

We The Jury

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Used in conjunction with the High School Education Day at the Civic Center of Greater Des Moines, program for *12 Angry Men*, February 14, 2008.

IN THE DISTRICT COURT FOR THE STATE OF OZ
IN AND FOR DOROTHY COUNTY

STATE OF OZ,)	
)	
Plaintiff,)	
)	
VS.)	Criminal No. 021408
)	
TAYLOR DILLON,)	
)	
Defendant.)	

TRIAL OF STATE V. DILLON

OPENING COURT AND SEATING JURY

CLERK: All rise. The District Court in and for State of Oz is now in session. The Honorable _____, presiding.

JUDGE: Please be seated. We have just completed voir dire, and have now assembled in the courtroom in which we will take testimony. Before the jury is seated, the Clerk will give the Oath or Affirmation. Jury members, please rise.

CLERK: Please raise your right hand: Do you swear or affirm that you will render a true verdict according to the law as given by the Court, and the evidence submitted according to the rulings of the Court? If so, answer "I do."

JURORS: I do.

JUDGE: Please be seated. We will now take Opening Statements from the Prosecutor and Defense Counsel. We will then take testimony. After the testimony, I will give you instructions as to the law you are to follow, and apply to the facts you find from the evidence. Keep an open mind throughout the trial, and do not discuss the case with anyone, including the other jurors until after you have received my instructions as to the law. Counsel, are you ready to proceed?

PROSECUTOR: Yes, Your Honor. May it please the Court, counsel, Defendant, and Members of the Jury.

On January 16, 2008, Defendant committed a crime in the State of Oz by bringing a Controlled Substance, that is, Ecstasy, into Gertrude Rush High School, stashing it in a gym bag in a locker. The student with whom Defendant shared the locker, Terry Mapp, saw the baggie of drugs, and quite properly went and told a school administrator. The Assistant Principal, Jordan Rice, went to the locker with Terry, saw the baggie of Ecstasy in the Defendant's gym bag on a shelf in the locker. The shelf was assigned to Defendant for use in the shared locker, and Defendant admitted to using it. The baggie of Ecstasy was hanging out of a gym bag marked "TD." Taylor Dillon was a member of the school's basketball team.

Both of these witnesses will testify. At the close of the evidence, you will see that the State has met its burden of proof to show that Taylor Dillon possessed a controlled substance, namely Ecstasy, in a school, which is a crime in the State of Oz. Thank you for your attention to the overwhelming evidence in this case.

JUDGE: The Defense Counsel may now address the jury.

DEFENSE COUNSEL: Thank you. May it please the Court, counsel, and members of the jury:

There was no crime committed by my client, Taylor Dillon, a high school student at Gertrude Rush High School. This case is motivated by the revenge and jealousy of Terry Mapp, who wants Taylor's spot on the basketball team. Taylor is an athlete, who is depending upon a basketball scholarship for college. Taylor is a member of the National Honor Society, Choir, Speech and Debate team and volunteers with Habitat for Humanity and Best Buddies. Taylor does not use drugs. Taylor does not sell drugs. Taylor does not have anything to do with drugs anywhere – and would never touch drugs on school property.

The story, and that's what it is, just a story, that Taylor had drugs in the locker is just something made up by Terry to cover up the fact that these were Terry's drugs. Terry was suspended from the basketball team, and blamed Taylor for the suspension. Terry just wanted to get back at Taylor, and is using this false claim of drug possession to

do it. Yes, Terry claims that Taylor is the only one who could have put Ecstasy in their locker – but, you will also hear from a teacher who saw Terry at the locker, instead of being in class, when Terry supposedly made the discovery of the drugs. Instead of telling this teacher, Terry went to the front office and found the Assistant Principal. Terry then got released by Mr. Rice from his basketball suspension early for ratting out Taylor. You will be able to judge for yourselves the credibility of Terry Mapp, and decide whether this story, based on revenge, makes any sense, or whether there is just too much doubt, reasonable doubt, in order to convict Taylor Dillon on the groundless testimony of someone who is holding a grudge and had much to gain if Taylor got in trouble. Thank you.

