

2012-2013 Nevada High School Mock Trial Competition

State of Nevada vs. Brit Reynolds

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The 2012-2013 High School Mock Trial case is an original case written by Michael J. Fica, Esq., Assistant United States Attorney in Boise, ID under the auspices of the Constitutional Rights Foundation and Dana Weatherby, Assistant Director of the Idaho Rights Foundation. The case was adapted by Miriah Holden, Esq. of Kessner Umebayashi Bain & Matsunaga in Honolulu, HI. The Mock Trial Board thanks the Idaho Law Foundation in Boise, ID for permission to utilize the case, which was edited for Nevada by Lori L. Plater and Andrew Craner. We hope you find these materials interesting and educational, and we wish you the best of luck at competition!

Witness and Exhibit List

The following witnesses shall be called by the parties.	
FOR THE PROSECUTION	FOR THE DEFENSE
Officer Kris Evelrud	Dr. Sage Bingham
Joey Garrett	Ranger Marion Birch
Dr. Kim Hobbes	Brit Reynolds
The following exhibits may be used by teams in competition. They are pre-marked and are to be referred to by number as follows:	
EXHIBIT NUMBER	EXHIBIT NAME
1	Map of Sandalwood Canyon
2	Map of the Cove
3	Coroner's Diagram of Anne Marcus' Body

Stipulations

The Prosecution and defense stipulate to the following facts:

1. The English exam photocopy had both Brit Reynolds' and Joey Garrett's handwriting on it.
2. Anne Marcus and Brit Reynolds have Type A blood.
3. A potential expert witness does not need to be “certified” as an expert by the judge as a prerequisite to proffering testimony as an expert. However, sufficient evidence must still be introduced as required by Federal Rule of Evidence 702 to allow a witness to testify as an expert witness.
4. Chris Longmore, Aunt Myra, Brit Reynolds' parents, Brit Reynolds' minister, and the individual who found the body are unavailable to testify.
5. All witness statements were taken in a timely manner and properly executed. Any requirements of dating the statements or notarizing are waived for purposes of this case.
6. The vandalized locker belongs to Anne Marcus.
7. For purposes of this case, sunset was at 8:04 p.m. on June 3, 2012.
8. Weather, tides, sunrise/sunset times, etc. are not subject to judicial notice.
9. Any statute of limitation issues are waived or not applicable.
10. Any procedural or technical deficiencies in the Indictment or other documents are waived, not applicable, or subject to future amendment.
11. This case is set as a bench trial so there is no jury. However, students should feel free to address the scoring judges as though they are the jury. This case utilizes common law instead of the Nevada Revised Statutes (NRS).

JURY INSTRUCTIONS

[Not to be read in open court]

Ladies and Gentlemen of the Jury:

It will be your duty to decide the facts. You must decide the facts only from the evidence presented in court. You must not speculate or guess about any fact. You must not be influenced by sympathy or prejudice. You will hear the evidence, decide the facts, and then apply the law I will give you to those facts. That is how you will reach your verdict(s). In doing so you must follow that law whether you agree with it or not. You must not take anything I may say or do during the trial as indicating any opinion about the facts. You, and you alone, are the judges of the facts.

You must consider all of these instructions. Do not pick out one instruction, or part of one, and ignore others. As you determine the facts, however, you may find that some instructions no longer apply. You must then consider the applicable instructions, together with the facts as you have determined them.

The Evidence

You will decide what the facts are from the evidence presented here in court. That evidence will consist of testimony of witnesses, any documents and other things received in evidence as exhibits, and any facts stipulated, or agreed to, by the parties or which you are instructed to accept.

You will decide the credibility and weight to be given to any evidence presented in the case, whether it be direct evidence or circumstantial evidence. **Direct evidence** is a physical exhibit or the testimony of a witness who saw, heard, touched, smelled or otherwise actually perceived an event. **Circumstantial evidence** is the proof of a fact from which the existence of another fact may be inferred. You must determine the weight to be given to all the evidence without regard to whether it is direct or circumstantial.

Admission of evidence in court is governed by rules of law. I will apply those rules and resolve any issues that arise during the trial concerning the admission of evidence. If an objection to a question is sustained, you must disregard the question and you must not guess what the answer to the question might have been. If an exhibit is offered in evidence and an objection to it is sustained, you must not consider that exhibit as evidence. If testimony is ordered stricken from the record, you must not consider that testimony for any purpose. Do not concern yourselves with the reasons for my rulings on the admission of evidence. Do not regard those rulings as any indication from me of the credibility or weight you should give to any evidence that has been admitted.

In deciding the facts of this case, you should consider what testimony to accept, and what to reject. You may accept everything a witness says, or part of it, or none of it. In evaluating testimony, you should use the tests for accuracy and truthfulness that people use in deciding matters of importance in everyday life, including: the witness' ability to see, hear, or know the things to which he/she testified; the quality of his/her memory; the witness' manner while

testifying; whether he/she has any motive, bias, or prejudice; whether the witness is contradicted by anything he/she said or wrote before trial, or by other evidence; and the reasonableness of the testimony when considered in the light of the other evidence. Consider all evidence in light of reason, common sense, and experience.

A witness qualified as an expert by education or experience may state opinions on matters in that witness's field of expertise, and may also state reasons for those opinions. Expert opinion testimony should be judged just as any other testimony. You are not bound by it. You may accept or reject it, in whole or in part, and you should give it as much credibility and weight as you think it deserves, considering the witness's qualifications and experience, the reasons given for the opinions, and all the other evidence in the case.

As I mentioned earlier, it is your job to decide from the evidence what the facts are. Here are six rules on what is and what is not evidence:

1. **Evidence to be considered:** You are to determine the facts only from the testimony of witnesses and from exhibits received in evidence.

2. **Lawyers' statements:** Ordinarily, statements or arguments made by the lawyers in the case are not evidence. Their purpose is to help you understand the evidence and law. However, if the lawyers for both/all parties agree or stipulate that some particular fact is true, you should accept it as true.

3. **Questions to a witness:** By itself, a question is not evidence. A question can be used only to give meaning to a witness's answer.

4. **Objections to questions:** If a lawyer objects to a question and I do not allow the witness to answer, you must not try to guess what the answer might have been. You must also not treat the objection as evidence or guess the reason why the lawyer objected in the first place.

5. **Rejected evidence:** At times during the trial, testimony or exhibits will be offered as evidence, but I might not allow them to become evidence. Since they never become evidence, you must not consider them.

6. **Stricken evidence:** At times I may order some evidence to be stricken, or thrown out. Because it is no longer evidence, you must not consider it.

Burden of Proof and the Elements of the Claim

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

Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the Defendant's guilt. There are very few things in this world that we know with absolute certainty, and in criminal cases the law does not require proof that overcomes every doubt. If, based on your consideration of the evidence, you are firmly convinced that the Defendant is guilty of the crime

or crimes charged, you must find the Defendant guilty. If, on the other hand, you think there is a real possibility that the defendant is not guilty, you must give the defendant the benefit of the doubt and find the defendant not guilty.

