

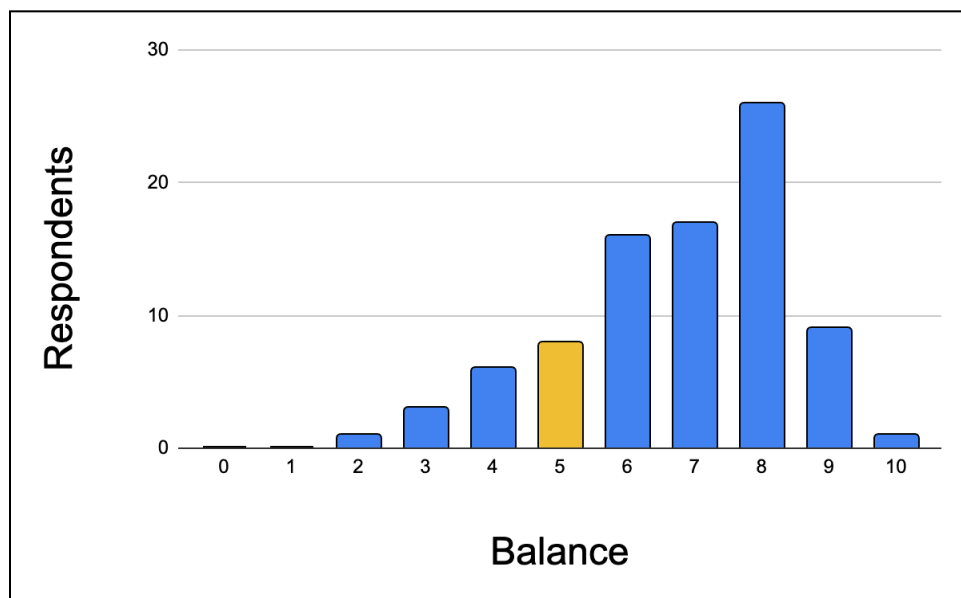
TO: Advocates and Coaches  
FROM: NTC Case Authors - Matt Woodham, Nick Cotter, and Justin Bernstein  
DATE: January 13, 2026  
RE: **NTC Regional Case - Feedback and Updates**

Thank you for the feedback! We received more than 400 questions from 101 schools. This memo includes (1) a summary of case balance feedback; and (2) case clarifications and changes.

The most important case change is the addition of a dedication page. On January 6, Susan Poehls – the longtime director and professor at Loyola Law School – passed away. Susan was among the most successful coaches in the history of law school trial advocacy and one of the most successful at this very competition. She was a friend and inspiration to many of us who coach this competition. As you know, a character in the case was named in her honor. After consulting with Loyola’s team and coaches, that character will continue to share Susan’s name, as a way to remember her legacy and contributions.

### 1. CASE BALANCE FEEDBACK

The case survey asked, “How balanced is the case?” and invited respondents to assign a 0-10 score, with 5 indicating “perfect balance.” Eighty-seven teams responded to this question. The community consensus was that Defense needs help:



We struggled with how much to change the case based on this feedback. Our *goal* was to provide the State with a heavy advantage on the merits. In our experience, that’s the only way to balance a criminal case for mock trial purposes. And here the State starts with an enormous weakness: they arrested, charged, and tried other people for the same crime.

But we realize that the students and coaches who are actually preparing to try the case are usually in the best position to evaluate it. So, we made these changes to assist the Defense:

- The Defendants refused to speak to Donoghue. The prison admissions are gone.
- No fingerprints were found on the money. But there was tape on the two-dollar bill.
- The car was reported stolen in a neighboring county, not the county where the murder occurred.

## 2. CASE CLARIFICATIONS

We received hundreds of smart and reasonable questions that, in a real case, would make sense to ask during discovery. We nonetheless felt it best not to answer most of them. For one, NTC isn't a "discovery question" competition where all requested information is supplied; instead, NTC has historically addressed only the most vital issues. But more importantly, we did not think it fair or helpful to introduce literally hundreds of new facts three weeks before the first regionals, and we were confident that the case generally contains enough information to be tried.