JUDGE: The State may call its first witness.

PROSECUTOR: The State calls Terry Mapp.

CLERK OF COURT: Please step forward. Do you swear or affirm that the testimony you are about to give is the truth in this matter?

TERRY MAPP: I do.

CLERK OF COURT: Please be seated.

DIRECT EXAMINATION OF TERRY MAPP BY PROSECUTOR

Q: State your name.

A: Terry Mapp.

Q: How old are you?

A: 18.

Q: Where do you go to school?

A: I'm a Senior at Gertrude Rush High School.

Q: Do you know the Defendant, Taylor Dillon?

A: Yes, we used to share a locker, and used to be on the basketball team.

Q: What do you mean you "used to" share a locker?

A: Well, we had the same locker until Taylor got suspended for having drugs. When Taylor came back, it was to a different locker, I don't have to share a locker with anyone now.

Q: Why did Taylor get suspended?

A: Because of the Ecstasy Taylor put in our locker.

Q: How do you know Taylor put drugs in the locker?

A: Because I saw it. You see, I got a pass to go to the bathroom. Then I decided I might as well go down the hall and around the corner to get my Spanish book, and save myself a trip instead of going during lunch. So that's why I was at our locker in the middle of the morning instead of being in class. I saw a teacher at the end of the hallway, but didn't want to get in trouble for not having a hall pass, so I just kept quiet and hoped the teacher wouldn't notice me. That didn't work,

and the teacher wanted to see my pass, so I showed it. The teacher said: "Get back to class," and then left.

Q: What happened when you opened your locker? Was it locked?

A: Well, we are supposed to keep our lockers locked, but I usually don't because it's just a big pain, and half the time the locks don't work right, so it's just easier to keep it unlocked, and hope no one takes your stuff. On this day it happened to be locked, because Taylor's new gym bag was there, which should have been kept in the gym locker room, but of course Taylor had to be showing off by carrying it around in the halls. It was a really expensive bag, so I looked closer at Taylor's shelf and space, because of course, Taylor also has pop and other stuff, too. Right on the shelf that Taylor used, hanging out of the side of the gym bag, was a plastic baggie with Ecstasy. "Oh my God," I thought. "Now what?" I just stood and stared. Then I took my Spanish book and went to the front office.

Q: Tell us again what shelf this baggie of Ecstasy tablets was on?

A: Taylor's.

Q: How did you know it was Ecstasy?

A: I've seen it at parties, and on TV, and we saw some in our Project DARE classes, and there are posters up in the counselor's office, and Mr. Heinrichs, the Dean of Students, told us about it at the beginning of school, and we had "Smart Choices" as part of Post-Prom, and they talked about all kinds of controlled substances there, and why not to use them, and as part of the Athletic Department, to be on a team, you have to sign an agreement not to use street drugs or steroids or anything illegal, and they give you a pamphlet showing you just about every kind of drug there is.

Q: So, what did this bag of Ecstasy look like?

A: Tablets. In a small baggie.

Q: After you saw the Ecstasy, what did you do?

A: Well, I knew I was really going to be late back to class, so I thought I'd better just go find the Asst. Principal, Mr. Rice, who is the person we are supposed to tell if there's a problem. I didn't want to get suspended again. And I didn't want to touch the bag or carry it in the hall, for crying out loud.

Q: Did you find Asst. Principal Rice?

A: Yes, I went to the front office, and Asst. Principal Rice came back with me to the locker, and the stuff was still there, and I got sent back to class. The next thing I knew, Taylor was suspended and kicked off the basketball team. Which was only right.

Q: Thank you, I have no other questions.

JUDGE: Do you have any cross-examination?

DEFENSE COUNSEL: Yes, your Honor.

CROSS-EXAMINATION OF TERRY MAPP

Q: On January 16, 2008, is it fair to say that you and Taylor were no longer friends? That you were mad at Taylor?