You must decide whether or not the State has proven the defendant guilty beyond a reasonable doubt. The law does not require the Defendant to prove innocence. You must start with the presumption that the defendant is innocent. The State must then prove the Defendant guilty beyond a reasonable doubt. This means that the State must prove each element of the charges beyond a reasonable doubt. If you conclude that the State has not met its burden of proof beyond a reasonable doubt with respect to a particular charge, then you must find the defendant not guilty of that charge.

You must decide whether the Defendant is guilty or not guilty by determining what the facts in the case are and applying these jury instructions. You must not consider the possible punishment when deciding on guilt; punishment is left to the judge.

If you find that the Prosecutor, the State of Nevada, has lost, destroyed, or failed to preserve evidence whose contents or quality are important to the issues in this case, then you should weigh the explanation, if any, given for the loss or unavailability of the evidence. If you find that any such explanation is inadequate then you may infer that the evidence is against the State's interest, which may create a reasonable doubt about the Defendant's guilt.

The State must prove guilt beyond a reasonable doubt with its own evidence. You must not conclude that the Defendant is likely to be guilty because the Defendant did not testify. The Defendant is not required to testify. The decision on whether or not to testify is left to the Defendant acting with the advice of an attorney. You must not let this choice affect your deliberations in any way.

The Defendant is not required to produce evidence of any kind. The decision on whether to produce any evidence is left to the Defendant acting with the advice of an attorney. The Defendant's failure to produce any evidence is not evidence of guilt.

Before you may convict the Defendant of the charged crimes, you must find that the State proved beyond a reasonable doubt that the Defendant committed a voluntary act. A voluntary act means a bodily movement performed consciously and as a result of effort and determination. You must consider all the evidence in deciding whether the Defendant committed the act voluntarily.

There are two classes of evidence recognized and admitted in courts of justice, upon either of which, juries may lawfully find the accused guilty of crime. One is direct or positive testimony of an eyewitness to the commission of the crime, and the other is proof by testimony of a chain of circumstances pointing sufficiently strong to the commission of the crime by the defendant, and which is known as circumstantial evidence.

Such evidence may consist of admissions by the defendant, plans laid for the commission of the crime, in short, any acts, declarations or circumstances admitted in evidence tending to connect the defendant with the commission of the crime. There is nothing in the nature of circumstantial evidence that renders it less competent for your consideration than any other class of evidence.

It is well established that the Defendant's guilt may be established, beyond a reasonable doubt, by circumstantial evidence, as well as direct evidence. If you are satisfied of Defendant's guilt, beyond a reasonable doubt, it matters not whether your judgment of his or her guilt is based upon direct and positive evidence or on indirect and circumstantial evidence or both.

The rules of evidence ordinarily do not permit the opinion of a witness to be received as evidence. An exception to this rule exists in the case of expert witnesses. A person who, by education, study and experience, has become an expert in any act, science or profession, and who is called as a witness, may give his or her opinion as to any such matter in which he or she is versed and which is material to the case. You should consider such expert opinion and should weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it if, in your judgment, the reasons given for it are unsound.

The Counts / Charges:

The State has charged Brit Reynolds with murdering Anne Marcus and with robbing Anne Marcus. A charge is not evidence against the Defendant. The Defendant has pled “not guilty.” This means that the State must prove each element of the charges beyond a reasonable doubt.

MURDER IN THE FIRST DEGREE

The pertinent part of the statute pursuant to which the charges of murder is brought against the defendant provides as follows:

“The unlawful killing of a human being with malice aforethought is murder. Every murder perpetrated by poison, lying in wait, or other wilful, deliberate, malicious and premeditated killing or one committed in the perpetration of, or attempt to perpetrate any . . . robbery . . . is murder in the first degree.”

The essential elements which the state must prove beyond a reasonable doubt when a charge of **murder in the first degree** is brought are:

- The unlawful killing of a human being which means the taking of the life of a person without justification or excuse, contrary to law.
- With malice aforethought means an evil intent that must exist in the mind of the person committing the act before the act.
- Malice or evil intent can arise from either an express intent to kill or to inflict great bodily harm or from the hardness of the heart, cruelty, and wickedness of disposition, recklessness of consequence or a mind dispassionate of social duty.
- Being subjective and a product of the mind, malice or evil intent may be implied or inferred based upon the conduct of the defendant and by the means and circumstances by which the death was brought about.

In this State, a murder that is a wilful, deliberate, malicious and premeditated killing is murder in the first degree. A murder committed in the perpetration of or attempt to perpetrate a felony such as robbery is also murder in the first degree. This is called a felony murder and I shall instruct you on it shortly.

To assist you, I will define certain of these words:

- Wilful means intentional and knowingly.
- Deliberate means carefully considered, wilful and intentional.
- Malicious, as I explained before, means with evil intent.
- Premeditate means to deliberate and to think about a contemplated act in advance.
- The length of time or duration of the premeditation necessary to establish murder in the first degree must be shown to have existed for more than a barely appreciable length of time before the killing. The premeditation must have been something more than of momentary existence.

Please keep in mind that in a murder case, motive is not an element of the crime and the State does not have to prove one existed.

If you find from all of the evidence and the reasonable inferences to be drawn from the evidence that the State has proven each and every element of murder in the first degree beyond a reasonable doubt, then you must bring back a verdict of guilty.

Conversely, if you find from all the evidence and the reasonable inferences to be drawn from the evidence that the State has failed to prove each and every element of murder in the first degree beyond a reasonable doubt, then you must bring back a verdict of not guilty.

MURDER IN THE SECOND DEGREE

The distinction between murder in the first degree and murder in the second degree is the length of time that the person committing the act of killing deliberated and thought about the act in advance, that is, the duration of the pre-meditation.

- Please recall that the length or duration of premeditation necessary to establish murder in the first degree must have existed for more than a barely appreciable length of time before the killing and must have been something more than of momentary existence.
- If, however, the length or duration of premeditation existed for only a barely appreciable length of time, that is to say for less than a moment, then it is murder in the second degree.

This is the only distinction between the two degrees of murder and in addition to this proof, all

other elements which the state must prove beyond a reasonable doubt in a charge of murder in the first degree must similarly be proven beyond a reasonable doubt in a charge of murder in the second degree.

So, if you find from all the evidence and the reasonable inferences to be drawn from the evidence that the state has proven each and every element of the crime of murder in the second degree beyond a reasonable doubt, then you must bring back a verdict of guilty.

Conversely, if you find from all the evidence and the reasonable inferences to be drawn from the evidence that the state has failed to prove each and every element of the crime of murder in the second degree beyond a reasonable doubt, then you must bring back a verdict of not guilty.

MANSLAUGHTER

Manslaughter is the unlawful killing of a human being without malice, express or implied and without premeditation and deliberation, that is, without a conscious intent or design.