Accordingly, we limited clarifications to these categories:

1. Vital issues – providing information necessary for the case to work
2. Errors – fixing typos and unintended inconsistencies

We did not answer TYLA rules questions (e.g., enlargement size, how motions are scored), but we did share them with TYLA. Nor did we answer coaching questions (e.g., "Can we object to Cloud's reasonable doubt opinion?").

All clarifications designed to change the case have been added to the updated case. Thus, teams should avoid referencing this list of clarifications during trial (because they can simply use the case itself).

\* \* \*

On page 30, should "Bayne County" be "Bayne City"?

[The most popular question! The answer is Yes. This has been fixed.](#)

Pg 51, Line 57 - The problem states "'Jimmy Roberts' right left thumb,'" which thumb is it?

[Right thumb. This has been fixed.](#)

There are some minor differences between the Exhibit 1 audio and Exhibit 2 transcript. Intentional?

[Good catch. The transcript has been fixed to match the audio \(when you have talented voice actors who really understand their characters, you need to give them artistic license\).](#)

What county is the lone star prison located in? How far is it from the key locations in the case?

How far is Susan's house from Bag-o-Buds or from where Defendants were found?

Can we get some clarity on where all these counties and cities are located in relation to each other?

The police report on the stolen vehicle lists an address for the victim as "919 Albany Street, Lone Star", but isn't Lone Star the state, shouldn't the victim's address list the city as Bayne City?

[Distance and location information has been added to the case, and the police report has been amended.](#)

Pretrial Order, Paragraph 16 E reads, "No party may argue that such reports (referring to reports documenting the investigation of Jimmy Roberts' death) do not exist, were not disclosed, or contain information not stated in Exhibits 1 - 24." The rules, Article VII, Paragraph 4(E) reads, "For example, if a police officer witness is testifying and the record is completely silent relating to DNA samples, it is a necessary inference that the police officer witness did not collect DNA samples from the crime scene." Is it permissible to confront Sheriff Donoghue about an omission in his (nonexistent) report if that fact is mentioned nowhere else in the fact pattern?

[This paragraph of the pretrial order does not alter your ability to question Donoghue about facts not found, evidence not collected, etc. But, per the pretrial order, you can't use the absence of a police report to accomplish that. So, on cross, "You didn't administer a polygraph?" is fair game \(subject to other objections\), but "You didn't mention a polygraph test in your police report?" is not.](#)

Is there any audio file? We do not see it.

Yes. It was posted on the TYLA NTC website, alongside the PDF file.

This case would greatly benefit from a direct vs. circumstantial evidence instruction.  
Then the case has benefited greatly! This has been added.

Is it supposed to be inconsistent (tire tracks in Exhibit 3/pg.13 v.s. Exhibit 15B/pg.31, the tires have different treads).

Both parties' experts agree the tire tracks at the scene are consistent with the Tempest. But if a team wants to argue otherwise – without telling their witness to alter testimony, of course – go for it.

Boorman says they tested multiple items for prints, but then just says cash. Which is right?  
Good catch. Thank you. This has been fixed by editing “bills” to “items.”

Exhibit 15-A says the gun was found in the center console of the Tempest. Boorman says it was found in the glovebox. Where was the gun found?  
The glovebox reference has been removed from Boorman's report.

Why is Cloud's report labeled an “expert report” while Boorman's is only called a “report”?  
Boorman is more modest? (No substantive difference was intended, so now both are described as expert reports in the pretrial order.)

Will there be jury instructions for "robbery" and "Attempt"?  
A robbery definition has been added.

Exhibit 15 seems to say the Joneses were incarcerated in Illinois and Massachusetts but also Lone Star Department of Corrections.  
We assume you mean Exhibits 13 and 14. Illinois and Massachusetts refer to where they were born.