A: You could say that.

Q: Over Winter Break, you had a party at your house, right?

A: Yes. Taylor helped plan it.

Q: And this was at your parents' house...

A: Yes.

Q: While they were out of town?

A: Yes.

Q: And they didn't know you were having a party?

A: No.

Q: And you didn't have their permission to have a party?

A: No.

Q: Taylor Dillon brought a bunch of friends to the party, right?

A: Yes, a whole bunch – way more than we planned. And after Taylor's friends crashed the party, Taylor gets a call and left, leaving me to deal with everything and everybody. At first I thought Taylor was going to get pizza and would be back, but after an hour it dawned on me that these 50 kids were never going to leave! Some of them had beer, and were peeing in the neighbors' yards, and it really got out of control.

Q: You got in trouble for the party, and for having so many people there, right? And for the beer.

A: Right.

Q: In fact, you were in trouble not only from your parents, but when neighbors called the police. The neighbors reported the party not only to your parents, but also to school, right?

A: Yes, it was the night before a basketball tournament, and we were supposed to be on a curfew, so I also got kicked off the team.

Q: Did Taylor get into trouble?

A: Oh no. Taylor wasn't there more than 5 minutes. So no one believed me that Taylor had planned the party, too! And that the kids who crashed the party were Taylor's friends from a bunch of other schools. I didn't even know half of them.

Q: Was there beer at this party?

A: Yes.

Q: Were there drugs at this party?

Q: Maybe. I mean, these were Taylor's friends, and I couldn't watch all 50 of them all the time. They left my house a total mess. I did hear that someone had pills, and that scared me, but I never saw any. They must have had the stuff outside.

Q: Did you get suspended from school for this party?

A: Yes. For two weeks.

Q: Did you get suspended from the basketball team?

A: Yes, for one month and one tournament.

Q: Did that make you mad at Taylor?

A: Well, yes! It was Taylor's friends, their beer, and their running around the neighborhood making noise that caused the police to come, and my parents to

- freak out. It was all Taylor's fault. I thought we were just going to have about 4 people over for movies and pizza.
- Q: So, it was your first day back to school after your suspension that you supposedly found Ecstasy in Taylor's gym bag on a shelf in the locker?
- A: Yes. Actually, it turned out that the 17th was supposed to be my first day back, so I had to go to the office on the morning of the 16th and get permission to go to class.
- Q: You knew that Taylor would get suspended and kicked off the basketball team if Taylor was found with drugs, right?
- A: Well, that's only right.
- Q: When Taylor got suspended from the basketball team, you got reinstated a week early, right?
- A: Yes. We were hosting the regionals and needed team members. I had already missed the Winter Break tournament, so really my suspension should have been up. Plus Asst. Principal Rice put in a good word for me since I told him about Taylor's drugs on school property.
- Q: You put the drugs in the locker, and pretended they were Taylor's right?
- A: No.
- Q: You wanted Taylor kicked off the team so you could get your spot back, right?
- A: Well, I didn't feel bad when he got suspended. But I didn't plant drugs in his bag.
- Q: Who else had access to the locker that day?
- A: Well, no one but Taylor and me, since Taylor had it locked.

DEFENSE ATTORNEY: No other questions.

JUDGE: Any redirect?

PROSECUTOR: No, Your Honor.

JUDGE: You may be excused. Please call your next witness.

PROSECUTOR: The State calls Jordan Rice.

CLERK OF COURT: Please step forward. Do you swear or affirm that the testimony you are about to give in this matter is the truth?

JORDAN RICE: I do.

DIRECT EXAMINATION OF JORDAN RICE

Q: Please state your name.

A: Jordan Rice.

Q: What do you do for a living?

A: Assistant Principal in charge of discipline at Gertrude Rush Senior High School.

Q: And what is your education and training for this job?

