 Q: What did you do when you heard this?

14 A: I ducked down behind my car, but I could still see them.

15 Q: What did you do next?

16 A: I was freaking out, so I took a moment to compose myself, then I called the police to report  
17 the robbery— I mean burglary.

18 Q: Did you call the police or 911?

19 A: Yes, it was 911.

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 Q: Would you recognize a transcript of that call if you saw it?

2 A: Yes. I would.

3 Q: [handing the witness Exhibit 7] Is this an accurate transcription of what you said that night?

4 A: Yes. This is the 911 call I made. I was panicking the whole time, but I guess I was able to get  
5 the words out. Thank heavens.

6 Q: Were you able to get a good look at the people breaking into Fox+Cat vintage?

7 A: Yes, I was.

8 Q: What did they look like to you?

9 A: Well, they were both wearing masks and gloves, I think. One was pretty tall and one was  
10 pretty short.

11 Q: What did you see them do?

12 A: I saw them smash the door with the pipe and rush in.

13 Q: Are you sure it was a pipe?

14 A: Absolutely. I saw one of them hold it up, and the lights from the store allowed me to see the  
15 clear silhouette of their raised arm with the pipe in their hand crashing through the glass.

16 Q: Was it this door? [handing the witness Exhibit 1]

17 A: Yes.

18 Q: Is this a fair and accurate depiction of this door?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Yes, except it looks like this photo was taken during the day and obviously it was not  
2 shattered when they came at it with the pipe.

3 Q: Was there anything obscuring your view?

4 A: I was across the parking lot, so normally traffic would be going on the street, but the roads  
5 were abandoned, it being so late. Nothing stood between me and the people committing the  
6 crime.

7 Q: What happened next?

8 A: They rushed into the store and took some coats or something off the mannequins. I have to  
9 assume the coats were real fur. Fox+Cat is widely known as a place to get high quality vintage  
10 attire. Katie Gore, the owner/operator, does a really excellent job bringing that to Armadillo,  
11 since it's such a small town.

12 Q: What happened after that?

13 A: Well, I was on the phone with the 911 operators at that point, so I described what I saw  
14 happening in front of me. One of them tried to go back in, but changed their mind, I guess. So,  
15 they both got into a black sedan. That's when I figured out there was a driver in there waiting for  
16 the two who did the smash and grab, I mean burglary and theft.

17 Q: Were you able to hear anyone or anything during the crime?

18 A: It was so eerily silent before they smashed that window. I remember that you could hear a pin  
19 drop. You know how it gets in the dead of winter? So quiet.

20 Q: Were you able to hear anyone talking at all?



**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: I was. I heard everything.

2 Q: What did you hear?

3 A: I heard the tall one tell the short one to get a move on because they wanted to give their love a  
4 “warm and fuzzy.”

5 Q: Do you remember their exact words?

6 A: Yes, of course, I do. I’ll never forget that night.

7 Q: Alright, what did they say?

8 A: They said, “Hey trust us to quit foolin’ around! We gotta get outta here. My boo needs some  
9 warm and fuzzies!”

10 Q: Are you sure that those were the exact words you heard on the night in question?

11 A: Yes, one hundred percent.

12 Q: Are you sure they said: “Trust us” and not “Justice”?

13 A: Now that you ask, I am not sure it couldn’t have been the word Justice, but when I heard it, I  
14 did not know that anyone by that name may have been involved. At the time, I thought it was  
15 “Trust us.”

16 Q: Did they say anything else?

17 A: Not that I recall.

18 Q: Do you wear any hearing aids?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Yes, actually. I'm wearing it now, can't you see it? Just the one ear. The doctors say that I  
2 must have gotten some sort of sinus or ear infection, and it knocked out my hearing in just one  
3 ear.

4 Q: Is this your hearing aid prescription? [handing the witness Exhibit 13]

5 A: Why, yes. See, I've got hearing loss on the one side. You can see that since I only have a  
6 prescription for the one aid. Anyway, this is why I wear a hearing aid.

7 Q: Were you wearing your hearing aids on the night in question?

8 A: Yes, I definitely was. I keep it on all day. I only take it out if I am blasting music when I  
9 drive. That night I didn't because I had such a bad day, and my shift was so long. I wanted to  
10 enjoy a silent night. Clearly the Defendant did not let that happen.

11 Q: Speaking of the Defendant, do you recognize them here in the courtroom?

12 A: Yes.

13 Q: Could you gesture to them and describe an article of clothing?

14 A: Yes, its that individual over there at the table marked defense in the blue blazer.

15 Q: How do you recognize them?

16 A: Well, its the height, see? Also, the way they are holding themselves. Oh, and when the  
17 individuals came outside, they took their masks off while they were talking. At that point I could  
18 just make out their faces. One was about 6 feet tall, white, 30s with short brown hair and heart  
19 tattoo on their neck, wearing a black hoodie. The other person was about 5 foot 2, and white,

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 20s, maybe 30s, with blonde hair, in blue jeans, blue sweatshirt, and red beanie. The driver was a  
2 white guy too. And I recognize the person at the defense table as the first burglar.

3 Q: Is there anything else about the night in question you'd like to add?

4 A: No. Just that the public deserves to be safe. I hope that my testimony helps keep the public  
5 safe.

6 Q: Ok, I don't have any other questions for you, but the Defense may.

7 **CROSS**

8 Q: You remember the night in question?

9 A: Yes.

10 Q: Exactly?

11 A: Yes.

12 Q: How far across the street were you standing?

13 A: I was probably 50 feet away.

14 Q: 50 feet? You're sure?

15 A: Yes.

16 Q: Did you know this map is to scale?

17 A: No.

18 Q: And traffic lanes are 12 feet wide, by traffic regulation?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Hmm, ok, so if I add the two lanes...

2 Q: So based on this math, two lanes of traffic, plus five feet or so of gas station parking lot, plus  
3 20 ft of parking lot at the vintage shop, you were about 50 feet away?

4 A: Yes, that adds up.

5 Q: But you saw and heard everything perfectly?

6 A: Yes.

7 Q: You mentioned that you prepared with the prosecution before testifying?

8 A: Yes.

9 Q: You met them here in the courtroom to go over what you were going to say?

10 A: No. Well, yes. I mean, I did meet them here, but all they told me was not to use the word  
11 robbery because that's not the legal name of the charge. I'm not in the legal field, so I just didn't  
12 know. It really helped that they showed me where I'd be sitting, because I was nervous about  
13 today, but they did not tell me what to say or anything like that. They just told me to be honest  
14 and honor my oath.

15 Q: Let's talk about exterior illumination.

16 A: Ok.

17 Q: How brightly lit was it on the night in question?

18 A: umm, I guess it was a full moon because I could see really well.

19 Q: Would it surprise you to know that it was a Waxing Crescent?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: What's that?

2 Q: It's where the moon looks like a little sliver. Only 15.83% of the moon is illuminated by the  
3 sun.

4 A: Alright, well I was able to see.

5 Q: I am going to show you a government endorsed lunar chart [handing the witness Exhibit 16].

6 Does this look like the moon did on the night in question? There on the day marked 5?

7 A: Yes. I suppose so. But I really can't remember whether it was cloudy.

8 Q: We'll get to that. Do you recall whether there were any parking lot lights in the area?

9 A: The tall lights or just light from the stores? I think there were probably 5 light poles scattered  
10 everywhere.

11 Q: Would it surprise you to know that there was only two in the parking lot?

12 A: Yes. Actually.

13 Q: If I showed you a diagram that showed the area, would you recognize it?

14 A: Yes, I would.

15 Q: [handing the witness Exhibit 15] Do you recognize this?

16 A: Yes.

17 Q: Is it a fair and accurate depiction of the layout of that parking lot?

18 A: Yes.

19 Q: You see there are only two lights here?

**TESTIMONY OF LYNN BRANTLEY**

OCTOBER 26, 2022

1 A: Yes. Ok. I see that. Marked by the grey circles, and I guess I am this star here. That makes  
2 sense.

3 Q: And let's talk about the weather.

4 A: Seems like the only safe topic sometimes. Sorry, yes.

5 Q: It was cloudy that night? As it is reflected on this weather chart? [handing the witness Exhibit  
6 14]

7 A: I think so. If you say that was the weather, I guess I agree.

8 Q: Nothing Further.

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1   **DIRECT**

2   Q: Tell the jury your name, please?

3   A: My name is Sergeant Alex Hernandez.

4   Q: How long have you been with the force?

5   A: About six years.

6   Q: Was this the first police force you were a part of?

7   A: No. I started in Memphis.

8   Q: Memphis, Tennessee?

9   A: No. Memphis, Lone Star.

10   Q: Tell me about how you became a police officer. Let's start with your education. Where did  
11   you go to school?

12   A: I went to the Memphis Police Training Academy over there on Academy Drive.

13   Q: Tell me about that training program. What does it consist of?

14   A: The basic recruit training program lasts for 21 weeks, actually. It is really challenging and  
15   includes instruction on criminal law, firearms, report writing, police vehicle operations,  
16   principles of investigation, and defensive tactics.

17   Q: Were you able to complete the program?

18   A: Yes. I was a first time go. That means I passed with flying colors. I even earned the top score  
19   in the report writing class.

Hernandez Testimony  
1 of 13

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: What are the other minimum qualifications to be a police officer?

2 A: Uh, it's been a long time since I was the minimum, but I have participated in some hiring  
3 actions recently. You have to be 21 years old. You have to have a valid driver's license along  
4 with a good driving record. That's so we know you won't tear up our vehicles. That's the  
5 people's property, you know? Don't want to engage in the fraud, waste, and abuse of  
6 government funds.

7 Q: What else?

8 A: No violent misdemeanor or felony convictions relating to force, theft, dishonesty, or  
9 gambling. You know, the usual crimes involving moral turpitude. None of that.

10 Q: Wow. Anything else?

11 A: And finally, you have to have an associate's degree or higher. Two years of active military  
12 service or 5 years in the reserves, or 5 years verifiable full time work experience and a GED.

13 Q: Anything else?

14 A: No, but you also have that other thing. It's hard to describe, but it's that willingness to "be the  
15 change," as they say. This is not just a job.

16 Q: What do you mean by that?

17 A: You have to illustrate that you are willing to lead by example and treat people with dignity  
18 and respect. You have to be able to admit when you are wrong, improve your own life, and the  
19 lives of those around you by extension.

20 Q: Did you do anything beyond the basic training program?



**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 A: Yes. Because I was on the commandant's list, I was able to sit for advanced instruction in  
2 forensics and evidence preservation. That's what I really love. How not to contaminate the scene,  
3 that sort of thing. It's the reason I am now earning my masters in forensic science with a  
4 specialty in dactylograms and ridge pattern analysis. I actually just defended my masters level  
5 thesis on the subject.

6 Q: So after your training and advanced training what came next?

7 A: I did traffic and misdemeanors for two years.

8 Q: Any issues there or disciplinary reports?

9 A: No. None.

10 Q: Alright, so all told, that means it's been four years that you have been a detective?

11 A: Yes.

12 Q: Let's talk about the night in question. Were you the responding officer?

13 A: Yes, I was.

14 Q: What were you doing?

15 A: I had been cruising downtown, making sure that there was a presence there to make the public  
16 feel safe.

17 Q: Any issues downtown?

18 A: No, not really. Just some joy riders violating the noise ordinances. To be frank, I was a little  
19 happy to get the call to the scene.