The essential element which the State must prove beyond a reasonable doubt for manslaughter is the unlawful killing of a human being, which I previously defined for you in these instructions as the taking of the life of a person without justification or excuse, contrary to law.

- Without malice means without an evil intent.
- Without premeditation and deliberation means without considering or thinking about a contemplated act.
- Manslaughter may be voluntary or involuntary.
 - Voluntary manslaughter is defined as an intentional homicide without malice aforethought in the heat of passion as a result of adequate provocation.
 - Heat of passion means any emotions of the mind such as rage and anger.
 - Involuntary manslaughter is defined as an unintentional homicide without malice aforethought, committed either in the performance of an unlawful act not amounting to a felony or in the performance of a lawful act with criminal negligence.
 - Criminal negligence means the omission on the part of a person to do some act which an ordinarily careful and prudent man would do under like circumstances or the doing of some act which an ordinarily careful prudent man under like circumstances would not do by reason of which another person is endangered in life or bodily safety.

If you find from the evidence and reasonable inference to be drawn there from that the state has proven each and every essential element of the crime of manslaughter beyond a reasonable doubt, then you must bring back a verdict of guilty.

On the other hand, if you find from the evidence and reasonable inferences to be drawn there from that the state has failed to prove each and every essential element of the crime of manslaughter beyond a reasonable doubt, then you must bring back a verdict of not guilty.

Credibility of witnesses.

You alone are the judges of the credibility of the witnesses and the weight to be given to the testimony of each of them. In determining the credit to be given any witness, you should take into account the witness's truthfulness or untruthfulness, ability and opportunity to observe, memory, manner while testifying, any interest, bias or prejudice the witness may have and the reasonableness of the witness's testimony considered in the light of all the evidence in the case.

Defendant not testifying; no inference of guilt.

You must not draw any inference of guilt from the fact that the Defendant did not testify in this case, nor should this fact be discussed by you or enter into your deliberations in any way.

Opinion testimony.

You should consider each opinion received in evidence in this case and give it such weight as you think it deserves. If you should conclude that the reasons given in support of the opinion are not sound or that for any other reason an opinion is not correct, you may disregard the opinion entirely.

Presumption of innocence; reasonable doubt; burden of proof.

The law presumes the Defendant to be innocent unless and until you are satisfied beyond a reasonable doubt of her or his guilt.

The burden is always on the State to prove guilt beyond a reasonable doubt. It is not required that the state prove guilt beyond all possible doubt. A reasonable doubt is based upon reason and common sense -- the kind of doubt that would make a reasonable person hesitate to act in the graver and more important affairs of life.

Duty to follow instructions.

The law governing this case is contained in these instructions, and it is your duty to follow that law. You must consider these instructions as a whole. You must not pick out one instruction or parts of an instruction and disregard others.

Jury must not consider penalty.

You must not concern yourself with the consequences of your verdict.

Jury sole judge of facts; sympathy or prejudice not to influence verdict.

You are the sole judges of the facts in this case. It is your duty to determine the facts from the

evidence produced here in court. Your verdict should not be based on speculation, guess or conjecture. Neither sympathy nor prejudice should influence your verdict. You are to apply the law as stated in these instructions to the facts as you find them, and in this way decide the case.

Duty to consult.

Your verdict must represent the considered judgment of each juror. In order to return a verdict, it is necessary that each juror agrees. Your verdict must be unanimous.

It is your duty to consult with one another and try to reach an agreement. However, you are not required to give up your individual judgment. Each of you must decide the case for yourself, but you must do so only after an impartial consideration of the evidence with your fellow jurors. In the course of your deliberations, do not hesitate to re-examine your own view and change your opinion if you are convinced it is erroneous. But do not surrender your honest conviction as to the weight or effect of evidence solely because of the opinion of your fellow jurors, or for the purpose of reaching a verdict.

You are the judges -- judges of the facts. Your sole interest is to ascertain the truth from the evidence in the case.

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IN THE 14TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF GOLDMINE

STATE OF NEVADA,

Plaintiff,

vs.

BRIT REYNOLDS,

Defendant.

Case No. CR2012-100MT

Dept. No. XXXXIV

INDICTMENT

The Defendant is accused by the Grand Jury of Goldmine County, State of Nevada, as follows:

COUNT I: On or about **JUNE 3, 2012**, in the County of Goldmine, State of Nevada, **BRIT REYNOLDS** did unlawfully kill **ANNE MARCUS**, thereby committing the offense of Murder in the First Degree or alternatively committing Murder in the Second Degree, or Manslaughter, in violation of Nevada law.

Pursuant to NRS 172.105, the County Grand Jurors find that the offenses described above were committed, in whole or in part, in Goldmine County, Nevada.

Dated: October 1, 2012.

KATHERYN E. HUDSON, ESQ.
District Attorney
Goldmine County, Nevada

/s/ Jennifer L. Lopez
Jennifer L. Lopez, Esq.
Deputy District Attorney

A “True Bill”

/s/ Selena Gomez
Foreperson of the County Grand Jury

STATEMENT OF JOEY GARRETT

My name is Joey Garrett, and I live at 42 Chimel Road in Sleepy Hollow. I am 17 years old, and I graduated from Hemmingway High School in August after completing summer school. I took Chris Longmore's Honors English Literature course in the spring. Both Anne Marcus and Brit Reynolds were also in the class. I had studied hard all semester because I had applied to a number of schools, and I awaited hearing about scholarship information. I was accepted to several colleges, including Coastal University, which honored scholarships from the Distinguished Writers Foundation (DWF). I knew that in the past, the top three grades on the Honors Literature Exam received these scholarships and received Honors at the Graduation Ceremony, too. My older brother had received the award two years ago, and my sister received the award last year. I really felt like I had to follow in their footsteps. The whole atmosphere of the class was competitive. The students compared their quiz and essay grades with each other. It was intimidating. I know I am a good student, but I still felt the pressure. Maybe that explains why I agreed with Brit to cheat on the exam.

Brit had a school volunteer service job working in the English department and snooped around to find the extra keys to Mr. Longmore's cabinets. One day, probably in early May, Brit came up to me after school and showed me a copy of Mr. Longmore's exam. There were multiple choice and essay questions. I could not believe my eyes! Brit was angry that there were no answers written on it, but told me that the questions gave us an opportunity to prepare in advance. At first, I told Brit to put the exam back. I had already been caught the year before for plagiarism. I had learned my lesson, or so I thought, but Brit was insistent, telling me that I had to go along with it because now I knew too much. I guess I ought not to blame Brit. It was my stupid decision to go ahead with Brit's plan.