A: I have a Bachelor's Degree in Secondary Education from Drake University, a Master's Degree in School Administration from the University of Northern Iowa, and my Certificate in Secondary School Administration from Drake. I have

- taught in high schools around Iowa for 15 years, and then been at Gertrude Rush High for the past 10 years, first as academic dean, and now in charge of discipline.
- Q: Do you know Taylor Dillon?
- A: Yes, the student seated next to the defense attorney.
- Q: When is the last time you spoke to Taylor?
- A: At the disciplinary hearing where he was suspended from school and the basketball team.
- Q: Why was he suspended?
- A: I found Ecstasy in his locker.
- Q: And how was it that you looked into Taylor's locker?
- A: Another student, Terry Mapp, came and got me, and took me to see it.
- Q: How did you know this was Ecstasy?
- A: I've taken a 2-week course offered by the Iowa Department of Public Safety on controlled substance usage by high school students, which included looking at samples, and photos of various types of drugs, so that we could safely handle what we might find at school.
- Q: Was this the first time you had seen Ecstasy at Gertrude Rush High?
- A: Unfortunately, no. We've had other cases involving students on and off campus, particularly members of the basketball team..
- Q: I'm showing you what's been marked as Government Exhibit A, which is a plastic baggie containing tablets. Can you identify this?
- A: It's the bag and substance I took from Taylor Dillon's gym bag on January 16, 2008. I put my initials on the corner.
- Q: What did you do with the baggie after you saw it on Taylor Dillon's locker shelf?
- A: I asked Terry Mapp what happened. Terry was delayed in the front office signing in because Terry thought the 16th was the first day back from Terry's suspension, when it should have been the 17th, but I gave Terry permission to go to class because it was the start of a new semester. I doubt Terry had time to stop by the locker before classes started. Later that morning, while on a bathroom hall pass, Terry decided to go to the locker to get a book. The locker was locked, and after opening it, Terry saw the drugs, shut the locker and came to the front office. I told Terry to go back to class. There was a teacher in the hallway, and I sent her to find Taylor Dillon. I stayed by the locker. When the teacher brought Taylor to me, I asked which shelf had the gym bag, pop cans, and binders with "TD" on them. Taylor said: "mine." I then opened the locker, and said, "So, who does the baggie with drugs belong to?"
- Q: What did Taylor say then?
- A: After some stammering, and shuffling around, Taylor said: "Well, it's not mine, someone else must have put it there." Taylor wouldn't look me in the eyes.
- Q: Then what happened?
- A: Since Taylor was the only one with access to the locker, and it had been locked, I filed a disciplinary report for possession of a controlled substance when we got back to the office (I have a field test kit, and the drugs tested positive for Ecstasy). We have a zero tolerance policy. Taylor was suspended both from

school and the basketball team.
Q: No further questions.

JUDGE: Do you have any cross-examination?

DEFENSE CONSEL: Yes, Your Honor.

CROSS-EXAMINATION OF JORDAN RICE

- Q: Taylor always denied knowing anything about these drugs, correct?
A: Right.
Q: Taylor claimed not to have anything to do with drugs, right?
A: Yes, Taylor said that it wouldn't be possible to do anything to jeopardize the basketball scholarship.
Q: Did Taylor look surprised to see the baggie when you pulled it from the locker?
A: Well, kind of shocked.
Q: You said Taylor was nervous, could that be from being startled by being accused of having drugs?
A: I suppose so. But Taylor shouldn't have brought them to school. These jocks think they can get away with anything. This was the 4th suspension involving an athlete I had to deal with that month. I had just had it having to deal with flagrant rule violations.
Q: Do students always leave their lockers locked?
A: They are supposed to, but they are too lazy to. But we tried to make sure all the lockers were locked over Winter Break, because there was so much traffic in the building what with the Winter Term tournaments for basketball, speech and debate, and swimming. I didn't check each one, though.
Q: Do you know for a fact that Taylor's and Terry's locker was locked earlier in the day on January 16, 2008?
A: That's what Terry said.
Q: But did you see the locker locked?
A: No, it was unlocked when I got there with Terry. But the drugs were on Taylor's shelf hanging out of his gym bag. And Taylor admitted owning everything else on the shelf.
Q: Why was Terry under suspension, and late getting to class?
A: For having a party with drugs and beer, and being out of basketball team curfew. He was suspended from school and the team. After he testified at Taylor's suspension hearing, we reinstated Terry because of his cooperation with the investigation, and for being responsible enough to report Taylor's crime.
Q: No further questions.