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: Who sent you?

2 A: The 911 dispatcher, Jessi Thompson. She's brilliant in a crisis.

3 Q: What did you do when you got the call?

4 A: I went ahead and did a U-turn and took a minute or two to get down to Cooper-Young  
5 neighborhood, over there by midtown.

6 Q: Does this map [handing the witness Exhibit 6] reflect where you went?

7 A: Yes; it does. Scene was in the red circle, but the witness was all the way across the street  
8 where this star is.

9 Q: What happened next?

10 A: I went ahead and secured the scene with tape. Then I requested that the witness approach me  
11 because it was clear that the perps had already gone. The witness was across the street.

12 Q: So, you did not approach the witness first?

13 A: Yes, correct.

14 Q: What about securing the scene beyond the tape?

15 A: It was the middle of the night. No one else was around, but I kept it secure by physically  
16 remaining at the scene.

17 Q: Is that consistent with the evidence policies of the department?

18 A: Yes.

19 Q: These policies? [handing the witness Exhibit 8]

**TESTIMONY OF ALEX HERNANDEZ**  
OCTOBER 26, 2022

1 A: Yes.

2 Q: Describe the witness as you walked up to them.

3 A: As I approached, they seemed pretty calm, but when we started talking, I could tell the  
4 witness was panicking. It was really dark that night. Anyway, I asked the witness what they had  
5 seen and heard.

6 Q: When you say panicking, what do you mean?

7 A: The witness was short of breath and had a wild look about the eyes. I could just tell that the  
8 witness was stunned and in shock at having seen a crime. Not everyone is equipped to respond to  
9 a crisis situation even if they really are not in harm's way, they'll believe they are and have a  
10 fight or flight response.

11 Q: What did the witness say?

12 A: They told me that they were pumping gas when they heard a crash, so they looked up. The  
13 witness saw someone take a big swing with a pipe and throw it through the glass door of the  
14 business across the street. Fox Plus Cat Vintage.

15 Q: I think they pronounce the plus like an "and."

16 A: Ok. Good copy. Anyway, the witness gestured towards the business and explained that they  
17 had been pumping gas when they heard the commotion and looked over to see the crime taking  
18 place. They said they saw the two perps grabbing stuff and then rushing out. They said they  
19 peeled out in a black sedan, so I suppose there was a third individual involved. They couldn't get  
20 the plate numbers. After taking the statement, I continued to secure the scene. I took pictures.

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: Are these the pictures [handing the witness Exhibits 1 and 10]?

2 A: Yes. I took others too, but that's two of them.

3 Q: Are these pictures accurate depictions of the scene as you found it on the night question?

4 A: Well, yes and no. The pictures are from the same spot, but I went back to take images that  
5 were more clear the next morning, so the picture of the door, I see, it's marked exhibit 1, that's  
6 from my follow-up investigation the next day. Better lighting. And the pipe must not have been  
7 thrown through the glass; it must have bounced off because I found it outside the door on the  
8 sidewalk as you walked into the business.

9 Q: Ok, but is this an accurate depiction of what you saw that next day?

10 A: Yes.

11 Q: And for Exhibit 10?

12 A: I took that on the night in question, and before you ask, yes, it is an accurate depiction of the  
13 pipe on the scene as I found it.

14 Q: Explain what it depicts to the jury.

15 A: This is the pipe, found directly in front of the door. You can see that it was on the ground. I  
16 put an evidence placard by it and snapped a photo. Later, I bagged and tagged it. And again, all  
17 accurate.

18 Q: Well, hold on, did you take any statements when you went back?

19 A: Yes. I interviewed the owner of the shop. Her name is Katie Gore. You could not find a  
20 kinder person. I feel bad that this happened to her, but she'll bounce back. She always does.

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: What did Katie say?

2 A: Obviously, I pursued a line of questioning about whether she had colluded with anyone to rob  
3 her store for insurance money or any other reason, and she actually showed me the business  
4 records for the store that she had on hand, her purchase invoice to get a value on the theft, and so  
5 on. Business seems to be booming, so it just doesn't add up that this would be an inside job. I  
6 also asked whether she had any enemies, and she couldn't think of anybody. Just seems like a  
7 financially motivated crime, considering the cost of those coats, not even including the other  
8 stuff they took.

9 Q: To be clear, the store was not open for business, so no one had any permission to smash her  
10 door, enter the premises, and take her coats that night?

11 A: Absolutely not.

12 Q: How much did the items that were taken cost?

13 A: Katie showed me her inventory records, and those coats cost \$1,500.00 each to acquire, and  
14 then she was selling them for about \$4,000.00 a piece, since she had them imported from Europe  
15 and professionally cleaned at great expense. I verified the sale price from an ad for the coats I  
16 found in the paper.

17 Q: Is this the ad? [handing the witness Exhibit 3] And has it been altered in any way?

18 A: No, sir, it has not been altered. This is what the paper published. No change at all.

19 Q: And is this the same purchase invoice that Katie showed you? [handing the witness Exhibit 2]

20 A: Yes, indeed.

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: Has it been changed in any way?

2 A: No, sir.

3 Q: After taking her statement, did you collect any physical evidence?

4 A: Yes.

5 Q: What did you collect?

6 A: I collected the pipe on the night in question, but nothing else after talking to Ms. Gore.

7 Q: Why did you collect the pipe?

8 A: I collected it because it was in the parking lot, and it seemed to match what the witness had  
9 described. It seemed like it was involved in the crime, and I know I was right about that because  
10 I dusted those prints myself just like I learned at the academy and in my masters program.

11 Q: What did you do with it next?

12 A: I bagged and tagged it, and then I took it to the lab.

13 Q: Did anything come up?

14 A: Yes. The pipe was related to the crime. There were what we call latent prints on there, so  
15 there you have it. Then I ran the latent prints through the NGI database that has everything, all  
16 sorts of biometrics listed, and it matched to the defendant in this case, Justice Jackson, the  
17 individual sitting across from me at this very moment.

18 Q: What is a latent print?

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 A: So, look at your hand. See how there are ridges on your fingers? The oil and dust and so on,  
2 on your fingers creates a print every time you touch something. A latent print is one where the  
3 print is on an object, but you can't see it without development.

4 Q: What's development?

5 A: It's where you apply a substance to the item like a fine dust to get stuck in the oil and make  
6 the print visible to the naked eye. You can also use chemical processing if the item is not solid  
7 and smooth.

8 Q: Have you met the defendant before today?

9 A: Yes. I arrested Justice because that name pinged on the database, and then the perp living so  
10 close usually means that they did it.

11 Q: When did this happen?

12 A: Obviously, first I got a warrant, then I arrested the defendant, all the same day that the match  
13 was made, on 4 February.

14 Q: Did you have any verbal interactions during the arrest?

15 A: Yes.

16 Q: What were they?

17 A: As soon as Jackson opened the door, well, first they tried to close the door in my face. That's  
18 ok. It's an upsetting thing to get a knock from police. I explained that I had a warrant, and  
19 Jackson said, "Oh no, did you get the other two?"

20 Q: Did the defendant say anything else?

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 A: While asking for a lawyer, Jackson kept asking, “all this over some warm and fuzzies?

2 You’re, you’re just impossible. All, all cold.”

3 Q: Is this your police report? [handing the witness Exhibits 4, 5, 11, and 12]

4 A: Yes. All of this is my report and various pieces of it. And you even included the letter and

5 poem we found in Max’s cell.

6 Q: All fair and accurate?

7 A: Again, yes.

8 Q: Nothing further. Defense has some questions for you.

9 **CROSS**

10 Q: You always follow your protocols?

11 A: Yes. Always.

12 Q: So you’ve never been admonished? [showing the witness Exhibit 9]

13 A: Well, there was that one time.

14 Q: This is a fair and accurate depiction of your admonishment on another case?

15 A: Yes. But lesson learned. People are human.

16 Q: You followed the policies in this case?

17 A: Yes.

18 Q: You’re sure?



**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 A: Yes. I did in this case, as I do in every case.

2 Q: And did you collect any other evidence from the scene?

3 A: What do you mean?

4 Q: Did you bag and tag anything else other than the pipe?

5 A: No.

6 Q: Did you look for prints anywhere else?

7 A: Yes, but I did not find any. Makes sense.

8 Q: Why does it make sense?

9 A: Well, the crime happened so fast, only 14 seconds in the building not including the getaway,  
10 and the witness said that the two perps in the building were wearing gloves.

11 Q: That's not in your police report, so how did you know that?

12 A: I don't remember now, but I know that the perps were wearing gloves. It was borne out by  
13 that video that we collected.

14 Q: And when you say collected, you mean that you took a video of a video?

15 A: Huh?

16 Q: You took a video with your phone of the security footage?

17 A: Oh, yes, the CCTV wouldn't upload properly, so I had to take a video with my phone.

18 Q: Were there any other camera angles or any additional length to the video?

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 A: No. This was the only video camera operating that night.

2 Q: So you chose to collect, in a sense, this video, and left the original digital file to be spoliated?

3 A: Spoliated?

4 Q: Yes. Destroyed. Not preserved?

5 A: Yes, I suppose so, but I told the store owner to keep the video in case the DA subpoenaed it

6 later. My job is to establish probable cause. The DA proves up the case. Two different standards.

7 Q: Was this behavior what you'd consider was consistent with your evidence protocol?

8 A: I guess not.

9 Q: The one that you always follow.

10 A: Right. I guess I made a mistake.

11 Q: Did you find any other pipes on the scene?

12 A: No.

13 Q: Do you think its possible that the perpetrators took the item they used to smash the door with

14 them?

15 A: No.

16 Q: Because you believe that the pipe must have been the item they used, with prints on it, even

17 though, you, yourself, admit that they were wearing gloves on the night in question.

18 A: Well, what if they handled the pipe, failed to wipe it properly of prints and then put their

19 gloves on to commit the crime?

**TESTIMONY OF ALEX HERNANDEZ**

OCTOBER 26, 2022

1 Q: Any investigation into whether Jackson is a plumber in their spare time?

2 A: No.

3 Q: Any investigation into whether Jackson visited a plumbing shop the week before the incident  
4 in question to fix a leaky faucet?

5 A: I seem to recall a receipt in Justice's pocket upon arrest, but no. I sent the prints to NGL.

6 They're a match. The prints don't lie. Jackson did it. Case closed.

7 Q: [Handing the witness Exhibit 18] Was this what was on the defendant's person upon arrest?

8 A: Yes.

9 Q: Has it been altered in any way?

10 A: No. It has not.

11 Q: Why did you not check with any alibi witnesses.

12 A: Anyone who claims to be an alibi witness is a liar. Jackson's prints were there because

13 Jackson was there, committing the crime. If Jackson didn't do it, I'll eat my hat.

14 Q: Nothing Further.

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: State your name for the record.

2 A: My name is Angel Nguyen.

3 Q: What do you do for a living?

4 A: Currently, I am a student.

5 Q: What are you studying?

6 A: Actually, I am a law student at the Armadillo School of Law, downtown on the river. That's  
7 what I chose to do after my divorce from Justice.