We prepared our answers before the exam and did very well. I suppose we were pretty bold because on June 1, we started talking about it in the hall at school. Brit was handing me the prepared exam and telling me to get rid of it. I said it was not my job to do that, when Anne Marcus came over to us and grabbed the exam paper. She looked at it and then at us and said, "I can't believe this! You guys cheated!" We pleaded with Anne to keep it quiet and give us back the paper, but she refused. Anne said she was going to tell the principal about it on Monday if we did not turn ourselves in by then. Then she stuffed the papers in her backpack and threw the backpack into her locker right there. She locked it up and walked away. I felt like we were doomed.

On Sunday, June 3, Brit asked me to drive us to Sandalwood Canyon to talk with Anne. I thought that would be a complete waste of time because I knew Anne would not change her mind. But I had nothing else to do, and Brit insisted we go. On the way there, Brit talked about Anne and became more and more agitated. Brit called Anne a "backstabber" for threatening to turn us in. I was afraid of getting in trouble, but I could see that Anne risked getting in trouble for not turning us in. I asked Brit what good it would do to talk to Anne, but Brit would not listen to me.

When we arrived, we hiked up the ledge of the rock face where Anne was climbing. We waited for a couple of minutes, and when Anne reached the ridge, Brit just snapped. Anne was standing there, gathering up the rope when Brit lunged forward and grabbed Anne's collar. Brit muttered something and made a noise. Then I saw Anne swinging her arms like she was

trying to keep her balance. She yelled and had this terrified look on her face. Before I could do anything, Brit let go of her collar, and the two of them stood there for a few seconds. Anne did not move. Brit dusted off her shoulder and said, "We do not want you to get hurt, do we?" Then Anne coiled up her rope and said she wanted to leave.

Brit mentioned the exam to Anne. Brit said, "Let's go talk about this at the Cove." I am sure s/he meant the Cove on the creek at the base of the rock face Anne had just climbed. Anne did not say anything, but just stared at Brit. They started walking together in the direction of the Cove, and I followed. I had second thoughts at this point about trying to convince Anne. She seemed determined to turn us in. But before I knew it, the two of them started screaming at each other. I am not sure who screamed first, but it startled me. Brit's face turned red, and Brit grabbed Anne's arm. Anne tried to get out of Brit's grip, but could not do it. So Anne just punched Brit in the shoulder and screamed, "Let me go!" By this time, we were at the tip of the promontory where the trail curved around toward the Cove. The two of them would not stop screaming at each other. Brit let go of her arm, but stood there on the ridge between her and me. Brit then pushed Anne's shoulder, and Anne pushed back. I said, "This is a total waste of time, Brit." I told them I was going back to my car rather than watch them beat each other up. They ignored me and walked toward the Cove. I turned and headed back to my car. I walked slowly, being careful on the rocky trail.

When I got back, the clock on my dashboard said it was 7:50 p.m. I sat in the car and turned on the radio. I only got out of the car to go to the restroom once or twice over the next hour or so while I waited for Brit. It was very dark when Brit finally showed up at the car at 9:00 p.m. I asked where Anne was. Brit said, "At least I got one more day out of her." I assumed this meant that Anne was not going to tell on us. That seemed odd because the two of them had been fighting so fiercely. Brit seemed angry, and we argued. Brit accused me of ditching them on the ridge, and I accused Brit of keeping me waiting for so long. We got in the car, and I drove us back to the city. On the way back, I turned on my car's interior lights to look for something, and I noticed a small spot on the inside of Brit's right wrist. It looked like dried blood. I did not think anything of it at the time. We did not talk at all during the ride home. Brit still seemed angry and ignored me. I was also fed up with Brit. That kid was always getting me in trouble.

I arrived at school the next day at 11:00 a.m., after a doctor's appointment. A little later, the Principal announced Anne's death. I was shocked, and I almost fainted. Just after lunch, around 1:14, I got a note to go to the office. There, I saw Officer Evelrud and the Principal, but the Principal left the room. The officer talked with me for a few minutes and told me that Anne had turned us in for cheating. I thought I had my college plans all wrapped up, but at that moment, I realized my plans were destroyed. I explained that Brit and I had been with Anne at the Canyon the night before. I told the officer about Brit's and Anne's fight and that Brit was with her for a long time alone. I remembered the strange stain on Brit's wrist, and I told the officer about it and that it looked like dried blood. Then the officer thanked me and let me go back to class.

/s/ Joey Garrett
Joey Garrett

STATEMENT OF OFFICER KRIS EVELRUD

My name is Kris Evelrud. I am 32 years old, and I have been an officer in the Police Department for five years. In addition to investigative and other police duties, I have been the School Resource Office ("SRO") at Hemmingway High School for the past three years. I investigated Anne Marcus' death.

As SRO, I know that most Hemmingway High graduates go on to attend college, and honor students in advanced classes tend to be accepted at some of the country's top schools. Image is important, and classes are competitive. Students are known to taunt, even sabotage, each other to get good grades.

The Administration tries to keep a lid on cheating which has become rampant over the past couple of years because of the Internet. An honor system was developed two years ago to educate students about the pitfalls, discourage would-be cheaters, and require students to report incidents of cheating. In the spring of 2011, Joey Garrett and Brit Reynolds were among the students caught cheating. Both of them received the punishment for a first offense knowing that a second offense would get them into more serious trouble.

Brit and Joey stood out among the students in their class for both academic and athletic honors. Brit is on the soccer team, trains hard, and lifts weights. Brit has leadership qualities, too, but was known to use them negatively and tended to be sarcastic. Joey has a similar personality, though Joey's hostility was known to go beyond sarcasm at times with other students. At the beginning of last year, Joey was reported to the Principal for taunting and punching a transfer student. Joey was suspended for a day from school, and the Administration held a parent conference. That year, Joey was also disciplined one other time for a similar incident.

Students in Joey's or Brit's situation know that if they got in any more trouble, they could fail their Honors Class and have to repeat the course over the Summer. They would not walk across the stage at Graduation, and they would lose their chance of receiving the DWF scholarship. All of these factors would probably jeopardize their chances to go to a prestigious college, like Coastal University, even if they had been accepted already.

On the morning of Monday, June 4, at approximately 7:00 a.m., I received a call from Dispatch that someone had found a body near the Sandalwood Canyon Creek. When I arrived on the scene a few minutes later, I found the body on a small sandy area at a bend in the Creek that the kids call the "Cove." When I saw the body, I immediately recognized it as that of Anne Marcus. A small crowd of onlookers gathered in the Cove, and I ordered them to clear out until the coroners arrived.

I searched the Cove and visually examined the body. I immediately noticed some reddish marks on the decedent's wrists and thought that she had been bound. The decedent was wearing climbers' clothes and still had her belt on with utility pouches and some small metal rings, which are called carabineers. I noticed a rock ledge a few inches above the sand at the foot of the southern cliff face in the Cove. The ledge was about four feet wide and sparsely covered with sand. It did not have any rain or moisture on it. On this ledge, I also found a small rock that was just big enough to fit into my hands, and it had dried blood on it.