On page 54, line 19, Marlee refers to Exhibit 1. Is this a typo?  
Yes, it has been corrected to say Exhibit 5.

Presumption of Innocence: Verdict should have Not Guilty first, Guilty second  
Good idea. We made this revision.

Did a second person from the lab review the fingerprints? There's no name, and it's not clear.  
This has been clarified.

Exhibit 15A is the Police Report. Kade Donoghue refers to this as Exhibit 15 (Page 47, Ln 86). Typo?  
Donoghue's testimony is now clarified to say “Exhibit 15, A through F.”

Page 23, Line 26 - apparent clue about 911 calls - “Then we got another call reporting the same.” - no one else acknowledges making a phone call - was this meant to be left hanging?  
The reference to a second 911 call has been removed.

Are we to assume the two car models exist in reality? That seems not to be the case. The Buick Skylark was not made after 1997. If they don't actually exist, then is this fair game for cross?  
Both experts agree these car models exist, so everyone should operate under that fiction. (If we can pretend there is a 51st State, we can pretend that a car manufacturer brought back its older models.)

Are the witnesses from first trial that are not being called in the current trial considered unavailable?  
On this point, the case is written as intended.

Can we have physical descriptions of Susan Poehls and her husband?  
There was a description of Susan. We added a description of her husband.

Can we have more detail about the people seen arguing with the victim?  
You got it!

Page 51, lines 60-61: "I used a Teichmann crystal test to determine that the red spots on Exhibits 15-D are dried human blood. The DNA on Exhibit 15-D was too degraded for identification or comparison." Was the ENTIRE sweatshirt as depicted in Exhibit 15-D tested for DNA, or just the red spots on Exhibit 15-D?  
This has been clarified.

Questions about Motion in Limine: Pages 6-8 -Do both parties have to stipulate to order 1 or 2? Or does one party have the ability to choose and the other has to agree?  
As stated in the Pretrial Elections Form, the Defense elects.

Can we/will the Court entertain any motions seeking to exclude any references to the prior trial?  
We can't speak for your presiding judges or their rulings. But nothing in the case prohibits such a motion.

What does preadmitted mean? Do parties have to formally move for its admission?  
With preadmitted exhibits, does that mean students should not argue to keep evidence out on those?  
"Preadmitted" means they are already in evidence before trial begins. Advocates may not object to their admissibility, may not say "they need to come in through a witness," may not say "we still need to hear some foundation," etc.

On 27;161 Donoghue says "I researched if any Pontiac Tempests were stolen in Tobin County within a week of the murder." Is Donoghue saying within a week of the murder, he had researched if any Tempests were stolen, or is he saying within his two sets of testimony on June 4, he researched whether any Pontiac Tempests had been stolen?  
Good catch. This is now clarified.

Does Exhibit 17 contain all of the cash found in the vehicle?  
No. See Exhibit 15-C.

Did the Jones' rob the car from the driveway or is this a point of advocacy?  
On this point, the case is written as intended.

To the extent a witness says different things in their trial testimony vs preliminary testimony, does the witness committing to one version as more accurate violate the invention/impeachment rule?  
Great question. Thank you for asking. To the extent Donoghue or Galvez gives inconsistent testimony (between their trial testimony and preliminary hearing testimony), their more recent testimony (Exhibits 22 and 24) control and constitute the witnesses' respective statements for this trial. But where there is no inconsistency, they are also bound by their testimony in Exhibit 12 (trial transcript).

Can we comment on the exhibits being and looking like they are AI generated?  
Thank you for checking. No. NTC rules state that all exhibits are authentic.

Is it correct to read the two Orders to mean that Goldeni's confession of "I shot the clerk" to be either (1) inadmissible hearsay (per Order 1) or (2) irrelevant and inadmissible under FRE 402 (per Order 2, because Defense would stipulate that Goldeni & Rosenblatt did not cause the death of Jimmy Roberts)?  
Regarding Order #1, that is correct. Regarding Order #2, we leave that ruling to your presiding judge.