8 Q: I am sorry to hear that. Did the marriage end amicably?

9 A: I enjoyed being a Jackson, but the divorce process was really eye-opening. Now that I have  
10 more agency in my life, I'd like to treat people the way my divorce attorney treated me. Really  
11 brought a light to my life. But, yes, to answer your question, Justice is paying me spousal support  
12 to cover my tuition for school. Without it, I'd be in crippling debt, so I appreciate that Jackson  
13 keeps up with that as well as child support. We get along great now that we are not together. In  
14 fact, the week of the holiday, Justice did me a solid and fixed the kitchen sink. Justice bought the  
15 parts and everything even though I offered to pay and deal with the inconvenience. We're just  
16 not compatible. That doesn't mean Justice is bad.

17 Q: Well, without going into all that, tell me, how did you meet Justice?

18 A: We met through mutual acquaintances. Max Karlson was a buddy of mine, and we, Justice,  
19 and I, like the same music, so Max told us that we should hang out. We went to a few concerts,  
20 and the vibe was right, so we started hanging out even more.

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: How long were you married?

2 A: A few years, but we got divorced in 2019.

3 Q: Are you two still close enough that you would lie for Justice?

4 A: I do not want to be here. To be honest, I'd prefer not to be on the witness stand, but you  
5 subpoenaed me, so I am here to tell the truth just like I swore to. Frankly, I'd rather be writing an  
6 outline or something to prepare for these exams that are always looming.

7 Q: Yes, but are you close enough that you would lie?

8 A: We co-parent well, but no, we do not remain close. That is not a reason for me to lie.

9 Q: I understand. Now, do you have any recollection of where you were on the fifth of January of  
10 this year?

11 A: Yes. It was winter break, and I was looking forward to watching the season premier of the  
12 Bachelor. I love that trash tv.

13 Q: So do you remember where you were at about 11 pm that night?

14 A: Yes, absolutely. I was on my couch, sitting next to Justice watching the first episode of season  
15 26 of the Bachelor. You know, the one with the medical sales representative? He ends up with  
16 Susie, but I did not know that at the time, because Justice had kept me waiting two days to watch  
17 it.

18 Q: And you remember the two days specifically?

19 A: Well, when you asked me about it, I checked my phone, and I never delete my texts, so I saw  
20 that I had been fussing at Justice to come hang out that night. I know the Bachelor premiered on

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 January 3<sup>rd</sup>, and the texts were from the 5<sup>th</sup>. So yeah, that has to be the night that Justice came  
2 over. He stayed for three hours that night.

3 Q: And where do you live?

4 A: I live in the Cooper-Young neighborhood, on York Street.

5 Q: Would you recognize your home on a map? [handling Exhibit 6]

6 A: Uh, sure. My brain is not broken. I live right there at 1844 York Ave., here in Armadillo. But  
7 this map is too close up. I do live in the Cooper Young neighborhood, but it is not on the map.  
8 Too far away.

9 Q: Have you ever been to Fox+Cat Vintage?

10 A: The stuff in there is pretty pricey, but yeah, I've gone in a few times after visiting Urban  
11 Outfitters, next door.

12 Q: How long does it take to travel from your house to the shop?

13 A: About 5 minutes by car. Maybe 20 minutes, if you walk.

14 Q: Did Justice have a car that night?

15 A: No. Justice did not. Looked like Justice walked from their house, if I'm not mistaken. That's  
16 like a 15 minute walk farther from the store, so thirty-five minutes total.

17 Q: Did you watch the whole episode that night?

18 A: Uh huh. We watched the whole thing, start to finish. Like always.

19 Q: When did Justice arrive that night?

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 A: About 9pm.

2 Q: When did you start watching the episode?

3 A: Pretty much right away. I just heated up some nacho dip. That Pancho's dip is so good, but if  
4 you heat it up too much it'll burn you like magma.

5 Q: Did Justice leave at any point during the episode?

6 A: Nope. Sat right next to me for three hours straight because the Bachelor is two hours without  
7 commercials on premier nights.

8 Q: Do you have anything to add about the night in question?

9 A: No.

10 Q: And let me show you Exhibit 17. Do you recognize this and has it been altered in any way?

11 A: Yes. I recognize this. It's my messages with Justice from that night, and no, it has not been  
12 changed in any way at all.

13 **CROSS**

14 Q: You've known Justice for a long time?

15 A: Yes.

16 Q: Several years.

17 A: Yes.

18 Q: You share children?

19 A: Yes.

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: Two children?

2 A: Yes.

3 Q: So you receive child support from Justice?

4 A: Yes. It's court ordered.

5 Q: This support covers your children's expenses?

6 A: Yes.

7 Q: You have not taken out student loans.

8 A: No.

9 Q: Because you also receive spousal support.

10 A: Yes, to pay for law school, so I can have a career after stopping my studies to have a family.

11 Q: And the spousal support covers the tuition?

12 A: Yes.

13 Q: And books?

14 A: Yes. Barely.

15 Q: But you just focus on studying, so you don't have any other employment.

16 A: Correct.

17 Q: So without those payments, you'd be in a tight spot financially?

18 A: No.



**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: How is that?

2 A: I could cashflow my studies. I actually run a shop on Poshmark where I sell luxury outerwear.  
3 It's doing really well. Obviously, I don't sell things like Fox+Cat Vintage their stuff is a higher  
4 price point than the clientele I've cultivated. Either way, I've already got two internships lined  
5 up for the first and second half of the summer, and I was chosen to be a research assistant during  
6 this last year. I recently found out that my grades qualify me for more scholarships, and as a last  
7 resort, I could take out student loans or seek federal financial aid. Point being, I'd find a way for  
8 my 3L year which is all I have left, since that is all I have left. Then I could get a job as an  
9 attorney.

10 Q: But surely getting those payments helps.

11 A: Absolutely, it does, but my integrity is not for sale.

12 Q: You are aware, though, that if Justice Jackson goes to jail, there will be no payments. Those  
13 will end.

14 A: I understand that, but, again, I am doing well in school, and there are multiple avenues for me  
15 to ensure that I can graduate on time and support my family.

16 Q: Alright. And you mentioned that Justice is a good co-parent.

17 A: Yes, I think its important that children have both parents in their lives, so spending time with  
18 Justice certainly helps their wellness.

19 Q: Spending time in prison is not compatible with that good parenting-time, is it?

20 A: Well, no, but what will be, will be.

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: So you recall that Justice was with you that particular night for about three hours?

2 A: Yes.

3 Q: Even though it was months ago?

4 A: Yes. Because my text message jogged my memory about that night.

5 Q: But in the message you used the word “like.” [handling Exhibit 17]

6 A: Yes.

7 Q: And in this context, that could mean “around?”

8 A: Yes, but I have a specific memory that it was that night because it was snowing, and that  
9 never happens in Armadillo.

10 Q: And this text exchange has not been altered in any way?

11 A: No, it has not been altered.

12 Q: And “OTW” means “on the way?”

13 A: Yes.

14 Q: And what does “SMH” mean?

15 A: It means “shaking my head.”

16 Q: You have to admit it’s odd that a witness saw Justice’s neck tattoo and described their height  
17 as 6 foot.

18 A: Well, 6 foot 2, but yes, Justice has a neck tattoo of a heart.

**TESTIMONY OF ANGEL NGUYEN**  
OCTOBER 27, 2022

1 Q: Have you ever been convicted of a crime?

2 A: Yes. In 2018, I was convicted of felony perjury, but I was lying for my mom. Never again,  
3 now I have to worry about whether my fitness review will allow me to be an attorney.

4 Q: For the jury, what is a fitness review?

5 A: Basically, to be an attorney in Lone Star, the bar examiners assess your character and being  
6 charged or convicted with crimes can prevent you from getting a law license. It is serious stuff  
7 that I do not want to mess with.

8 Q: Do you have anything to add?

9 A: Not really. Just that Justice's a good person... with bad friends.

10 Q: Nothing further.

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Q: Dr. Varnah, are you familiar with the casefile and specifically the fingerprint examiner's  
2 performance in case number E-30922.

3 A: I am. I read the whole thing, the whole casefile, every exhibit, every photo, every line.

4 Q: In that case, the suspect became Justice Jackson.

5 A: Yes, that's what happened in the end.

6 Q: Can you please briefly summarize your education?

7 A: Sure. I obtained a Bachelor of Science degree in biology from the Armadillo Institute of  
8 Technology. I then obtained a master's degree in criminal justice from the University of  
9 California at Irvine. I followed that up with a Doctor of Philosophy in the same. Funny because it  
10 did not feel very philosophical. [witness laughed]

11 Q: How long have you worked for your consulting firm?

12 A: Well, let me think back. Before this, I worked for the FBI's Latent Print Operations Unit for  
13 five years. Prior to that, I worked for the Los Angeles Police Department Latent Print Unit. I  
14 started working for the LAPD right after I graduated from UC-Irvine in 2010. I think that means  
15 I have been operating my own consultancy for about 6 years now, thereabouts?

16 Q: Have you attended any training on latent print analysis?

17 A: Yes. In my career, I have attended probably more than a hundred hours of training and taught  
18 at least 50 hours of training on the development and analysis of latent prints. At this point, in  
19 addition to actually performing analysis of latent prints and drafting reports daily when  
20 consulted, I have supervised a section of latent print examiners, and in my spare time I consult  
21 on cases like this one.

22 Q: But were you the one who performed the examination in the case against Justice Jackson?

23 A: No. I can see how you might be confused. I just reviewed the findings in that case.

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Q: Have you ever been suspended from your duties?

2 A: No.

3 Q: Have you ever been disciplined in any way in relation to your duties?

4 A: No.

5 Q: Have you ever testified as an expert?

6 A: Yes, probably at least 30 times.

7 Q: Ok. Now, I want to ask about latent fingerprint analysis.

8 A: Ok.

9 Q: Let's start with the basics. What is a fingerprint?

10 A: That is a really big question. Basically, a fingerprint is when the oil and sweat and grime on  
11 your hands are left behind when you touch stuff. We are able to develop those fingerprints using  
12 a variety of techniques including things like dusting and superglue fuming. Those are the older,  
13 more traditional ways. But basically every contact leaves a trace. You just have to find it.

14 Q: Alright. How were they developed in this case?

15 A: New technology is enabling us to develop fingerprints in different ways, like I said, but in this  
16 case, the prints were developed using dusting, probably because the pipe is a nonporous surface.  
17 After the prints are developed, we perform friction ridge analysis to make biometric associations  
18 to persons of interest.

19 Q: Could you explain that another way? I don't understand.

20 A: Ok. Put another way, we take the fingerprints that are collected at, for example, a crime scene  
21 and compare them to either a particular suspect's fingerprints or we run them through a computer  
22 system like the NGI to try and find a match.

23 Q: What is NGI?

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 A: Next Generation Identification. That's the name of a computer program. So, we can submit  
2 prints through the computer program full of all sorts of information about folks, and some people  
3 say the algorithm provides matches with something like a 99 percent accuracy.

4 Q: Is that what they did in this case?

5 A: In this case, the fingerprint analyst was asked to compare the prints on the pipe with the  
6 database, NGI, and it pinged Justice Jackson.

7 Q: Are there any steps after the computer identifies the suspect?

8 A: Yes. The computer is just a suggestion to look in a certain direction. The next step is that an  
9 analyst does some comparison and decides whether there is actually a match. Although I am  
10 trained in visual fingerprint comparison, I did not visually compare the defendant's fingerprints  
11 to the print on the pipe in this case because the defense told me not to.