JUDGE: Any redirect?

PROSECUTOR: No, Your Honor.

JUDGE: The witness is excused. Any other testimony?

PROSECUTOR: No, we do have a certified test from the state crime lab that the contents of the baggie found in Taylor Dillon's locker was Ecstasy. The Defendant has stipulated to this finding.

DEFENSE ATTORNEY: Agreed.

PROSECUTOR: The State rests.

JUDGE: Does the Defendant wish to present any testimony or evidence?

DEFENSE ATTORNEY: Yes, we will call Alex Simon.

CLERK OF COURT: Step forward please. Raise your right hand. Do you swear or affirm that the testimony you are about to give is the truth?

ALEX SIMON: I do.

DIRECT EXAMINATION OF ALEX SIMON

Q: (By Defense Counsel): Please state your name and tell us what you do.

A: Alex Simon. I teach at Gertrude Rush Senior High School. I have taught them for 20 years.

Q: What is your educational background, and what do you teach?

A: I have a Masters in Secondary Education from the University of Iowa. I teach Science.

Q: Were you at work on January 16, 2008?

A: Yes. I was assigned to hall duty during part of the morning, to make sure students were not wandering without hall passes.

Q: Did you see Terry Mapp that morning?

A: Yes. I've had Terry in classes, so I knew the student, and was aware this was Terry's first day back from suspension, so I hoped there wasn't another problem. Terry was hanging about the locker bay. I said: "Get back to class, why are you in the hall?"

Q: Did you ask Terry to show a pass?

A: Yes; Terry showed a bathroom pass, which was odd, because the bathrooms are not near the lockers. Terry was near the lockers, and then went in the opposite direction toward the classrooms.

Q: Was it unusual for a student to be in the hallway in the middle of the morning?

A: Well, they should be in classes, or only in the hall with a bathroom pass or a pass to a specific office. Students can only go to their lockers between classes.

Q: So, Terry was in an area you did not expect a student to be?

A: Yes. Then I heard Terry accused Taylor of having Ecstasy in their locker, and that just seemed really fishy to me.

Q: I have no further questions.

JUDGE: Any cross-examination?

PROSECUTOR: Yes, your Honor.

CROSS-EXAMINATION OF ALEX SIMON

Q: When you stopped Terry, did Terry say: "I have a bathroom pass."?

A: No, only after I asked, and said "Get back to class." Terry was standing by the lockers, not the bathroom hallway. I was on my way to the teacher's lounge, so I didn't watch which way the student went.

Q: Did you see anything in Terry's hands? Books? Baggies?
A: No, nothing.
Q: Do you know Taylor Dillon, Terry's locker-mate?
A: Yes. Taylor takes AP Biology and AP Chemistry from me. I've written letters of recommendation for college applications and scholarships. I simply can't believe these charges. This doesn't add up.
Q: You are friends of the Dillon family, right?
A: Well, I went to school with Taylor's sister and see their parents at school events.
Q: No further questions.

JUDGE: The witness may be excused. Any other defense witnesses?

DEFENSE ATTORNEY: Yes, your Honor. We call Taylor Dillon.

CLERK OF COURT: Do you swear or affirm that the testimony you are about to give is the truth?

A: Yes.