If the defense chooses to use order 2 of the motion in limine, how much is the defense allowed to speak about Goldeni and Rosenblatt?

That's a question for your presiding judge.

Was Sheriff Donoghue present in the entirety of the first trial (Exhibit 12) and, if not, did Sheriff Donoghue review this testimony/are they familiar with it?

Yes, Donoghue was present. Yes, Donoghue is familiar with it. This has been clarified in the case.

Will the students be able to use the Federal Jury instructions for direct and circumstantial evidence?

The only permissible jury instructions are those in the case.

For Paige Boorman, are the titles of director and chief interchangeable or separate roles?

P. 50; L. 15-20

Yes, but to avoid ambiguity, we changed "Chief" to "Director."

Do parties have to agree on the order or does the defendant elect what stands and the prosecution must agree.

If this is referring to the pretrial election form, it says Defendants elect.

If we can be given time stamps for the 911 phone call

See Stipulation A. No additional information will be added on this point.

Can the defense argue for split verdicts based on individualized proof? (i.e., imply in examinations and closing that there is insufficient evidence to convict one of the defendants while not overtly casting guilt on the other defendant)

Both Defendants pleaded not guilty. While Defense counsel may make arguments specific to each Defendant, Defense counsel must seek Not Guilty verdicts for both Defendants.

Are Confrontation Clause and Bruton objections permissible, subject to Evidentiary Ruling 12, and any other limitations under the Confrontation Clause and Bruton? (Asking because outside authority is typically not permitted, but Evidentiary Ruling 12 seems to open the door in this limited scope.)

NTC permits outside authority.

Are the Joneses supposed to have the same birthday?

Yes. Very much so.

When Marlee Galvez says "they made a right out of the parking lot, heading west" does that mean her left if she were watching it from her window?

West is west.

Boorman states they only looked through exhibits 1-20 (which doesn't include Cloud's report), but the stipulation says that Boorman looked at Cloud's report. Which one is correct?

Both. Boorman wrote Exhibit 23 without seeing Exhibit 25, because Exhibit 25 did not yet exist. Then Cloud wrote Exhibit 25. Then Boorman read Cloud's report.

Do the gray areas in Exhibit 4 represent paved driveways/ parking areas?

Yes. This has been clarified.

Where exactly on the revolver was the Peter Jones fingerprint lifted?

This has been clarified.

Please clarify what Donoghue knows (and how she knows it) regarding: (a) the location of Susan Poehls house in relation to the Bag-o-Buds, (b) the physical description of the Poehls, (c) the Poehls alibi, and (d) the Gross and Shlahet alibis (basis of knowledge).

[We admire how you attempted to circumvent the three-question limit by using subparts for one of the questions! Additional information has been provided on all four issues.](#)

Is what Goldeni and Rosenblatt are wearing in the photos what they were wearing when arrested?

[Yes. This has been clarified.](#)

Consider adding information to the testimony of Cloud with regard to how many times did s/he testify as an expert for the prosecution?

[We considered it. And we did it.](#)

Can we get more information on Cloud's qualifications regarding guns?

[Cloud now specifies training on Toolmark analysis.](#)

Why are the Defendants criminal histories coming into evidence by stipulation?

[They aren't.](#)

On page 46, lines 44-45, the Detective says that he/she "checked the receipts to see who made recent purchases," but then says there were no credit card receipts. I assume that means there were receipts for cash transactions, is that correct? And, if so, were those receipts dated, as you would expect them to be.

[Additional information has been added on this point.](#)

Galvez states that Galvez previously ID'd Rosenblatt and Goldini on Jan 4. But Donaghue is silent on whether Galvez ID'd them in January.

[Additional information has been added on this point.](#)

When did Sheriff arrive on scene? How soon did she first speak to Galvez?

[Additional information has been added on this point.](#)

Did Kade Donohue review the forensic reports before making the arrest of the Defendants?