12 Q: Well, was there a match in this case?

13 A: Yes. Well, sort of. I mean, otherwise, we would not be here.

14 Q: And it was Justice Jackson.

15 A: Yes.

16 Q: Ok. Is latent print analysis reliable?

17 A: No. That's why I said some people say it's 99 percent accurate. I am not one of those people.

18 Q: Tell me why that is.

19 A: There was an international scandal several years ago that perfectly illustrates the issue. I'm  
20 not sure whether I am allowed to go into it while testifying, but stop me if this is not allowed,  
21 basically, there was a bombing in Spain in 2004. There were some prints collected in that case  
22 that were matched to a man in Seattle named Mayfield. It was decided that his prints matched  
23 those found on the scene with 100% certainty, so the United States took him into custody, even

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1    though he had the alibi of never having left the continent in 11 years, his passport having  
2    expired. Eventually, it was discovered that a totally different person was responsible for the  
3    bombing. This rocked the international forensic science community which led to the National  
4    Academy of Sciences 2009 report that completely changed how we do business.

5    Q: How is that related to this?

6    A: Well, these prints were collected and analyzed using the same methods as what caused Mr.  
7    Mayfield some unwarranted scrutiny.

8    Q: What do you mean?

9    A: So, there are few different ways to engage in fingerprint analysis.

10   Q: Tell me about that.

11   A: You can either do a 10-print comparison or you can do a latent print analysis. In this case it  
12   was a latent print analysis not a comparison.

13   Q: Ok, what is that?

14   A: That's where you do not know who you are looking for. You just have the prints that you  
15   have developed.

16   Q: How do you "develop" prints?

17   A: It depends on whether the surface the prints are coming from is porous or non-porous. In this  
18   case, because pipes are not porous, meaning they are solid, you dust for prints.

19   Q: How does one dust for prints?

20   A: This is one thing the tv shows get right. You take dusting powder and a very fluffy, light  
21   touch brush. You dip it in the powder and twirl the brush in a circular motion. I know it sounds  
22   low tech, but that's because it is.

23   Q: Is there a better way to develop prints?

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 A: Yes. Dusting is appropriate for nonporous surfaces like metal or glass, but really, the  
2 technique has limitations because it can damage or destroy the prints. In this case, the prints are  
3 partial, so perhaps the development technique harmed them.

4 Q: Do you mean that the prints might have been harmed by the dusting?

5 A: Yes.

6 Q: And if they had not been harmed, we would not be working with a partial print in this case?

7 A: Possibly.

8 Q: Is there anything else we need to know about dusting for prints?

9 A: Yes. The experience level of the forensic scientist is important. You have to stop as soon as  
10 the print is visible. Beginners tend to overdevelop the prints which causes them to lose detail.  
11 Sometimes beginners will lose the entire print just because of their beginner's zeal. They don't  
12 have the touch. Pun intended.

13 Q: Do we know anything about the forensic scientist in this case?

14 A: Seems like they must have been a beginner, to me.

15 Q: Why's that?

16 A: The way these prints are developed is so dark. It seems like they must have used quite a bit of  
17 powder.

18 Q: Too much?

19 A: In my opinion, yes.

20 Q: Alrighty. What other concerns do you have about the prints in this case, if any?

21 A: Yes. So because this was not a 10-print analysis, meaning a sample card of all ten fingerprints  
22 an individual may have, in this case the examiner would not have even known from what finger  
23 the print from the scene came from.



**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Q: How does that impact the ease with which an identification can be made?

2 A: Because the latent print images are not as clear, as is the case here with all this extra  
3 powder... there is no way that this is as clear as on a 10-print card. This means that the  
4 processing algorithms are not gonna be as good as the human eye. This was true in 2004 and  
5 remains true now.

6 Q: How does all that apply in this case.

7 A: So, after the NGI search returned multiple possible matches, including Justice Jackson, the  
8 analyst had to compare Jackson's prints to latent prints from the scene. Apparently an analysis  
9 found a match to Jackson's right pinky finger. But, that's just not how someone would hold an  
10 object. People's pinky fingers just don't make contact with cylindrical items when they grasp  
11 them. I mean, imagine holding an item with your own hand? See how the outside of your pinky  
12 is not touching the pen in your hand as you hold it? The pinky finger is not involved in picking  
13 up items, especially not the outside. It's practically vestigial. Seems like incidental contact to me,  
14 not evidence that Justice held it, just that they came into contact with the pipe at some point in  
15 the past.

16 Q: How would that be possible?

17 A: Well, if they went to a pipe fitting store or something within the time before the incident, yes,  
18 that would be possible.

19 Q: Did Jackson do that in this case?

20 A: Yes.

21 Q: How do you know?

22 A: Well, you gave me a receipt. I believe the receipt was in Justice's pocket from the week  
23 before Justice's alleged involvement. It was in the pocket of the jeans the police took from

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Justice's person upon their arrest. It appears that a purchase was made at the local home  
2 improvement store. A receipt reveals that the item was from the plumbing section, but not a pipe.  
3 Some coupling device one would use to fix a toilet handle.

4 Q: [Handing the witness Exhibit 18] Is this that receipt?

5 A: Yes.

6 Q: Is it a fair and accurate depiction of the receipt?

7 A: Yes. And it shows Justice visited a pipe fitting store the week before this pipe was found on  
8 the scene. This means it would be reasonable to believe that the contact occurred prior to the  
9 night in question.

10 Q: So you're saying that maybe the print got on there at the store during shopping and not on the  
11 night of the crime?

12 A: That's exactly what I am saying.

13 Q: What methods of analysis did you use to come to this conclusion?

14 A: I reviewed the file and used the standard protocol regarding fingerprint analysis.

15 Q: Is this reliable?

16 A: Yes, I think so.

17 Q: Was this consistent with your training and other experience?

18 A: Yes.

19 Q: Did you review the casefile in making this determination?

20 A: Yes. The whole thing.

21 Q: What is your expert opinion?

22 A: That it is reasonable to believe that this partial print may not belong to Justice Jackson, but  
23 that if it does, it was due to incidental contact during a shopping trip. It's scary to think about.

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Q: What do you mean?

2 A: It's really scary to think that innocent individuals like you or me could get pulled into a  
3 criminal situation just because every contact leaves a trace. Every little touch of an item in the  
4 hardware store has the potential to implicate an individual in a crime.

5 **CROSS**

6 Q: You said you've testified as an expert in at least 30 cases.

7 A: Yes.

8 Q: But you have never testified for the prosecution before?

9 A: No. After I was fired from my last government job in law enforcement, I decided I only  
10 wanted to help defense. Besides when there is doubt, there's doubt.

11 Q: When there is what?

12 A: Doubt. Reasonable doubt.

13 Q: You mentioned something about too much powder, before.

14 A: Yes.

15 Q: You meant by that, that you once had a drug problem?

16 A: Yes, but I went to rehab and was never formally admonished.

17 Q: You don't use now?

18 A: I'd prefer not to answer that question.

19 Q: You also testified that you reviewed the pocket litter of Justice Jackson upon arrest. That's  
20 not standard practice is it.

21 A: Yes and no. It was part of the casefile here for some reason, so I reviewed it, but I don't  
22 typically see that sort of thing labeled that way. Either way, as an expert, I have to review  
23 everything.

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 Q: You mentioned that the print could have gotten there through an incidental contact not at the  
2 crime scene. That incidental contact could have happened in the car on the way to the scene?

3 A: It's possible.

4 Q: It could have happened at the scene, right?

5 A: No. The perpetrators in the video were wearing gloves.

6 Q: Let's talk about how NGI works. It has prints in it from all over the country?

7 A: Yes. NGI has prints from 185 million people, from every state.

8 Q: All over the world?

9 A: Yes.

10 Q: So the fact that the hit was on Justice Jackson, an individual who resides in the area, was  
11 significant.

12 A: Yes.

13 Q: Because the individual living in the area means it's more likely that it is a match.

14 A: Yes.

15 Q: Because it needs to be possible for an individual to have touched the item, as in their body  
16 came into contact with the item.

17 A: Yes.

18 Q: And that's more likely if the person is in the area?

19 A: Yes.

20 Q: You were not there in the home improvement store when Justice Jackson was.

21 A: No.

22 Q: You haven't reviewed any footage of Justice Jackson touching any pipes.

**TESTIMONY OF CAMERON T. VARNAH**  
OCTOBER 27<sup>TH</sup>, 2022

1 A: There was nothing in the casefile like that, so no. I'm just saying it's possible, and even  
2 reasonable, to believe that the print got on that pipe in non-criminal circumstances.

3 Q: You were paid to come here and testify today. Were you not?

4 A: By the hour.

5 Q: Yes. \$750 per hour for in-court testimony, right?

6 A: Yes.

7 Q: And \$500 for consulting outside the courtroom?

8 A: Yes.

9 Q: So you make more when you testify?

10 A: Yes.

11 Q: A lot more?

12 A: You could say that, but expert testimony accounts for less than 1% of my income, so I don't  
13 feel the difference. I would never insist that doubt exists just to get a few extra dollars.

14 I have integrity.

15 Q: Nothing further.



Exhibit 1

Price	Item Description	Quantity
\$1499.00	Mink Fur Coat	1
\$1501.47	Fox Fur Coat	1
<b>TOTAL</b>		<b>\$3000.47</b>

Buyer: KG



Armadillo District Attorney's Office  
Attn: GenCrimes Division  
201 Poplar Ave., Suite #301  
Armadillo, Lone Star

Affidavit of Authenticity

I, Amanda McMenamin, being duly sworn, depose and state as follows:

1. I am the accountant specialist who works with Fox+Kat Vintage, my employer's client, and I have the authority to execute this affidavit on behalf of the company.
2. I am familiar with the business practices and record-keeping procedures of Fox+Kat Vintage, as they are a client of HR-mpact, my employer.
3. I, personally, prepare and store all purchase invoices, receipts, and ad copies in the course of my employment.
4. Attached hereto and marked as Exhibit 2 are the documents described in the subpoena duces tecum dated August 15<sup>th</sup>, 2021, served upon Fox+Kat Vintage, which is subject of this affidavit.
5. These records were created at or near the time of the purchases and offerings by someone with knowledge.
6. These documents are maintained in the ordinary course of business of Fox+Kat Vintage and HR-mpact, as their finance and HR consulting firm.
7. The documents attached to this affidavit are true and accurate copies of the original records maintained by HR-mpact on behalf of Fox+Kat Vintage.

I have taken care to ensure the accuracy and completeness of the provided documents. Please note that this disclosure is made solely in response to the legal process.

Thank you for your understanding.

*Amanda McMenamin*

Amanda McMenamin  
Accounting Consultant

On the 18<sup>th</sup> day of August in the year 2022, before me, the undersigned notary public, personally appeared Amanda McMenamin, proved to me on the basis of satisfactory evidence to be the individual whose name is inscribed above and executed the instrument by her signature.



