



New York State Bar Association

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TO: County Coordinators, Coaches, Attorney Advisors and Judges
DATE: January 18, 2012
RE: Mock Trial Case 2012 Correction Memo Two

Please see below for additional language to assist with clarification.

The case online will be updated with these corrections and dated for reference.

Stipulation Edit. :

7. The Joint parking lot exhibit in Part V of the materials was prepared by Officer Callahan on March 28, 2011 as part of the investigation of the alleged assault that took place in The Joint's parking lot on March 18, 2011.

Corrections (Bold areas note where changes have been made.):

CORRECTION TO RYAN TECREST'S AFFIDAVIT:

10. I don't know if I'm more annoyed that P.J. beat up Dana, or that I had to talk to the 5-0 because of it. After I drove Dana to the hospital, we had to tell Officer Callahan what happened. We let him know P.J. was the attacker **and exactly where P.J.'s car was parked on that evening**. I've got to admit, if I ever have to deal with a cop again, I hope it's Officer Callahan. That guy/lady was so laid back and easy to talk to, I almost forgot s/he carried handcuffs.

CORRECTION TO OFFICER CALLAHAN'S AFFIDAVIT:

11. I then interviewed Mr./Ms. Tecrest. I am familiar with Mr./Ms. Tecrest; I recall that s/he was arrested a couple years ago for Unauthorized Use of a Motor Vehicle in the Third Degree and I am certain s/he pled to the charge but s/he received a conditional discharge. I was not the arresting officer. Tecrest told me that s/he noticed the defendant sitting in her/his car around 7:30 p.m. listening to, with the volume turned way up, as those kids do so that everything around them is vibrating, DJ ColdBlooded's song "The Sucka Gotta Die" over and over again. Tecrest then indicated that Malone, the complainant, arrived at The Joint where s/he bumped into the defendant, causing the defendant to spill his/her drink. Tecrest said that s/he heard the complainant say to the

defendant, "Watch it!" At approximately 8:30 p.m., the complainant yelled across the room to Tecrest that they had to leave in a half-hour and that they would meet at his/her (the complainant's) car. At about 9:00 p.m., Tecrest exited The Joint when s/he observed the complainant lying on the ground unconscious. Tecrest further indicated that s/he observed an individual running away with what appeared to be a lug wrench a/k/a tire iron **and running towards the area of The Joint's parking lot where s/he had seen P.J.' car parked that evening.** S/he also observed that this individual had a similar build as the defendant and that this individual was wearing a black leather jacket with a large white eagle on the back. Tecrest noted that s/he had observed the defendant wearing a similar leather jacket that night. Mr./Ms. Tecrest then assisted the complainant back to his/her feet and then proceeded to drive the complainant to the hospital. S/he further added that when the complainant returned to consciousness s/he said, "I think that dirtbag P.J. Long clocked me."