[Donoghue reviewed Exhibit 23 before recommending charges. This has been added to the case.](#)

Can we get clarity on the dates these expert reports were made and when the preliminary hearings were?

[Dates have been added for Donoghue, Galvez, and Cloud. \(Boorman's report was already dated.\)](#)

Are both expert witnesses familiar with Donaghue and Galvez' preliminary hearing testimony?

[This issue has been clarified for Boorman. \(Cloud's report already answered this question.\)](#)

Pg. 50, lns 30-31. Does arrest of Joneses refer to their arrest for carjacking or their extradition for murder?

[This is now clarified.](#)

Is the "DNA" Boorman refers to in line 61 the red spots or something broader?

[Additional information is now included on this point.](#)

Can we make constitutional objections to testimony or exhibits other than Exhibits 1 and 2?

[Paragraph 10 of the Pretrial Order provides additional restrictions on Constitutional objections.](#)

Evidentiary Ruling 14 says, "Exhibits 13 and 14 qualify as public records under FRE 803(8)." Can you please confirm that they are still subject to other FRE objections?

[Yes. On this point, the case is written as intended.](#)

### 3. QUESTIONS WE ARE DECLINING TO ANSWER

We received many other smart and reasonable questions that would make sense to ask during discovery. We nonetheless felt it best not to answer the questions below. Reasons included:

- ❖ *The sheer number of questions – we did not want to introduce hundreds of new facts less than a month before the competition*
  - ❖ *Some questions called for what seemed like coaching advice*
  - ❖ *We did not think it appropriate to “pre-rule” on invention questions*
  - ❖ *The case already included the information sought*
  - ❖ *In a few instances, the case was written as intended and we wanted advocates to grapple with a lack of information.*
  - ❖ *In a few instances, we were seeking to limit the available theories or the work volunteer witnesses would need to do in order to prepare.*
  - ❖ *A few questions were rendered moot by case changes.*
- 

- Can we know what size clothes was each defendant wearing at arrest and can we know whether the defendants are right or left-handed?
- Does the sheriff’s conversation with both defendants after they pled guilty to stealing the car constitute an interrogation under Stipulation 10?
- For Exhibit 12 is Wilton considered unavailable?
- Do we have any information about why the witnesses are not available and what means have been taken to procure their statement/attendance at trial? (Are we within the rules to argue they are unavailable under 804a?)
- I have a clarification question regarding the evidentiary rulings on page 5, specifically Rulings 10 and 11. I understand from Evidentiary Ruling 10 that all searches, seizures, and interrogations have already been ruled constitutional, and that objections on those grounds may not be raised at trial. My question concerns how Evidentiary Ruling 11 operates in conjunction with the defendants’ statements to Sheriff Kade Donoghue. In the problem, both co-defendants — Josh and Peter — make statements to Sheriff Donoghue that are antagonistic to one another. I see that other evidentiary rulings expressly address Bruton and Confrontation Clause issues, including with respect to Exhibits 1, 2, and a portion of Exhibit 16. However, I did not see a specific ruling addressing whether Josh’s and Peter’s statements to law enforcement are likewise insulated from Confrontation Clause or Bruton objections. Given Evidentiary Ruling 11 — which states that any evidence deemed inadmissible as to one defendant is inadmissible as to both because the State elected a joint trial — my question is: Are teams permitted to raise Confrontation Clause and/or Bruton objections to the admission of Josh’s and Peter’s statements to Sheriff Donoghue, or should those statements be treated like Exhibits 1, 2, and 16, where such objections have already been considered and overruled?
- For both experts, do either have a method that they use to come to their conclusions?
- Was the testing on the fingerprints and the gun run for Mr. and Ms. Poehls, or just one of them?
- Does Order #2 allow the defense to introduce G’s “I shot the clerk” statement so long as it never overtly argues that G & R are responsible for the killing?
- Did the Joneses have lawyers and were Miranda warnings given to them before Donoghue's prison interviews?
- Were any incomplete prints noted during the print recovery process? (i.e., prints found on the cash/firearm but unusable?).
- Is the woodshed session before or after Defense elects Option 1 or 2?