Matthew Wyatt  
Notary Public

Exhibit 2b



## *Unwrap Luxury This Holiday Season!*

*Indulge in opulence with our Holiday Special on Authentic Fur Coats!*

*Elevate your style and warmth with the epitome of sophistication, now at an irresistible price of \$4075.99.*

*Limited Time Offer: Enjoy a 10% Discount!*

*Wrap yourself in elegance and embrace the season with the finest mink and fox fur coats\* that blend timeless style and unmatched comfort. Don't miss out on this exclusive opportunity to make your holidays extraordinary.*

*Visit our store today and step into a world of luxury at a price that's as inviting as the holiday spirit. Unleash your inner glamour and make this season truly unforgettable!*

*\*Limited stock available as these are vintage items that time have made unique and irreplaceable. Terms and conditions apply.*

*Price after discount: \$3668.39*

# INCIDENT / ARREST REPORT

Armadillo Police Department  
Dept Station 19, 1428 Elm Street  
Armadillo, LS 79239



☒ **INCIDENT**  
☐ JUVENILE  
☐ HATE CRIME

☐ **ARREST**  
☐ DOMESTIC  
☐ INVOLVED ALCOHOL

DATE REPORTED: 20220105	
TIME REPORTED: 23:47	
SECTOR	UNIT

CASE NO: E-30922			
OFFENSE Burglary	STATUTE L.S.C. Title 7, § 30.02		COMMITTED <input checked="" type="checkbox"/> ATTEMPTED <input type="checkbox"/>
OFFENSE	STATUTE		COMMITTED <input type="checkbox"/> ATTEMPTED <input type="checkbox"/>
OFFENSE	STATUTE		COMMITTED <input type="checkbox"/> ATTEMPTED <input type="checkbox"/>
OFFENSE	STATUTE		COMMITTED <input type="checkbox"/> ATTEMPTED <input type="checkbox"/>
DATE OCCURRED FROM January 5, 2022 TO n/a		TIME OCCURRED FROM 23:03 TO 23:04	4. LOCATION TYPE retail establishment
LOCATION OF OFFENSE (STREET NUMBER - DIRECTION - STREET NAME - APT NUMBER/BUSINESS NAME - CITY) Fox + Cat Vintage, 2153 Central Ave, Ste. 2, Armadillo, LS 79239			5. FORCED ENTRY YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
OFFICER 1 Hernandez, Alex	BADGE # 031686	OFFICER 2 n/a	BADGE # 901
6. TYPE WEAPON n/a		7. CALIBER/GAUGE	8. FINISH
NUMBER OF PERSONS PRESENT n/a		NUMBER OF OFFENSE 7-30-2	NUMBER OF OFFENDERS 3
NUMBER ARREST 2			
PERSON 1	13. TYPE na		NUM
	14. RACE other		15. SEX x
	15A. HAIR br		15B. EYES br
	16. OFFENSE INDICATOR 7-30-2		17. INJURY EXTENT na
	18. INJURY TYPE (2) none		
	ADDRESS 4508 Barfiled		CITY Armadillo
	STATE LS		ZIP 38117
	19. RES TYPE apt		20. RES STATUS LPR
RES PHONE BUS PHONE		EMPLOYER/SCHOOL na	EMPLOYER ADDRESS na
OCCUPATION self-employed		SCARS/MARKS/TATTOS/CLOTHING religious symbols, right calf	
21. VIC/OFFENDER RELATIONSHIP na		22. FOUL PLAY SUSPECTED na	
ALIAS/STREET NAME/NICKNAME TruthemM		PLACE OF BIRTH Armadillo	
PERSON 2	13. TYPE na		NUM
	14. RACE unk		15. SEX x
	15A. HAIR br		15B. EYES hzi
	16. OFFENSE INDICATOR 7-30-2		17. INJURY EXTENT na
	18. INJURY TYPE (2) na		
	ADDRESS unknown		CITY Armadillo
	STATE LS		ZIP 38117
	19. RES TYPE na		20. RES STATUS Cit
RES PHONE BUS PHONE		EMPLOYER/SCHOOL Student/Armadillo Tech.	EMPLOYER ADDRESS na
OCCUPATION na		SCARS/MARKS/TATTOS/CLOTHING na	
21. VIC/OFFENDER RELATIONSHIP na		22. FOUL PLAY SUSPECTED na	
ALIAS/STREET NAME/NICKNAME na		PLACE OF BIRTH Armadillo	
PERSON 3	13. TYPE		NUM
	14. RACE		15. SEX
	15A. HAIR		15B. EYES
	16. OFFENSE INDICATOR		17. INJURY EXTENT
	18. INJURY TYPE (2)		
	ADDRESS		CITY
	STATE		ZIP
	19. RES TYPE		20. RES STATUS
RES PHONE BUS PHONE		EMPLOYER/SCHOOL	EMPLOYER ADDRESS
OCCUPATION		SCARS/MARKS/TATTOS/CLOTHING	
21. VIC/OFFENDER RELATIONSHIP		22. FOUL PLAY SUSPECTED	
ALIAS/STREET NAME/NICKNAME		PLACE OF BIRTH	

## REMARKS OF PRIMARY RESPONDING OFFICER

I responded to dispatch request at Fox + Cat Vintage clothing store at 2153 Central Ave, Suite 2. Witness called 911 at approx. 23:02 and reported burglary. Witness heard crash from across the street and saw 2 persons breaking the glass door of the store – one tall individual and one short individual. Witness reported burglary lasted approx. 5 minutes, then the two persons fled the scene in a vehicle driven by a third individual. Witness reported the two persons carrying “armload” of merchandise consisting of two fur coats.

Arrived on scene approximately 23:14. Front door of store was shattered from outside, beginning approximately half-way from the top. Broken glass just inside door and along the aisle between the merchandise racks. Several empty clothes hangers on the ground. One clothing display rack and one mannequin were tipped over on their sides. Discovered heavy metal pipe, approximately 14-in length and 2-in diameter, in store parking lot. Potentially instrument of forced entry. Alerted investigation unit, metal pipe was bagged, marked, and catalogued appropriately. Chain of custody procedures maintained.

Based on NGI match, arrested, suspect, Justice Jackson at home of Angel Nguyen on 4 February at 10 am, hence the finalization of this case-closing report. Very peaceful answered door at ex-spouse's residence. Jackson in black hoodie with white and red lettering. Jackson is 6'2" and white with brown hair and a heart tattoo on the neck. After Miranda rights were read, Jackson said, "did you get the other two?" and "all this over some warm and fuzzies."

I later arrested known associate, Max Karlson, upon receipt of warrant.


NAME OF OFFICER: HERNANDEZ, ALEX	SIGNATURE: 	DATE: 4 February 2022
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Exhibit 4b



Your File No. 22-22901  
FBI File No. 22-229034  
Latent Case No.E-30922

To: SAC, Armadillo

Re: Jackson, Justice, XXX-XX-8479, Armadillo, LS  
Fox + Cat Vintage  
Armadillo, Lone Star  
Robbery

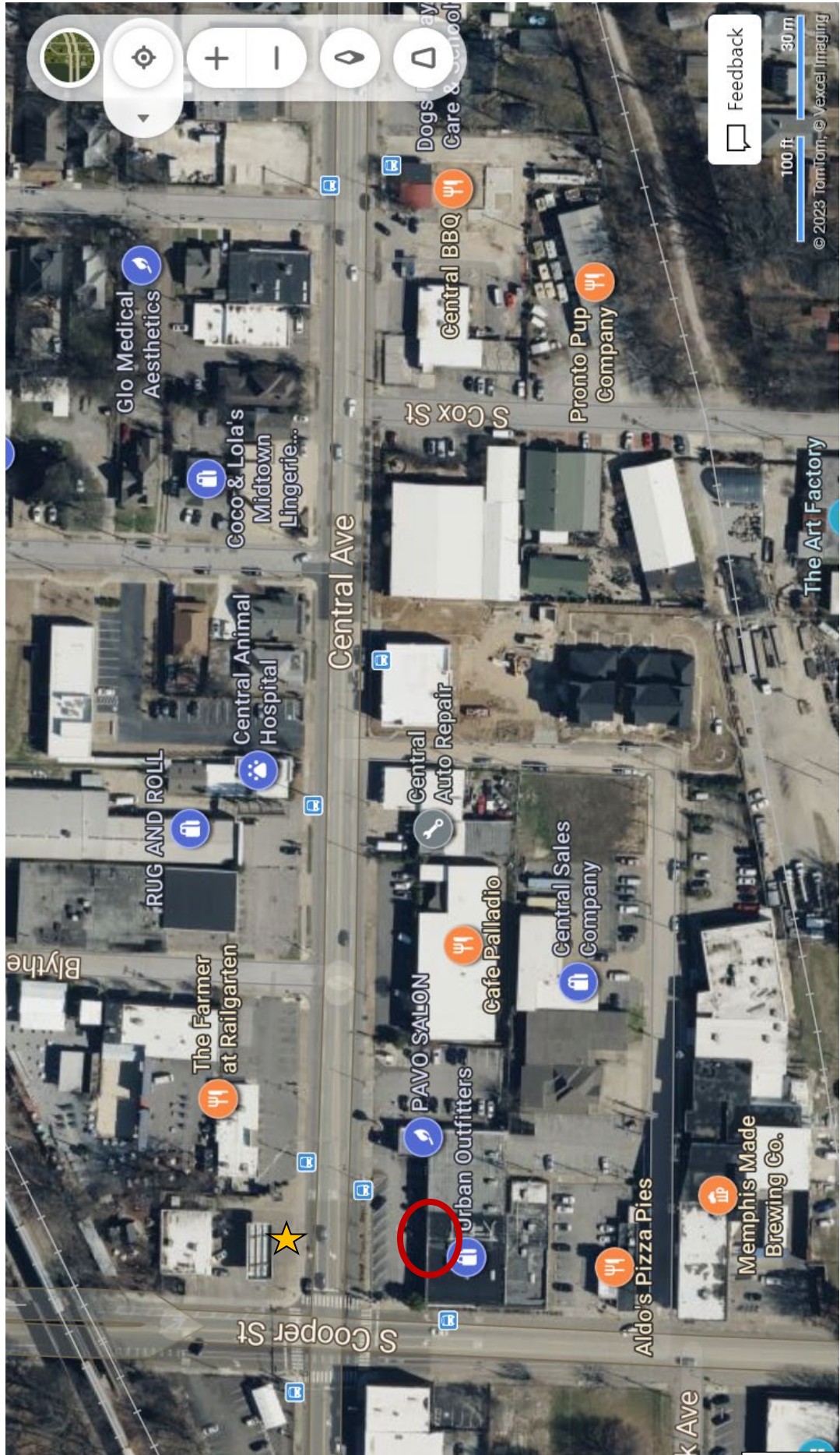
Reference: Analysis complete 2/4/2022  
Examination Requested By: Armadillo  
Specimens: Pipe  
Six Lifts  
Fingerprints of Jackson, Justice

The specimens were examined by senior certified fingerprint analyst. Fiver prints not conducive to examination. The sixth fingerprint on the pipe at the scene of robbery is a match to right pinky of Justice Jackson. Results confirmed by independent certified analyst.

The specimens are enclosed.

Encl. (8).