Around 11:00 a.m., the medical examiner ("M.E.") called me to give a report. The M.E. confirmed that the deceased was Anne Marcus and that the cause of death was drowning. The M.E. also told me that a forensics test showed that the blood on the rock I found positively matched the blood of the victim, and that there was a laceration on the side of her head consistent with receiving a blunt force blow to the head.

I was officially assigned to investigate the case. I called the high school around 11:30 a.m. and informed the Principal that Anne Marcus' body had been found that morning at the Cove. I said that the matter was being investigated, but that I had no other facts at that time.

I arrived at Hemmingway High School and learned about Anne's school friends and possible enemies by asking routine questions. I learned that Anne was a studious and popular girl. I also learned that Anne had confidentially reported to the Administration an incident of cheating the previous Friday. The cheaters were Brit Reynolds and Joey Garrett, and they both believed that Anne was going to report them on Monday. I also learned that Anne's locker had been vandalized that morning.

In my conversations with administrators and staff, I learned that everything looked normal at 6:30 in the morning. But during first period, Anne Marcus' locker was found open with the door bent in the middle and with a cracked combination lock. Papers were reportedly strewn on the floor of the locker, and a backpack inside was turned over and unzipped. Additionally, around 7:00 a.m., before school started, Brit Reynolds was seen near the school entrance.

I decided to talk with Brit and Joey about what they knew. Joey arrived first. I asked Joey a few questions. I said that I knew about the cheating and asked if Joey could tell me anything special about Anne. Joey told me that Joey and Brit had talked to Anne at Sandalwood Canyon the previous evening. Joey also mentioned that Brit and Anne had been fighting there; that Joey had left them alone on the trail to the Cove; and that Brit did not return until around 9:00 p.m. Joey also mentioned that Brit had a stain on the inside of Brit's right wrist that looked like blood.

When Joey left the room, I asked for Brit to be brought in. I told the Principal that I wanted to talk to Brit alone. Brit soon arrived, and I told Brit that I needed to ask a few questions. I told Brit to sit down, and I read the *Miranda* rights just in case. I used a conversational tone and sat in the Principal's chair so that I would not be standing over Brit. I asked if Brit and Anne Marcus were friends. Almost immediately, Brit said how sad it was that Anne hit her head and died. I knew that no one else beside myself and the M.E. knew anything about Anne's head wound. I had not told anyone, not even Anne's parents.

Based on the information I had from the M.E. and conversations with Joey Garrett, Brit Reynolds, and others around school, I had enough evidence to present to a judge for an arrest warrant. I knew that Brit had been alone with Anne Marcus for a substantial time and was the last known person to see her alive. With the warrant, I arrested Brit Reynolds later that day.

/s/ Kris Evelund
Officer Kris Evelund

STATEMENT OF DR. KIM HOBBS

My name is Kim Hobbes. I earned a bachelor's degree in chemistry from Nevada University and then went on to Massachusetts Medical School. I graduated from Massachusetts Medical School with distinction in 1990 and did my residency training at Springfield Hospital's pathology lab before taking a position as an Assistant Coroner for the County. During my first year as a coroner, I was assigned to be Director of the Forensic Serology Lab. I am now Assistant Chief Coroner and have been appointed chairperson to the State Committee for Professional Standards in Forensic Pathology for the last three years. I am also the medical examiner in the death of Anne Marcus.

As part of my initial examination of the body at the Cove, I observed several things. Anne Marcus was wearing climbers' garb, a short-sleeved T-shirt, shorts, and shoes. There were ligature marks on her wrists. There was also an injury on her head, just above the left temple, which looked like a laceration. The area around Ms. Marcus' left eye was swollen, which appeared to be the result of some kind of trauma, like getting punched in the eye. At 7:30 a.m., when I examined the body, Ms. Marcus was in an advanced state of rigor mortis. Ms. Marcus' whole body was stiffened, except for the large muscles in her lower legs. I observed some small cuts and bruises, consistent with Ms. Marcus being bumped around in the rocky creek.

Back at the medical examination lab, I discovered water in Anne Marcus' lungs. I surmised that Ms. Marcus had drowned. By the state of rigor mortis of the body, I estimated that she had died sometime between 8:00 p.m. and midnight on June 3. Rigor mortis is a process by which the compounds in the body's muscles that provide muscular energy are lost. As the heart stops beating and respiration ceases, these compounds lose a necessary supply of oxygen and nutrients, and the muscles stiffen. The process starts with the small muscles in the head and neck and progresses downward to the toes over the course of 8-12 hours for a body of average weight and musculature like that of Anne Marcus. Also, it can take longer in cold temperatures. Ms. Marcus died in the creek and at night when the air temperature drops significantly. Assuming Ms. Marcus died at about 8:30 p.m., she would be in full rigor by 8:30 a.m. the following day. Yet probably because of the cold, Ms. Marcus' legs generally remained flaccid at the time of my laboratory examination. If Ms. Marcus died only eight hours before her body was found, far fewer of her muscles would be in a state of rigor.

While conducting the autopsy at my lab, I looked more closely at the ligature marks on Ms. Marcus' wrists. In the course of rock climbing, it would be highly unusual for a climber to sustain virtually congruent injuries to both wrists. It would mean the climber would have to hold on to the rope with both hands and then to fall, sustaining almost identical rope burns on both wrists. The chances for this happening are very small, as there is no reason for an experienced climber to make such a gesture. I have seen congruent marks like these in only nine or ten of my prior cases, both as a pathologist and as student intern. In each instance, the victim was tied up by someone else.

I also examined the wound above Ms. Marcus' left temple. I believe the only way she could have sustained this would be from some blunt force instrument or object. I observed a five centimeter laceration, which tapers at one end. Directly underneath, Ms. Marcus' skull has a hairline fracture. This is consistent with someone else holding out an object and hitting Ms. Marcus directly on the side of the head. It is not consistent with Ms. Marcus falling onto the rocks.

To sustain a falling injury to the head like this, Ms. Marcus would have tilted her head dramatically toward her right shoulder in order to connect her temple squarely against the rocks. No one in a falling motion, even from the 25-foot height of the particular cliff in the Cove, would have the time or the presence of mind to do so. Moreover, the small rock on which Officer Evelrud found the dried blood itself could not have caused the injury if Ms. Marcus fell on it unless it was tightly wedged into a larger rock, which from the Officer's report, was not the case.

Anne Marcus had Type A blood and early testing of the blood on the rock revealed that it was similarly Type A. Medical records show that Brit Reynolds also has Type A blood. In a murder investigation of a brutal crime, this can pose a problem for a forensic investigator, but we have a different situation here. First, on June 3, Brit Reynolds did not claim to have sustained any injury, so there is no reason to believe that the blood could belong to Brit Reynolds. Secondly, blood is identifiable by more than just its type. Everyone's blood contains enzymes and proteins with a myriad of potential chemical makeups. Scientists have identified 12 such "genetic markers," each of which has between three and ten separate types. I found in the sample of dried blood on the rock two of the six identifiable genetic markers that were present in a blood sample taken from Anne Marcus' body. Moreover, these two genetic markers were of the same type as those markers from Ms. Marcus' body. The chances for this being a coincidence are, again, very small. Therefore, it is my professional opinion that Anne Marcus was struck on the side of the head and perhaps knocked unconscious as a result, before or after being bound with rope. Her body was thrown or pushed into the creek where she subsequently drowned.