- What are the dates of the prior robberies, break-ins, and armed robberies at the Bag-O-Buds referenced by Galvez on page 54 lines 16-18?
- In Sheriff Donoghue's preliminary testimony (page 48 lines 114-116) he testifies that Emily Stover was no longer confident in what she saw or said at trial. We also know that Emily Stover is not called as a witness in the current trial. Does this qualify Emily Stover as an unavailable witness under 804(a)(3)?
- Can you challenge Cloud for providing a legal conclusion on "reasonable doubt?"
- Is the Poehls's home searched?
- Is either Defendant right-handed?
- Is Peter's tattoo visible to the jury as he sits at counsel table? Can that be a choice that defense can make whether it is visible or not in the courtroom?
- On Page 48, Kade Donaghue states that he interviewed Peter and Joshua Jones. Can we get a date of that interview?
- Are the methods/principles applied by Boorman and Cloud relied on by experts in their respective fields?
- What day did Sheriff Donaghue interview the witnesses after the initial trial?
- For Exhibit 17 who created this exhibit/tested the money for fingerprints?
- In Cloud, I wonder if this expert would realistically say/know how many other cars, regardless of paint color/convertible, could've made those tire tracks. Did the victim report that the keys were left in the stolen car and did the defendants have a key to the car when they were arrested, or was it hot-wired?
- In Exhibit 22, page 48:104-105, KD says the Jones' admitted to stealing Poehls' car from "a driveway in Tobin County." Is this meant to be Poehls' driveway?
- Exhibit 17- the prints are red, is it because it's blood or part of the lifting process? If it is not blood, can we have the image in a different color so as to not confuse the jury.
- Can we get more information about gunshot residue? What meaning do those concentrations have? How many particles do you expect to see on someone who fired a gun vs. who stood near a gun that was fired? Was gunshot residue testing done on the deceased? Inside the car?
- Can we assume the Tempest was impounded?
- Donoghue mentions that he took fingerprints from the door at Bag-o-buds along with several other surfaces. Were there any usable fingerprints taken from the door or other services that did not come back to the defendant's, Jimmy, or the employees (aka no match found)? What fingerprints did come back to the employees? Essentially, were there prints that didn't get a match through the system or did all usable prints get matches? Same questions about the money found in the car. Were those fingerprints the only ones with usable prints?
- Where are the tracks supposed to end in the photograph? They seem to cut off abruptly -- in the real world they fade away, so maybe that's a quirk of the AI generation?
- Does Detective Donaghue agree with Galvez's characterization of the photo identification process the Detective did with Galvez? Galvez mentions it but Donaghue does not.
- Questions about Motion in Limine: Page 7: Does the exclusion of the confession, "I shot the clerk," prohibit blanket mentioning that there was a previous confession without explicitly giving the contents of the statement.
- Consider adding, by stipulation, background on the defendants as there's very little in the fact pattern other than their description and criminal record. Can we have a stipulation to know something more about them such as where they are from, etc.?
- Were there other prints found on the cash that matched other people or yielded no matches?
- Defense expert foundation should be bolstered so prosecution can't exclude so easily
- Could you clarify the timeline? Maybe it's intentionally ambiguous, but Donoghue says he spoke to Galvez first, then recommended charging the Jones brothers. Galvez said they spoke on the 10th which would be after the indictment on the 9th. Boorman's report also says she was asked to examine the case on the 10th and then says "after the Jones's arrest" she examined the stolen car



evidence. I know the Goldeni/Rosenblatt trial started on June 4, but it was unclear to me whether it ended that same day.