Time	Speaker	Statement
[LOUD MUSIC PLAYS WHILE PHONE RINGS]		
0:14	<b>Dispatch:</b>	Armadillo 911, what is the location of your emergency? Could you turn the music down?
	<b>Caller:</b>	Gosh. I don't live here. I'm in my car at the gas station! I'm across from Fox and Cat Vintage where the robbery is happening! Please hurry! You know how these people are, if you don't catch them red-handed, they'll never stop.
	<b>Dispatch:</b>	Do you know what street you're on?
	<b>Caller:</b>	Sorry, I can't hear you. Let me turn my music down. Ok, sorry. I see the address! It's 2153 Central Avenue! Hurry! Please! They're getting away in a dark grey sedan.
	<b>Dispatch:</b>	What's your name, while I look up this address?
	<b>Caller:</b>	I am Lynn Brantley. That's B-R-A-N-T-L-E-Y. Two n's in Lynn.
	<b>Dispatch:</b>	Ok, Lynn, the police are on their way. Can you describe what you see? What do the perpetrators look like?
01:16	<b>Caller:</b>	I can't really see anything! It's so dark. I can hear perfectly though.
	<b>Dispatch:</b>	What do you hear?
	<b>Caller:</b>	One guy is saying that they need to get away. He has gotta get some crack, of course. Says he wants some snow. I think one of them is called Stuart. That's who this guy is talking to.
	<b>Dispatch:</b>	Can you tell me what they look like?
02:17	<b>Caller:</b>	One is kinda tall and one is kinda short. I can tell they are about a foot apart from each other in height. Pretty skinny. Definitely, not twins.
	<b>Dispatch:</b>	Can you see whether they have any weapons?
	<b>Caller:</b>	No. Not that I can tell.
	<b>Dispatch:</b>	The police are two minutes away. Stay with me. Are they still there?
	<b>Caller:</b>	Yes! Would you believe it? I think they are taking two fur coats. Those mannequins are gonna be cold. There's a storm set for tomorrow, you know.
03:45	<b>Dispatch:</b>	How many individuals are involved?
	<b>Caller:</b>	I think it's three. Could be more. One driver and two shadows out there. I hear the sirens.
	<b>Dispatch:</b>	I've relayed the information you provided, Lynn. Officer Hernandez will be with you shortly. Stay in your vehicle. Don't drive away.
	<b>Caller:</b>	Thank you so much. You've really calmed me down.
04:10	<b>Dispatch:</b>	Stay safe out there!
Call terminated by caller at 11:52 CST.		

September 9, 2010

**Policy Section: Evidence Collection and Handling**

**Policy Number:** 38227

**Effective Date:** September 9, 2010

**Policy Statement:**

The Armadillo Police Department is committed to maintaining the highest standards of professionalism and integrity in all aspects of law enforcement, including evidence collection and handling. Proper evidence collection is essential to ensure the integrity and credibility of criminal investigations, protect the rights of all individuals involved, and maintain public trust in the department.

**Procedure: Evidence Collection**

**1. Identification and Documentation:**

- a. All officers must clearly identify and document all potential evidence at the scene of a crime or incident. This includes but is not limited to, physical objects, documents, photographs, videos, and audio recordings.
- b. Evidence should be accurately described, including its location, condition, and any relevant details. Officers should record the date, time, and location of evidence collection.

**2. Preservation of Evidence:**

- a. Once identified and documented, evidence must be preserved in its original state to the greatest extent possible. This may include taking steps to protect evidence from contamination, tampering, or deterioration.
- b. Evidence should be secured and packaged according to department guidelines to prevent damage or loss during transportation and storage.

**3. Crime Scene Control:**

- a. Perimeter Control: The responding officer shall immediately establish a secure perimeter around the crime scene, ensuring that no unauthorized personnel enter

Exhibit 8

the area. This includes using barricades, tape, or other suitable means to demarcate the boundary.

- b. Access Control: Access to the crime scene shall be restricted to authorized personnel, including investigators, forensic experts, and other necessary individuals. Officers not directly involved in the investigation shall remain outside the perimeter unless their presence is required for security or other specific reasons.

#### **4. Chain of Custody:**

- a. Officers collecting evidence must establish and maintain a clear chain of custody. This includes documenting all individuals who come into possession of the evidence, the date and time of transfer, and the purpose of the transfer.
- b. Any changes in the condition or location of evidence must be documented and explained in the chain of custody records.

#### **5. Processing of Biological or Forensic Evidence:**

- a. Officers responsible for collecting biological or forensic evidence, such as DNA, fingerprints, or ballistic evidence, must follow specialized procedures as outlined in departmental guidelines.
- b. Such evidence must be transferred promptly to the appropriate laboratory for analysis, and the chain of custody must be maintained throughout the process.

#### **Consequences of Violation:**

Any officer found to be in violation of this evidence collection and handling policy may face disciplinary action, including but not limited to retraining, suspension, or termination, depending on the severity of the violation and its impact on ongoing investigations and legal proceedings.

K. Ferguson

Kenneth Ferguson

Chief of Police

Armadillo Police Department

Exhibit 8
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July 4<sup>th</sup>, 2019

**From:**

Luke Skyrunner  
Chief of Police  
Armadillo Police Department

**To:**

Officer Alex Hernandez  
Badge # 2807  
1423 Hickory Street  
Armadillo, Hall County, Lone Star

**RE: Admonishment for Violation of Evidence Collection Policy**

Dear Officer Hernandez,

I hope this letter finds you in good health. I am writing to formally address a matter of significant concern that has come to my attention. It has come to my notice that you recently violated our department's policy on evidence collection during a specific incident, which is a matter of serious concern for the department and the community we serve.

The core principles of our police department are founded on professionalism, integrity, and a commitment to upholding the law while maintaining the highest ethical standards. The proper collection, handling, and preservation of evidence are essential components of our responsibilities as law enforcement officers. Unfortunately, it has come to my attention that your actions during a recent incident fell short of these expectations.

The specific incident in question occurred on July 1, 2018, when you were involved in the investigation of a burglary. During this incident, it has been determined that after arriving on scene, you immediately began questioning witnesses instead of securing the scene and therefore failed to adhere to our department's established procedures for evidence collection. As outlined in §3.5 of our policy, officers are to secure the crime scene as soon as they arrive on scene.

Your actions in this regard have raised serious concerns about the integrity of the evidence collected during the incident, which could potentially compromise the outcome of any related investigations and legal proceedings. Such lapses in professional conduct not only

Exhibit 9a

undermine public trust but also jeopardize the safety and well-being of our community members.

As a result, I am left with no choice but to formally admonish you for your failure to adhere to our department's evidence collection policy. It is imperative that you fully understand the gravity of this situation and the importance of strict adherence to departmental policies and procedures. I expect nothing less than a complete and immediate commitment from you to correct your behavior and ensure that such violations do not occur in the future.

To address this matter, the following steps will be taken:

1. You are required to undergo additional training on evidence collection procedures and protocols within three months of this letter.
2. You will be closely monitored to ensure compliance with departmental policies and procedures in all future assignments.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me or our internal affairs division for clarification and guidance.

I trust that you will take this matter seriously and will make every effort to regain the trust and confidence of your colleagues, the department, and the community we serve.

Sincerely,

*Luke Skyrunner*

Luke Skyrunner  
Chief of Police  
Armadillo Police Department



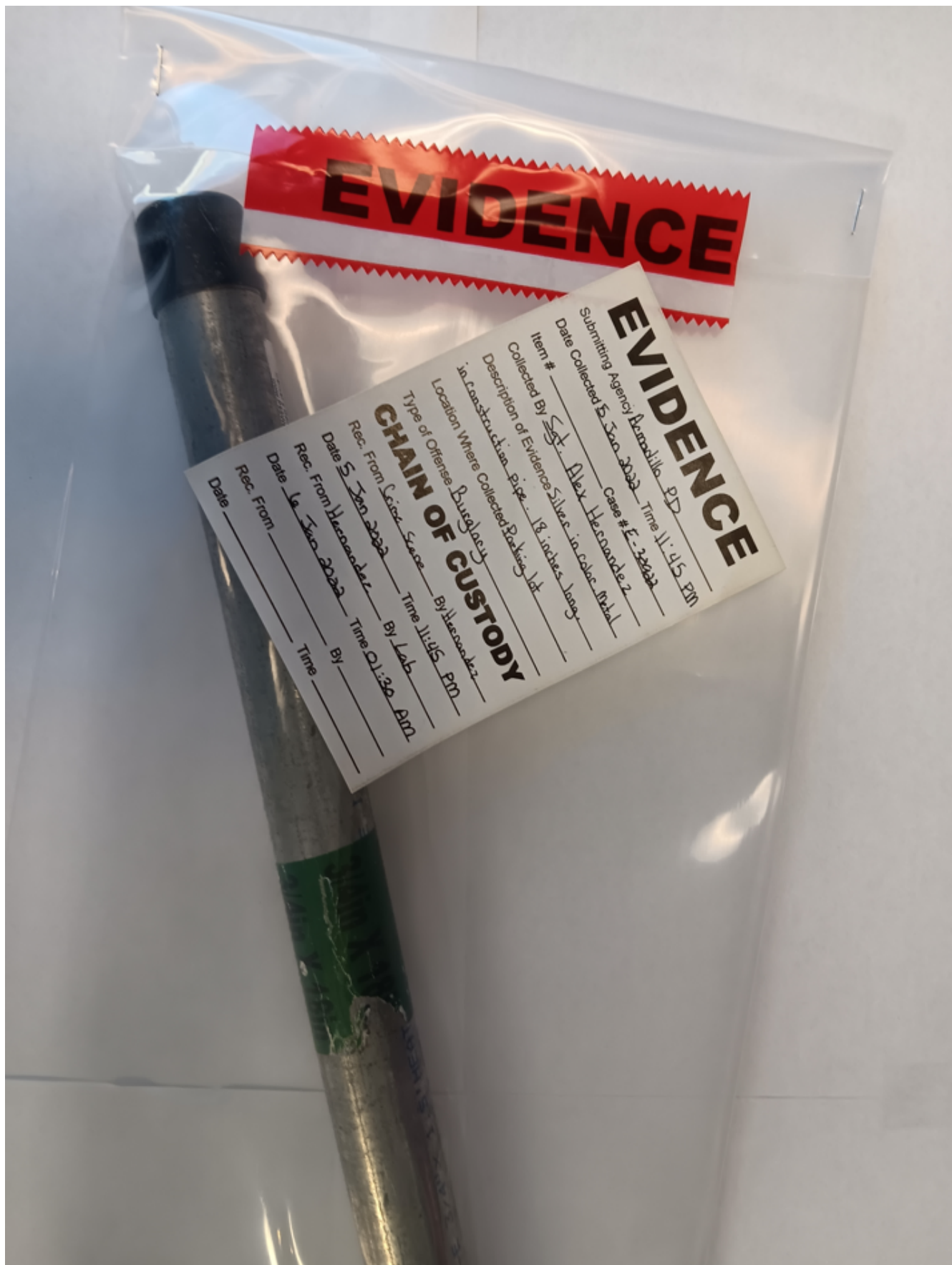


Exhibit 10b





Exhibit 10c



# EVIDENCE

Submitting Agency Armadillo PD

Date Collected 5 Jan 2022 Time 11:45 PM

Item # \_\_\_\_\_

Collected By Sgt. Alex Hernandez Case # E-32922

Description of Evidence Silver in color Metal

in construction pipe. 18 inches long.

Location Where Collected Parking lot

Type of Offense Burglary

## CHAIN OF CUSTODY

Rec. From Crime Scene By Hernandez

Date 5 Jan 2022 Time 11:45 PM

Rec. From Hernandez By Lab

Date 6 Jan 2022 Time 01:30 AM

Rec. From \_\_\_\_\_ By \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_



In the realm where shadows meet the light,  
A tale unfolds, both poignant and trite.  
Justice, a name, walks bold and free,  
While the guilty, in prison, yearn to flee.

With scales held high, fairness in their eyes,  
Justice strides with purpose, under open skies.  
But often it seems, they cast a blind eye,  
Leaving some languishing, wondering why.