DIRECT EXAMINATION OF DEFENDANT, TAYLOR DILLON

Q: State your name.
A: Taylor Dillon.
Q: How old are you, and where do you go to school?
A: 18; I'm a senior at Gertrude Rush Senior High School.
Q: How are you doing in school?
A: I have a 3.7 GPA and take AP classes, plus volunteer with Best Buddies, plus I work.
Q: Do you play any sports?
A: Varsity basketball and soccer. I lost my eligibility to play because of these charges.
Q: When did you first find out you were accused of having Ecstasy in your locker?
A: The Assistant Principal had me come from class and met me at my locker.
Q: What happened then?
A: Asst. Principal Rice asked: "Which shelf do you use?" I said: "The one with my gym bag and pop cans."
Q: What happened then?
A: Asst. Principal Rice pulled out a baggie with Ecstasy tablets, and said, "So, this is yours then!"
Q: Had you ever seen the bag of tablets before?
A: No! I don't have anything to do with drugs. It was not in my gym bag or locker that morning.
Q: Have you ever seen Ecstasy before?
A: Yes. At Terry's party some kids had it in the back yard. That's when I left, because I didn't want to be anywhere near the stuff.
Q: Would anyone besides you have been able to get into your locker?
A: Yes. Terry has the combination, and school wasn't locked over break because of

the basketball tournaments, and other programs. I saw Terry at school early on January 16, 2008, before the office opened. We didn't talk. It would have been easy for Terry to put something on my shelf or in my bag in the locker. I tried to keep it locked, but don't control what Terry does.

Q: Do you think Terry would do something like plant drugs on your shelf?

A: Oh, yes. Terry was really mad about getting suspended, and thought I should have taken the blame for the party that got out of control when Terry's parents were out of town. I just stopped by, and when I saw who all was there, and how they were running around the neighborhood, and what was going on, I just left. I know Terry thinks I should have stayed and helped get rid of people and clean up, but I have my scholarship to think of and didn't want to take a chance. I was only there about 5 minutes. Terry blamed me for getting kicked off the team, and set me up.

Q: I have no further questions.

JUDGE: Any cross-examination?

PROSECUTOR: Oh yes, your Honor.

CROSS-EXAMINATION OF DEFENDANT TAYLOR DILLON

Q: You want to get back at Terry because you got in trouble and suspended, right?

A: I just don't want to be found guilty of something I didn't do.

Q: You were nervous when Asst. Principal Rice met you at your locker, right?

A: Yes, it was unusual to get pulled out of class.

Q: You were nervous because you realized you'd been caught, right?

A: No, I was nervous because I was accused of having drugs, which I didn't do.

Q: You were nervous because the drugs were yours.

A: No, those were not my drugs.

Q: The Ecstasy was hanging out of your gym bag.

A: That's what Mr. Rice said.

Q: -- by your pop cans --

A: Yes.

Q: -- on your shelf --

A: Yes.

Q: Because the drugs were yours.

A: No!

Q: You want this jury to believe that your teammate Terry Mapp brought drugs to school and put the drugs in the locker, on your shelf in your gym bag, just to get back at you for leaving a party early?

A: Yes, that's what happened.

Q: You and Terry have been friends since grade school, right?

A: Yes, but we aren't friends now.

Q: No further questions.

JUDGE: Any redirect?

DEFENSE ATTORNEY: Yes, your Honor.

Q: Taylor, had you ever seen the baggie of Ecstasy tablets before Asst. Principal Rice showed it to you?

A: No. I had no idea there were drugs in the locker. If I had found the baggie earlier I'd have gotten rid of it.

Q: Nothing further. The defense rests.

JUDGE: The witness is excused. Any rebuttal from the State?

PROSECUTOR: No, your Honor.

JUDGE: We will take a 5 minute recess. I will then read the jury instructions before we proceed with closing arguments and deliberations. Remember that you are not supposed to talk about the case to anyone or among yourselves. Please keep an open mind until the case has been submitted to you and you begin your discussions.

CLERK OF COURT: All rise. The Court will be in recess for 5 minutes.

--- Recess---

CLERK OF COURT: Court is now in session.

JUDGE: Reads the Jury Instructions.

We are now ready for closing arguments. Counsel?