/s/ Kim Hobbes
Dr. Kim Hobbes

STATEMENT OF BRIT REYNOLDS

My name is Brit Reynolds. I am 17 years old. I live at 789 Fortuna Road in Sleepy Hollow. During the 2011-2012 school year, I was a co-captain of the Hemmingway HS Soccer Team. Throughout high school, I had won many awards for academic decathlons, debate society competitions, and fiction writing.

I admit up front that I cheated on the Honors English Literature Exam in Mr. Longmore's class. I am deeply ashamed that I did this. The irony is that I think I would have done well on the Exam anyway. I had an "A" in that class already. But my parents were really counting on me to earn a scholarship so I could attend Coastal University. Excelling in school is our family tradition. That DWF scholarship was very important to me. I was afraid of getting anything less than an "A" in Mr. Longmore's class. That is also why I cheated on Algebra that other time.

In early May, I took the spare key to Mr. Longmore's cabinet from the office of the English Department. I was an intern in the English Department as part of the School's volunteer community service program. I found a blank exam in Mr. Longmore's cabinet and photocopied it. I then returned the blank exam and the key. No one was the wiser until Joey Garrett noticed me taking the key from my pocket as I walked into the English Department's empty office. Joey asked what I was doing, but I did not want to answer. Joey threatened to tell the Principal that I was nosing around without permission, so I showed Joey the Exam photocopy. Joey asked to get a copy of that, too. I said, "OK." After that, we worked together over the next couple of weeks preparing all the answers in advance. We aced the Exam, of course.

At school on June 1, I asked Joey to get rid of the Exam copy we had used. I took it out of my backpack and handed it to Joey. At that moment, Anne Marcus approached us and grabbed the Exam from Joey's hands. She looked at it, and I could tell she knew right away what it was. She accused us of cheating. Of course, she was right. We begged Anne to keep her mouth shut about it. She was understandably angry. Anne accused us of destroying her chances for getting the scholarship. Then she put the Exam in her backpack and locker. Anne said it would stay there either until we turned ourselves in, or until she told on us sometime Monday.

I was afraid, so I tried calling Anne's phone number many times over the weekend. When Anne did not return any of my calls, I decided to talk to my minister that Sunday morning. Just before church began, I told her that I cheated and that I wanted to turn myself in. The Reverend agreed that was the best thing to do. I just wanted a little more time to do it. I wanted Anne not to turn us in until Tuesday, so I could think about how to explain it to my parents. I felt like my life was ruined, so I needed courage. I wanted to tell them when they called Monday night. They called me every Monday night while they were away in Europe.

I called Joey in the afternoon. Joey insisted that I find out where Anne was. I knew Anne was an avid rock climber and that she loved to climb the rock face in Sandalwood Canyon above the Cove. Joey offered to drive us down there so that we could talk to her. I did not tell Joey about my plan to try to get Anne just to postpone telling on us.

We arrived at the Canyon and saw Anne. She was the only climber on the rock face. We

walked along the ridge and waited for her. When Anne reached the ridge, I had the fright of my life. A piece of rock gave way under Anne's foot when she turned to gather up her rope. I grabbed Anne quickly to keep her from falling. She seemed startled. It all happened within a few seconds. Joey laughed and did not even attempt to help, which I thought was a bizarre reaction.

Anne started to walk toward the Cove, and we went with her. Joey lagged behind while Anne and I talked. I asked Anne to wait until Tuesday because I wanted to inform my parents that I cheated before the school told them. Anne refused. Still, I begged Anne, though she said she would not change her mind. We argued about it. Anne was annoyed that we came down to see her and that Joey kept laughing. When we were almost at the Cove, I turned around and saw that Joey was gone. Anne and I walked down to the Cove. There we talked for a while, and Anne finally said she would not turn us in until Tuesday morning. She still seemed annoyed with me and said, "Whatever. You have until Tuesday." She started climbing back up the cliff. I watched Anne climb for a little while and then I left.

It took me awhile to walk back to Joey's car as it got darker. It was 8:30 p.m. according to my watch when I arrived at the car, but Joey was not there. I was upset because Joey stranded us on the trail and now was gone. I decided to take a walk to cool off, so I headed north up the creek trailhead. It was about 9:00 p.m. and totally dark when I came back.

Back at the car, I saw Joey was waiting for me this time, sitting on the hood of the car. Joey's T-shirt looked like it was sweaty, as if s/he had been running. I was mad at Joey for ditching me. I told Joey that Anne would wait one more day. I also said, "I thought we were in this together." Joey laughed again, which I thought was a weird response to what I said. We shouted at each other, but then Joey drove me home. We were both silent all the way home. I do not know where Joey got this idea about a spot on my wrist. I never saw anything on my wrist that day.

On Monday, I arrived at school at 7:00 a.m. Sometimes I come early to work out on the treadmill in the gym. I also thought about confessing to my cheating, but I chickened out. I was scared because I never got along very well with the Administration. A couple of hours later, the Principal announced that Anne had died. I was shocked. I realized that I might have been the last person to ever see Anne. The rock face at the Cove can be a dangerous place.

Just after 1:30 or so, I was told to go to the Principal's office. I went there, and I saw Officer Evelrud. I sat down. The Officer read me the rights they say on the cop shows. I thought I was under arrest, and I was nervous because I had never been questioned by the police before. The Officer said my statements were being tape-recorded, which to me sounded serious. Then the Officer asked me about Anne at the Cove.

This did not sound right to me. I had no idea what this was about, so I asked to see my Aunt Myra who lived down the street from us. Since my parents were gone, I wanted to talk to her before talking to the Officer. The Officer said that my Aunt was not going to be called, but that I could have an attorney. This frightened me, but I felt I needed permission to get up, so I did not move. The whole situation was intimidating.

The Officer next asked me if Anne and I were friends. I was so horrified that she was dead that the officer's question just jolted me. I mentioned that I assumed she had fallen from the cliff

where I last saw her and possibly hit her head. She was an experienced climber, but she had minor accidents before. The whole questioning had me confused. The Officer's tone of voice was very stern.

When the questioning ended, I was sent back to class. I was totally shocked when I was later arrested. I cannot believe that anyone would think that I killed Anne.