The guilty may shiver in the cold, steel cell,  
Their stories untold, in darkness they dwell.  
Yet Justice, they dance in the world outside,  
Sometimes oblivious to the tears they've shed.

Innocence lost, or just a twist of fate,  
As they contemplate freedom, they're left to wait.  
But in the heart of the system, a paradox lies,  
Justice walks free, while the guilty agonize.

For truth is not always as clear as day,  
And the path to redemption, a complex array.  
In the tapestry of life, these threads do weave,  
A reminder that Justice, sometimes, takes their leave.

So let us reflect on this tale we see,  
Justice and guilt, their delicate decree.  
May we strive for a world where fairness prevails,  
Where both justice and mercy leave lasting trails.



Dear Father Lastrightz,

2/14/2022

I hope this letter finds you in good health and spirits. It has been a while since we last spoke, and I have found myself in a situation that I cannot keep hidden anymore. I am writing to you today to confess a grave sin that has been weighing heavily on my conscience.

As my confidant and spiritual guide, I believe it's only right that I confess that I have wrongfully withheld knowledge of a burglary. The person responsible for this burglary is a friend of mine. They're completing a program in plumbing, and I was afraid to come forward because I fear that doing so would cost them their seat at Armadillo Technical School. But while in prison, I can't stand the fact that Justice roams unshackled, while I remain confined. All for some stupid "warm and fuzzy" as my friend called it.

I cannot begin to express how deeply sorry I am for my actions, and the pain and suffering I have caused to the store owner and others affected by my wrongdoing. I understand that I must be willing to face the truth and accept the consequences of my actions, but I am afraid of the repercussions it might have on my safety in prison.

I ask for your prayers and counsel, Father, as I navigate this difficult decision. Please help me find the strength and courage to do what is just and to seek forgiveness for my own sins. I trust in

1 of 2

your wisdom and guidance, and I hope that you can offer me some clarity on this matter.

Thank you for being a source of solace and spiritual support in my life. I eagerly await your response and your words of wisdom.

Yours in faith,

Max

Max Karlson

2 of 2

Exhibit 11c

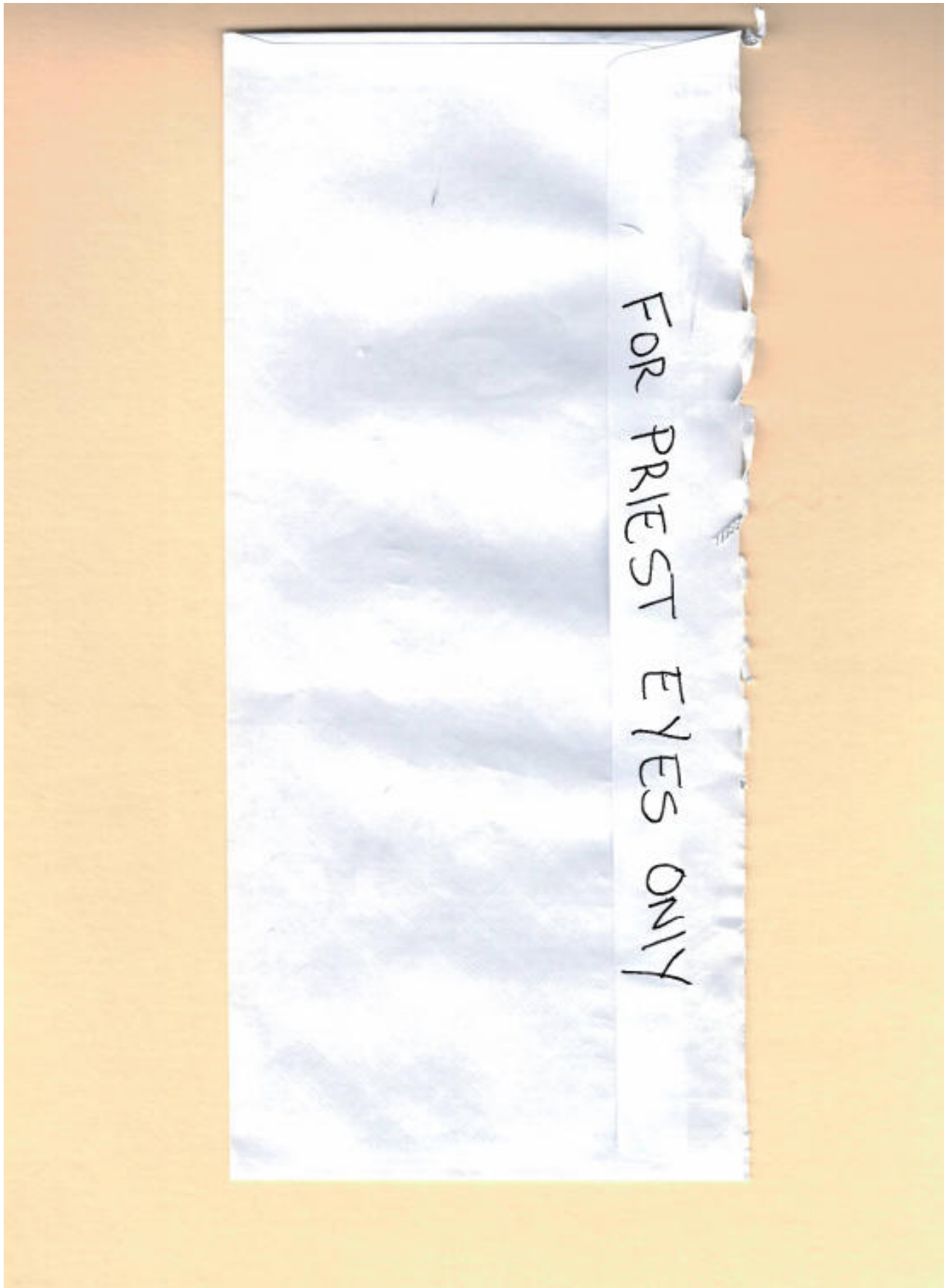
Max Karlson  
Inmate ID 121818  
200 Main St.  
Armadillo, Hall County, Lone Star

Father Lastnightz  
512 Sycamore Rd.  
Armadillo, Hall County, Lone Star

~~PRIVILEGED~~







Please review the video file for Exhibit 12.

Exhibit 12



# ARMADILLO AUDITORY

**DR. VICTORIA NAGHAVI, M.D.**

**Patient Name:** Lynn J. Brantley  
**Date of Last test:** 2021  
**CC:** Ceara Riggs, PA  
**Date:** 1/9/21  
**Rx:** Hearing Aid, fitted for left ear

---

**COMMENTS:** Patient has significant hearing loss in both ears, but left ear requires a hearing device to be fitted and maintained by a hearing specialist.

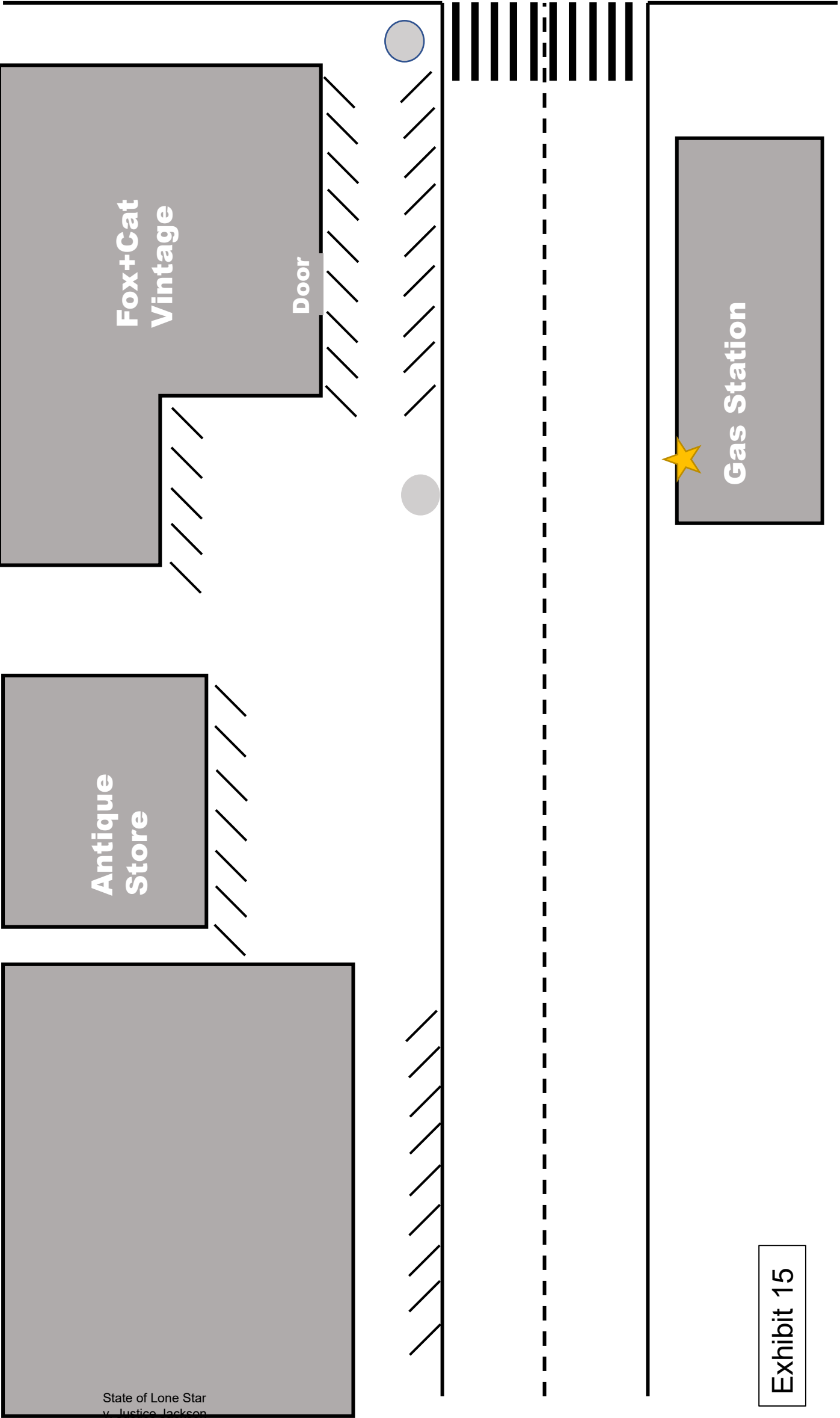
5-11 January 2022, Weather Forecast



## 7-DAY FORECAST

WED	THU	FRI	SAT	SUN	MON	TUE
AM WINTRY MIX	SUNNY BUT FRIGID	PM SNOW SHOWERS	WINTRY MESS FALLING TEMPS	ARCTIC BLAST	BRRRR	AT LEAST THERE'S SUN
						
<b>36</b> 26	<b>24</b> 14	<b>31</b> 17	<b>37</b> 16	<b>16</b> 7	<b>19</b> 7	<b>21</b> 10
































Armadillo weather that "points" you in the right direction! Trust the Armadillo tail! ←