- Can we get a map of the area showing the relation b/w 919 Albany Street; Keyes County; Tobin County; the prison where the Joneses were released from, and Blayne City?
- How long is the sheriff's term of office/when is he up for reelection?
- Did Sheriff Donoghue investigate Susan Poehls before or after identifying the Jones as potential suspects?
- Exhibit 15-C shows a stack of 20's, and the fingerprints show some 5's and 1's. Is there a breakdown of what denominations the bills were?
- Is there anything that documents the past robbery at the store?
- P/H transcript excerpts (Exhibits 22 and 24) for Jones case lack date, court, and cause references. These are needed if the transcript is used to impeach a testifying witness or otherwise under FRE 803(d)(1).
- Where was Marlee when she observed Jimmy Roberts counting the cash? Was she in her home, or was she in the store?
- What city does Poehl live in?
- Please provide additional personal background information about the Defendants Joshua Jones and Peter Jones.
- The jury instruction on page 10 for Charges: Definitions and Elements, last line, ""If you all agree the State proved, beyond a reasonable doubt, both elements listed above, you must return a verdict of ""guilty."" In all the jurisdictions I have practiced criminal law in, the line would read ""If you all agree the State proved, beyond a reasonable doubt, both elements listed above, you MAY return a verdict of ""guilty.""""
- Did Donoghue listen to the 911 phone call before he went to the crime scene, there is no indication in the record and we do not want witnesses to make it up.
- Exhibit 6 is the photo of Jimmy lying face down on the floor. Where was Jimmy's body found in the store?
- The photos of the sweatshirt, cash, gun, and bullets in Exhibit 15 are obviously not taken in a car. The report in Exhibit 15 does not describe how the photographs were taken. This opens up an argument that the photographs were staged or reflect tampering by law enforcement, particularly with respect to the bullets being removed from the gun. If that is intended as an advocacy point, that is fine. However, if Exhibit 15 is intended to substitute for what would otherwise be non-controversial chain of custody witnesses, it would be beneficial to add a description of how the photographs were taken to the report."
- Boorman finds that there were 11 GSR particles on the right cuff and 36 GSR particles inside the right pocket. However, it is hard to do anything with this information without being provided more context as to what normal amounts of GSR are. How many particles would normally be seen if someone fires a gun? How many particles would be seen if someone was standing nearby a fired gun or just went to a place like a gun range where guns had been fired. I suppose just having some sort of range of "We look for numbers between X and X when determining if someone fired a gun" so teams aren't tempted to make up information outside the case file.  
Thanks!
- A map would help to show relationships because car stolen one place, death a second place and current defendants arrested a third place;
- Marlee Galvez more information or better understanding of argument they heard would help balance for defense;
- If both Josh Jones and Peter Jones committed grand larceny (auto theft) together on January 4, 2025, why does it not state that they were coconspirators like it does for armed carjacking on April 12, 2022?
- Boorman only says they ""examined the car"" but doesn't clarify what that means.
- Did Galvez count the money themselves or hear Jim Roberts count out the bills? The foundation is unclear, and we do not want to invent a material fact if it's intended to be vague. (Galvez 73-76)