/s/ *Brit Reynolds*
Brit Reynolds

STATEMENT OF DR. SAGE BINGHAM

My name is Sage Bingham. I retired in 2000 from the Goldmine County Coroner's Office after working for 18 years as an assistant coroner. I earned my bachelor's degree in biology from Northern New York College in 1954. I worked in the Peace Corps in West Africa for two years before returning to earn my medical degree from Massachusetts Medical School in 1971. I entered private practice and, in 1980, began teaching a clinical course at MMS. In 1981, I changed the emphasis of my career and became certified in forensic pathology. In 1982, I was hired by the County Coroner's Office. I have since worked as a coroner, taught seminar courses, and have published nine articles in professional journals on the practice of forensic pathology. My book, *Traumatic Anatomy and Physiology*, has become a standard introductory text in forensic medicine programs nationwide. Since retirement, I have continued teaching at the university. I am also a past president of Sleepy Hollow Rock Climbers.

I also provide forensic pathology consultation on a contract basis. It was in this capacity that I was hired by Brit Reynolds' attorney to render an opinion as to the cause of death of Anne Marcus. I reviewed the records of the Goldmine County Coroner's Office and examined the physical evidence, morgue photographs, and tissue samples. With all due respect to Dr. Hobbes, I have some problems with the conclusions reached regarding the death of Anne Marcus.

First, I will begin with the so-called ligature marks on her wrists. Ligature marks indicate binding of some kind, as in a person being tied-up. The photos I reviewed of Ms. Marcus' wrists certainly show reddish marks. They look like marks from a rope. However, I disagree with the examining coroner's analysis. First of all, the marks were not even all the way around the wrist. On the left wrist, the marks did not appear on the underside, indicating that the rope, which caused the mark, was not wrapped around the entire wrist. Also, Anne Marcus was a rock climber, and am as well. I have seen numerous climbers give themselves similar rope marks on their arms and legs during moments of carelessness or when a sudden gust of wind causes them to slip. I believe there is not enough evidence to call the marks on Ms. Marcus' wrists "ligature marks." Dr. Hobbes also does not report finding any rope fibers in the marks, and no rope was found at the scene of death as far as I know.

Second, the wound on Anne Marcus' head may have come from a variety of causes. The records show that the wound opening was five centimeters long. It is also slightly triangular in shape, which to me indicates a kind of scraping motion. This could easily be the result of Ms. Marcus' falling from the cliff. If her head had turned in a certain way, her striking the bottom could have caused this type of injury. The force of the fall on even a small rock, like the palm-sized one in question here, would have resulted in a nasty head wound. Even if Ms. Marcus fell from a low elevation, maybe 10 feet, she could have received an injury such as the one we see on her temple. Such a wound could also have easily disoriented her and led her to stumble into the rocky and deadly creek below.

Third, the swelling of Anne Marcus' left eye is consistent with one of two causes. The first is a blunt force blow, such as a blow from a fist to the eye. The second, and far more likely cause is swelling related to the head injury and fall from the cliff. This collateral swelling of the capillaries around the eye frequently comes from suffering a blow to the temple, as I have seen in numerous cadavers. The cuts and bruises on Ms. Marcus' body, including the eye, appear to have come from

her falling on the rocks and from the rocks below the surface of the creek.

Fourth, we cannot easily approximate the time of Anne Marcus' death. The certificate of death indicates that Ms. Marcus was pronounced legally dead at 7:30 a.m. on June 4, when Dr. Hobbes arrived at the Cove. Of course, physiologic death is much harder to pinpoint. Rigor mortis is generally unreliable as a means to determine time of death when compared to other methods, such as body temperature or stomach contents, because of all the variables. Though the water and weather were cold, which can slow the rigor process, Ms. Marcus was also slender, which can speed up the process. Judging from the records, I do not believe enough evidence exists to say she died as early as 8:00 or 8:30 p.m. on June 3.

Finally, the blood analysis is not conclusive. Usually, it takes three or four matching genetic markers shared between two blood samples in order for scientists to have a fairly definite claim that the samples are from the same source. With each unmatched marker, the chance of their being from the same person decreases exponentially. All of us share genetic markers in many of the same combinations. Identification through exact matches is more uncanny than is usually thought. Even so, once blood leaves the body, the enzymes that make up these genetic markers begin to deteriorate. Dried blood on a rock out in the open air is probably the worst sample from which to draw any conclusions without DNA evidence. No DNA testing was done here.

In my professional opinion, Anne Marcus died an accidental death in the Sandalwood Canyon Cove. She fell from the cliff and scraped her wrists on the climbing rope in the process. She hit her head and tragically fell into the rocky creek that swept her under the water's surface, where she drowned. The rocks and boulders in the water prevented her body from drifting far downstream.

/s/ Sage Bingham
Dr. Sage Bingham

STATEMENT OF RANGER MARION BIRCH

My name is Marion Birch. I have been a ranger with the Nevada Department of State Parks for 14 years. I have worked at the Sandalwood Canyon Station for the past three years. Working at the Canyon has numerous responsibilities. I have to patrol the Canyon, the creek, the Cove and outlying areas nearby, including camping areas and over 20 miles of hiking trails in the hills on the eastern side of the highway. I have to perform many duties, such as park maintenance and enforcing park rules governed by Nevada law.

At other times, I monitor the day use parking lot for Sandalwood Canyon. I am required to be on duty in a kiosk, greet visitors, collect the day use fee, and to see everyone is out by sunset when the Canyon closes. Any car in the parking lot after sunset will receive a citation. I warn all visitors of the citation rule when they arrive because the rule is intended to dissuade visitors from sleeping there overnight.

The Sandalwood Canyon State Park has a distinctive geography. The Canyon itself is several miles long and is popular with hikers and rock climbers as a resting place and gathering spot. At the southern end of the Canyon is the promontory, quite popular for rock climbers. At the creek level below the promontory is a place called the Cove where a bend in the creek has created a small sandy area. The Cove is surrounded by cliffs, and at the top of these cliffs are a few private residences.

The residences are set back from the edges of the cliffs. Once in a while, I patrol around the promontory to make sure that no one is trespassing in this private area. Sometimes I have seen the residents climbing down to the Cove, though I would advise them against it because the area can be dangerous.

There are two routes to the Cove from the creek: the ridge trail around the promontory and a dirt hiking trail behind the eastern side of the promontory. The hiking trail is hardly used, probably because it is very steep in places.

On June 3, at about 6:15 p.m., I greeted a young woman in her car at the gate to the parking area. She appeared about 17 or 18 years old. I later learned that she was Anne Marcus when I saw her picture in the newspaper.

Later at around 7:00 p.m. as I headed down a trail, I noticed two other individuals in the distance who arrived together in a white two-door sports car. I do not think any other visitors arrived after them since I did not see any additional cars in the lot, but there were a few other cars in the parking area from earlier in the day.

I closed the kiosk at sunset, around 8:05 p.m., and walked up the road north to inspect the picnic area. When I returned to the parking lot at 8:40 p.m., I saw two cars in the parking lot. One was the white sports car and the other was the car that arrived at 6:15. I approached both cars and saw that they were empty. I decided to check around the creek area just to see if the drivers of the cars were nearby.