PROSECUTOR: May it please the Court, counsel, and members of the jury. On January 16, 2008, Taylor Dillon committed the crime of Possession of a Controlled Substance by bringing a baggie of Ecstasy to Gertrude Rush Senior High School. The Defense would have you believe this is some conspiracy by Terry Mapp, but that just doesn't make sense. Taylor and Terry were friends since grade school. They were teammates. They planned a party together. The party got out of hand. Terry got suspended, but that doesn't mean Terry would plot against Taylor.

When Terry saw the Ecstasy in the locker, on Taylor's shelf hanging out of Taylor's gym bag, Terry did the responsible thing, and told Asst. Principal Rice. That's why we are here, not some big revenge plot, with Terry sneaking into school over Winter Break, or getting to school extra early, or doing anything else to get Taylor in trouble. Why would he make things so complicated?

Asst. Principal Rice said that Taylor was nervous when confronted with the baggie of Ecstasy. Not that Taylor was confident and calm, but that Taylor was nervous. Well, of course Taylor was nervous, because Taylor didn't expect to be found out. Taylor was nervous because the Ecstasy was Taylor's, not Terry's, and not some mysterious stranger's who decided to stash it in this locker at random. Reasonable doubt means just that – doubt that a reasonable person would have. Do not make this more complicated than the simple case it is. A student thought no one would find out about drugs at the party, and at school, and now everyone has. The State has proven its case. The evidence

supports a finding of guilt of the crime charged.

JUDGE: Defendant may proceed with closing argument.

DEFENSE ATTORNEY: May it please the Court, counsel, and members of the jury. This case is not motivated by justice, but by revenge. Terry was mad at Taylor, and had a way to get back for being left to take all the blame for Taylor's part in a party that got out of control. Terry was mad about being suspended, both from school and from the team. Terry was especially mad that Taylor was still getting to play basketball, still getting scholarship offers, and didn't help when Terry needed it. Terry admitted how mad he was at Taylor.

Terry set this whole thing up. Terry has plenty of access to the locker, either over break or the morning of January 16, 2008, before going to check into the office or when he was supposedly on a bathroom break. We brought in a teacher to testify that Terry was hanging about the locker bay, which was not near the classrooms or bathrooms. Terry supposedly found drugs, and then immediately went to the Assistant Principal. What Terry did is find a way to get back on the team by cooking up a story about drugs, planting them in Taylor's bag in the locker, and then trading this supposed "discovery" for his entry back to the team, and getting off his suspension.

Taylor did not bring drugs to school. Taylor told you that. The State has simply failed to meet its burden of proof in this case. Even if you don't believe Terry planted the drugs, remember that not only did Terry have access to the locker, so did plenty of other people over Winter Break, because the school wasn't locked, and no one is sure whether or not the locker was locked. Based on the evidence presented, you cannot find beyond a *reasonable* doubt that Taylor Dillon was in possession of a Controlled Substance. The only verdict supported by the evidence is *not guilty*.

JUDGE: Any rebuttal?

PROSECUTOR: Yes, your Honor. Members of the jury: Who knew there was Ecstasy at the party? Taylor. Who knew the party was out of control? Taylor. Why was the party out of control? Ecstasy. Who was in the best position to leave with some Ecstasy? Taylor. Not Terry. He was busy dealing with 50 kids, plus angry neighbors, the police and his parents. In that confusion, he supposedly hid a baggie of Ecstasy, and came up with a plan to plant it on his best friend 2 weeks later. Isn't it more likely that Taylor had the drugs at the party and at school? Yes. Keep drugs from schools. Follow the evidence, and find Taylor guilty as charged.

JUDGE: Members of the jury. You have now heard the evidence, the Instructions, and arguments of counsel. Please proceed to deliberate.

CLERK: Court is now in recess.

Deliberations; presiding juror selected. Verdict reached. Jury notifies Clerk.

JUDGE: Members of the jury, have you reached a verdict in the case of State vs. Taylor Dillon?

PRESIDING JUROR: Yes.

JUDGE: What is the verdict?

PRESIDING JUROR: We, the jury, find the Defendant_____.