- For Exhibit 4 who made this exhibit?
- Where was Jimmy Roberts body within the store?
- Paige Boorman's report (exhibit 23) mentions that fingerprint tests were done on the bullets in the Colt Python, but no results are stated. Is this on purpose?
- Is it a 2 or 4-lane highway? The map has a dotted center line but solid lanes on either side.
- What did the recovered bullets look like? How were the experts able to do their analysis on used, and therefore deformed, hollow point bullets?
- What are the hours and days of operation of the Bag-O-Buds?
- For Exhibits 13 and 14 on pages 28 and 29, is it safe to assume that the Grand Larceny (Auto Theft) charge is a felony? Normally I'd judge by the sentencing but it's tied up in a parole violation.
- Can we get a jury instruction on "causation"?
- Who took the photos in Ex 5-7
- Can we be provided with the hours of operation for Bag-O-Buds and the time cards for Jimmy Roberts for when he clocked in and out?"
- Page 23, line 36 and page 25, line 78-80 state exhibit 9 is THE car the original defendants were driving. But then page 25, line 108-109 and page 56 line 65 say exhibit 9 LOOKS LIKE the car the original defendants are driving. Is this a photo of an example of the Skylark, or the specific Skylark the original defendants drove?
- Is the curvature of the tire marks in Exhibit 3 intentional? Can this be interpreted as lateral scrub?
- Who wrote the identifying labels on Exhibit 17?
- Stipulation 16C - maintained proper chain of custody regarding all vehicles,...etc.... Ex 15 states on 1/7/25 Susan Poehls ""reclaimed"" her car - Was the tempest kept by TCPD or returned to Poehls on 1/7/25
- Similarly, page 56-57, line 93-94 states exhibit 15-B LOOKS LIKE the car the current defendants were driving, but page page 53 line 137 says that photo IS the car. This this a photo of an example of a Tempest, or the specific Tempest the original defendants drove?
- Where exactly did the Jones brothers steal the car from? Any more clarifying description for the driveway?"
- There is an inconsistency in Cloud's report. On page 59, lines 58-60, Cloud says, ""I have no criticisms of the investigation performed by Donoghue and Boorman that led to the prosecution of Joshua Jones and Peter Jones. I am not aware of leads or suspects they failed to consider, witnesses they failed to interview, tests they failed to perform, or evidence they failed to gather."" But then on page 60, lines 128-129, Cloud says, "It is possible another person or persons, unconnected to the Tempest, killed Roberts. Maybe the people seen arguing with Roberts killed him. Or maybe the real killer(s) left through the back door, and the Joneses drove away in fear.""
- Could we get a jury instruction on ID and that it is the prosecution's burden? "
- When the police arrest Goldeni and Rosenblatt, they note finding \$40 (p. 47), but the problem does not mention whether they checked the cash for fingerprints. Should we assume that, because the problem is silent on this point, it did not occur?
- Where are the windows on the Stover house and the Galvez house from which those two eyewitnesses observed the incident? "
- Does the stipulation related to chain of custody include issues related to contamination of evidence?
- In the prior case, State of Lone Star v. Goldeni and Rosenblatt, no witness established jurisdiction, but we are assuming it was within the same jurisdiction as our case and that we can use / rely on information from the prior trial in our case?
- When Galvez says she was shown "three more photos" at line 84, does that mean six total (meaning three pairs)?

#### **4. RULES QUESTIONS FOR TYLA**

These are rules questions that seemed beyond our jurisdiction as case authors. We sent them to TYLA.

- To what extent are laptops allowed? The rules indicate that the audio can be played on a laptop, so clearly a laptop is allowed at counsel table. Can they be used to search the case file (PDF), doing so resulted in a complaint/problem during regionals last year.
- Is there a rule against presenting a redacted exhibit or must redactions be constructive only? The exhibits provide redactions for some exhibits but not others.
- In the rules, are you able to indicate the applicable jurisdiction for case law? Or should we ask region host?
- What is the level of inferences allowed? Reasonable inferences or necessary inferences?
- Do we get redirect, and is it limited only to impeachment?
- Technology w/ the 911 and not using technology?
- Can we put Jimmy in a picture frame at counsel table?
- Do the rules allow for defense counsel to ask the presiding judge for Galvez to be treated as an adverse witness?
- Can witnesses be called as hostile?
- Can teams instruct their woodshed witnesses be hostile?
- Are any P/T motions allowed and, if so, what caselaw may be used?
- Notwithstanding Rules, Art. VII, 4., B. (p .9), during woodshedding, is it permissible to give witnesses their testimony transcript/report with portions highlighted (but with no additions or modifications) that the witness can take to the stand when testifying? SEE Rules, Art. VII 4., G. (p.10)
- How many demonstratives can a team use, page 3 paragraph 4 of NTC rules state the regional host decides which 2 exhibits can be enlarged, but does that limit each team from enlarging multiple others?