I walked up the Canyon in the direction away from the Cove. I didn't see anyone, and I turned around to go to the Cove. It was almost dark, but there was still some twilight left. It must have been around 8:50 p.m., when I had almost gotten back to the parking lot. From a long

distance, I saw someone running towards the parking lot. I could not tell for sure, but I think the person may have been coming from the back way to the Cove. I would say this person was at least 100 feet or more away from me, so I could not get a good description. I called up to the person that the Canyon was closed. The person waved back to acknowledge the message. I then went to the Cove the back way.

Just as I started down that trail, I heard someone on the main trail behind me moving toward the parking lot. I waved and called out that the Canyon was closed. The person was wearing a white baseball hat and looked like the passenger in the sports car that arrived at 7:00 p.m., but since they were more than 50 feet away, I could not make a positive identification. After that, I went down to the Cove and then back to the parking lot without seeing or hearing anyone else. When I returned to the parking lot, the white sports car was gone. I wrote up a citation for the one car left in the parking lot. I drove back to the Ranger Station, and my workday was done.

I spend a great deal of my free time with youth activities at my church, the same church the Reynolds family attends. So I have known Brit Reynolds for years. Many of the teenagers and young adults, including Brit Reynolds, are involved in charitable events. For the last two years, Brit helped organize monthly food drives for the local homeless shelter. In fact, the local chamber of commerce awarded Brit a community service medal last year for this work. Even when other kids did not follow through, I knew I could count on Brit to come through. It is impressive to see a teenager as mature as Brit Reynolds. Brit has a good reputation in church and in the community.

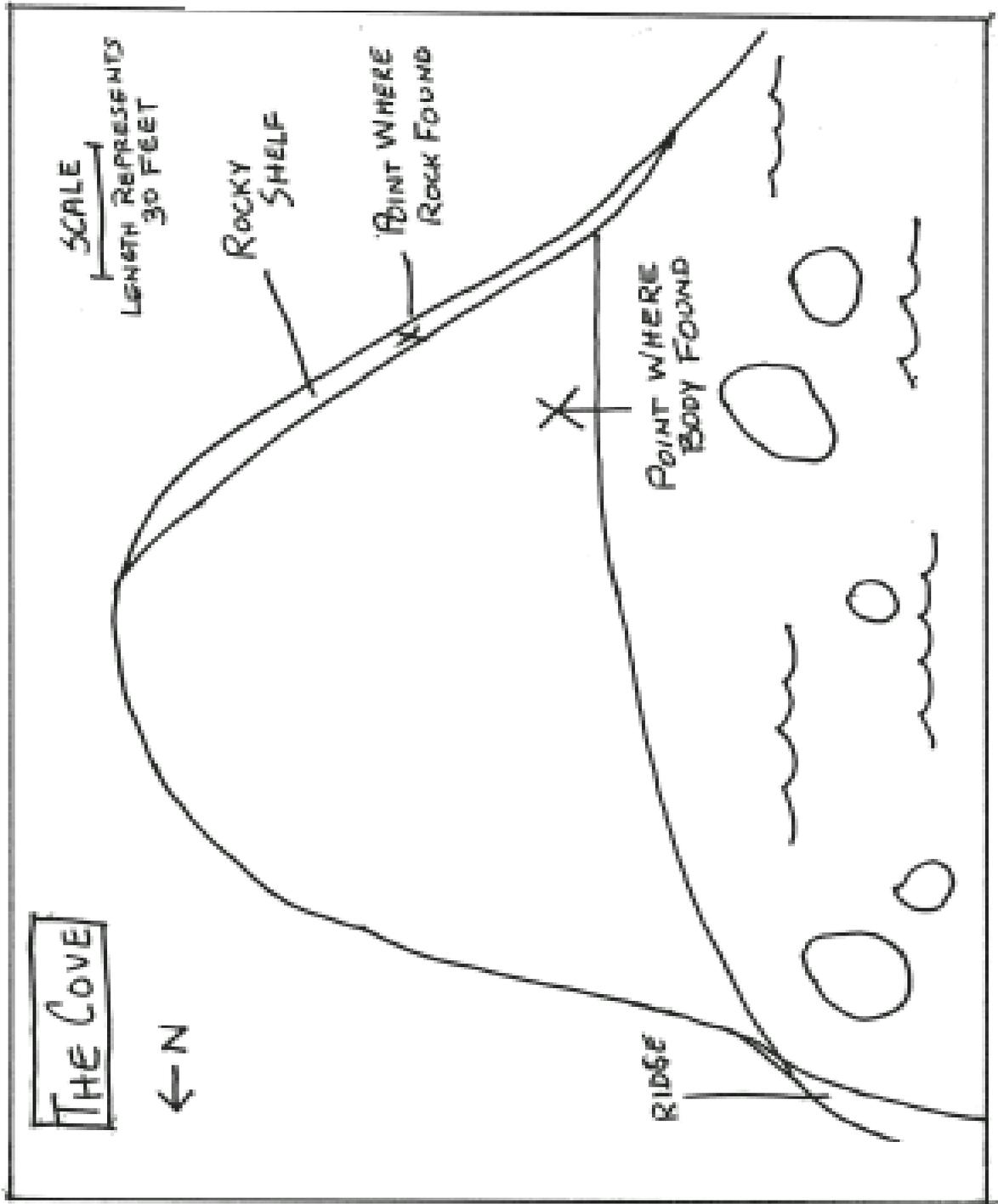
We had a program in conflict resolution at the church not too long ago, and Brit participated. Brit must have taken the messages to heart because I have observed Brit settle arguments among others. Once a disagreement ensued between two members about where some records of donations were kept. It was a trivial argument about some clutter that had built up in the Youth Ministry Office. However, these two young people blamed each other for losing the donation records and were ready to fight over it. Brit stepped in and talked to each of them individually, and then together. Within a couple of minutes, they were shaking hands. It was amazing! Perhaps Brit will make a good minister or counselor one day.

Brit also confided in me on the morning of Sunday, June 3, that Brit had cheated on an exam. Brit really seemed distraught by it. I understood because I know Brit's parents. Brit's parents are professional people and very well educated. Brit wanted nothing more than to follow in their footsteps. They attended prestigious universities and assumed that Brit would do the same. Brit seemed worried that Mr. and Mrs. Reynolds would be severely disappointed about the cheating. I reassured Brit that they could also be forgiving. Brit was shaking during our conversation. Brit seemed remorseful about the cheating and told me that s/he would probably confess to the Principal sometime on Tuesday after Brit's parents returned.

I think a lot about whether the people I saw in the park that night were Brit and Brit's friend. I wish I could say for sure. The fact is, it was just too dark, and I was too far away.

/s/ Marion Birch
Ranger Marion Birch

OFFICIAL DIAGRAM
COVE AT SANDALWOOD CANYON



OFFICIAL DIAGRAM
CORONER'S DIAGRAM OF ANNE MARCUS' BODY