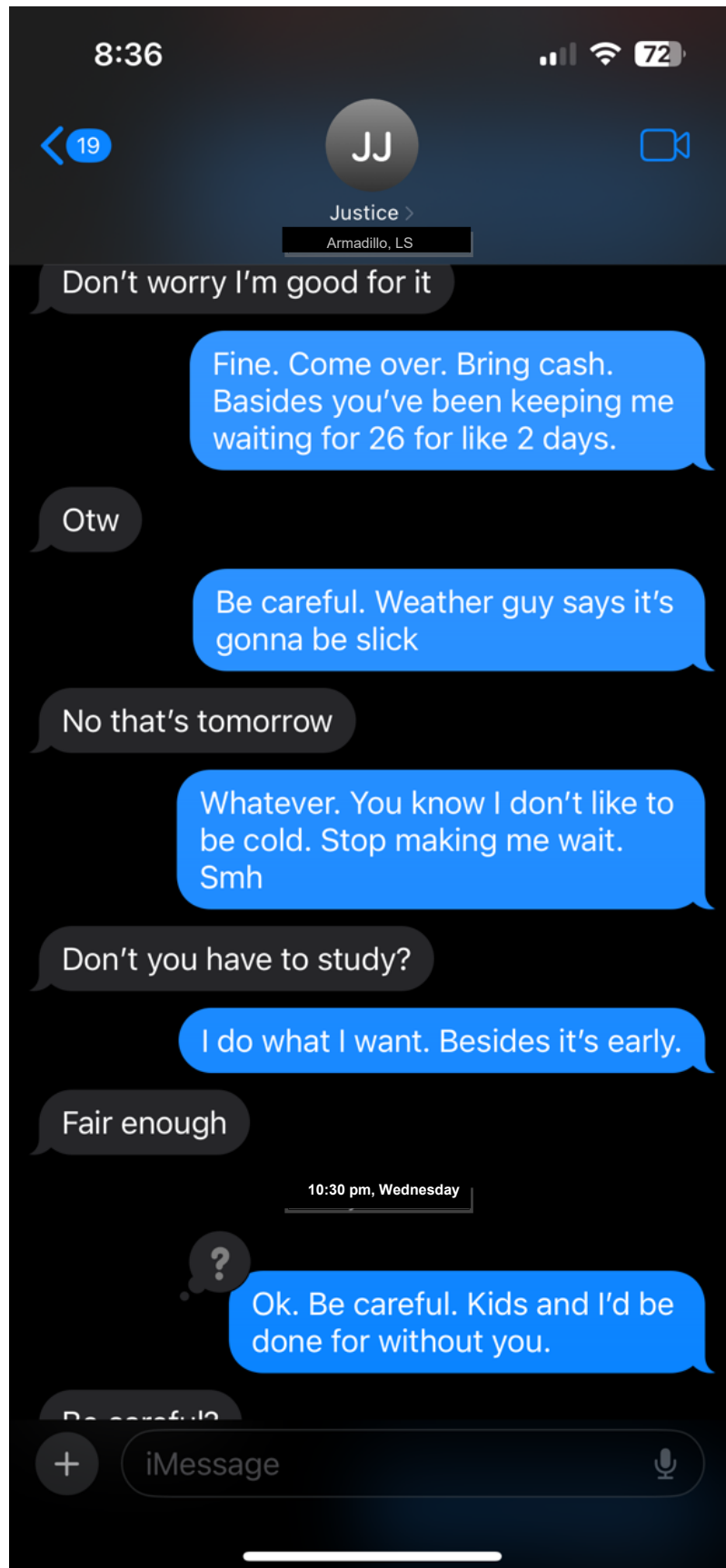


# JANUARY

# 2022

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
					 1	 2
 3 New Moon	 4	 5	 6	 7	 8 Waxing Crescent	 9
 10 1st Quarter	 11	 12 Waxing Gibbous	 13	 14	 15	 16
 17 Full Moon January Edition Launch	 18	 19	 20	 21	 22	 23 Waning Gibbous
 24	 25 3rd Quarter	 26	 27 Waning Crescent	 28	 29	 30
 31						

<https://www.lunarilluminationlmanac.gov>



## PipeFitters Express

*Always go with the flow!*

600 Massie Rd.  
Armadillo, LS  
Phone: 888-897-9234 Phone Fax: Fax

# RECEIPT

INVOICE # 434  
DATE: 22 DECEMBER 2021

### COMMENTS OR SPECIAL INSTRUCTIONS:

PipeFitters does not guarantee the function of any discounted or after market parts.

SALESPERSON	P.O. NUMBER	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
FLO	na	na	N/A in-store purchase	na	Due on receipt

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
2	Two-prt epoxy sealant	7.92	15.84
1	3" ubend	3.55	3.55
4	Pipe clamp, stnless	5.27	21.08
6	Rubber gaskets	.99	5.94
SUBTOTAL			46.41
SALES TAX			4.51
SHIPPING & HANDLING			In person sale
TOTAL DUE			50.91

Make all checks payable to 0BPipeFitters Express  
If you have any questions concerning this invoice, contact Name, Phone, Email

**THANK YOU FOR YOUR BUSINESS!**

Exhibit 18

STATE OF LONE STAR	§	IN THE DISTRICT COURT
	§	
	§	
	§	
	§	
v.	§	IN AND FOR
	§	
	§	
	§	
JUSTICE JACKSON, Defendant	§	HALL COUNTY, LONE STAR
	§	

FINAL JURY INSTRUCTIONS

Members of the Jury, I thank you for your attention during this trial. Please pay attention to the instructions I am about to give you.

In this case, Justice Jackson is charged with one count of burglary and one count of felony theft.

To prove the crime of burglary, the State must prove beyond a reasonable doubt that Justice Jackson intentionally or knowingly entered a building, in this case, Fox+Cat Vintage Shop, or portion of the building when it was not then open to the public, with intent to commit a theft.

“Enter” means to intrude: (1) any part of the body; or (2) any physical object connected with the body.

To prove the crime of theft, the State must prove beyond a reasonable doubt that Justice Jackson unlawfully appropriated property with intent to deprive the owner of the property. In this case, the property is two fur coats.

Proof beyond a reasonable doubt is proof that leaves you firmly convinced the defendant is guilty. It is not required that the government prove guilt beyond all possible doubt. A reasonable doubt is a doubt based upon reason and common sense and is not based purely on speculation. It may arise from a careful and impartial consideration of all the evidence, or from lack of evidence. If after a careful and impartial consideration of all the evidence, you are not convinced beyond a reasonable doubt that the defendant is guilty, it is your duty to find the defendant not guilty. On the other hand, if after a careful and impartial consideration of all the evidence, you are convinced beyond a reasonable doubt that the defendant is guilty, it is your duty to find the defendant guilty.

Under the laws of Lone Star, a person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result. A person acts knowingly, or with knowledge, with respect to

the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.

The intent with which an act is done is an operation of the mind and, therefore, is not always capable of direct and positive proof. It may be established by circumstantial evidence like any other fact in a case.

The evidence has raised the defense of alibi in relation to the offenses of both burglary and theft. "Alibi" means that Justice Jackson could not have committed the offenses charged or any lesser included offense because the defendant was at another place when the offenses occurred. Alibi is a complete defense to the offenses of burglary and theft.

The defendant does not have the burden of proving an alibi defense, nor does the defendant have to convince you that he or she was not present at the time and place of the commission of the crime.

The burden is on the prosecution to establish the guilt of the defendant. If you are convinced beyond a reasonable doubt that he or she was present at the time and place of the alleged offense, then the defense of alibi does not exist.

A person is criminally responsible as a party to an offense if the offense is committed by their own conduct, by the conduct of another for which they are criminally responsible by way of conspiring together to commit a crime.

It is up to you to decide what evidence is reliable. You should use your common sense in deciding which is the best evidence and which evidence should not be relied upon in considering your verdict. You may find some of the evidence not reliable or less reliable than other evidence. In doing so, you should consider how the witness acted as well as what he or she said. Some things you should consider are:

1. Did the witness seem to have an opportunity to see and know the things about which the witness testified?
2. Did the witness seem to have an accurate memory?
3. Was the witness honest and straightforward in answering the attorneys' questions?
4. Did the witness have some interest in how the case should be decided?
5. Does the witness's testimony agree with the other testimony and the other evidence in this case?
6. Has the witness been offered or received any money, preferred treatment, or other benefit in order to get the witness to testify?

7. Had any pressure or threat been used against the witness that affected the truth of the witness's testimony?

8. Did the witness at some other time make a statement that is inconsistent with the testimony he or she gave the court?

9. Was it proved that the witness had been convicted of a crime?

10. Was it proved that the general reputation of the witness for telling the truth and being honest was bad?

You may rely upon your own conclusions about the witnesses. A juror may believe or disbelieve all or any part of the evidence or the testimony of any witness.

There are some general rules that apply to your deliberations. You must follow these rules in order to return a lawful verdict:

1. You must follow the law as it is set out in these instructions. If you fail to follow the law, your verdict will be a miscarriage of justice. There is no reason for failing to follow the law in this case. All of us are depending on you to make a wise and legal decision in this matter.

2. This case must be decided only upon the evidence that you have heard from the answers of the witnesses and have seen in the form of exhibits and these instructions.

3. This case must not be decided for or against anyone because you feel sorry for anyone or are angry at anyone.

4. Remember the lawyers are not on trial, even if they should be. Your feeling about them should not influence your decision in this case.

5. Whatever verdict you render must be unanimous; that is each juror must agree to the same verdict.

6. It is entirely proper for a lawyer to talk to a witness about what testimony the witness would give if called to the courtroom. The witness should not be discredited for talking to a lawyer about his or her testimony.

7. Your verdict should not be influenced by feelings of prejudice, bias, or sympathy. Your verdict must be based on the evidence and on the law contained in these instructions.

Deciding a proper verdict is exclusively your job. I cannot participate in that decision in any way. Please disregard anything I may have said or done that made you think I preferred one verdict over another.

Only one verdict may be returned as to the crimes charged. This verdict must be unanimous, that is, all of you must agree to the same verdict. The verdict must be in writing and, for your convenience; the necessary forms of verdict have been prepared for you. They are as follows:

**[READ VERDICT FORM]**

In just a few moments, you will be taken to the jury room by the bailiff. The first thing you should do is elect a foreperson who will preside over your deliberations like a chairperson of a meeting. It is the foreperson's job to sign and date the verdict form when all of you have agreed on a verdict in this case and to bring the verdict back to the courtroom when you return. Either a man or a woman may be the foreperson of the jury. Your verdict finding the defendant either guilty or not guilty must be unanimous. The verdict must be the verdict of each juror as well as of the jury as a whole.

In closing, let me remind you that it is important that you follow the law spelled out in these instructions in deciding your verdicts. There are no other laws that apply to this case. Even if you do not like the laws that must be applied, you must use them. For two centuries, we have agreed to a constitution and to live by the law. No one of us has the right to violate the rules we all share.

The Honorable Trevor Barna

STATE OF LONE STAR

§  
§  
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§  
§  
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§  
§  
§

IN THE DISTRICT COURT

v.

IN AND FOR

JUSTICE JACKSON, Defendant

HALL COUNTY, LONE STAR

VERDICT OF THE JURY

We, the jury, find, as to the crimes alleged against JUSTICE JACKSON as follows:

As to the crime of burglary:

\_\_\_\_\_ GUILTY

\_\_\_\_\_ NOT GUILTY

As to the crime of theft:

\_\_\_\_\_ GUILTY

\_\_\_\_\_ NOT GUILTY

Date \_\_\_\_\_

\_\_\_\_\_  
Jury Foreperson: Laura West