

2021-2022 Louisiana High School Mock Trial Competition Case

STATE OF LOUISIANA

VS.

BRETT JACKSON

A CRIMINAL CASE BY
THE UNIVERSITY OF LOUISIANA-MONROE MOCK TRIAL TEAM

Synopsis

In January of 2020, Brett Jackson found out that their spouse was cheating on them with Shan Lee. After finding this out, Brook promised to end the affair, and Brett and Brook began trying to work to repair their marriage. However, in May of 2020, Brett found out that Brook had not ended the affair. Then on July 1, 2020, the anniversary of Brett and Brook, Brett walked out of a restaurant and saw Brook and Shan walking toward Brett, and they were only a few feet away from him at this time. Testimony differs as to the events that occurred next, but ultimately, Shan was shot by a gun that Brett had in their possession. Brett was subsequently taken into custody, and is now being tried for 2nd Degree murder, under La. R.S. 40:30.1. Brett contends that they had no intent to kill Shan, and that the gun inadvertently went off after Shan hit it. Brook on the other hand contends that Brett intentionally shot Shan.

Available Witnesses

Prosecution:

- Brook Jackson, Ex-Spouse of Defendant
- Carmen Cole, Investigating Officer
- Dr. Frances Edwards, Psychologist Expert

Defense:

- Brett Jackson, Defendant
- Harper Hill, Friend of Defendant / Eyewitness
- Kennedy Gill, Gunsmith Firearm Expert

Exhibit List

- A. Text Message from January 21, 2020
- B. Email from May 4, 2020
- C. Invoice from law firm
- D. Invoice for gun purchase
- E. Photograph of gun used on July 1, 2020
- F. Diagram of bullet trajectory through Shan Lee, 1 & 2
- G. Photograph of firearm firing mechanism
- H. Dr. Frances Edward excerpt of MPP Study

STATE OF LOUISIANA ~ PARISH OF GRANDE
SEVENTY-FIFTH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

FILED: _____

VERSUS

NO. CR 2021-2034

BRETT JACKSON

DEPUTY CLERK OF COURT

STIPULATIONS

- (1) For the convenience of the parties, witnesses, court, and jury, all potential exhibits have been pre-labeled and pre-numbered. Those numbers will be used for all purposes at trial, regardless of which party first offers the exhibit or the order in which the exhibits are offered.
- (2) The parties, having engaged in discovery, agree that no documents other than Exhibits A - H are relevant. This stipulation does not bar objections to Exhibits A-H. This stipulation also does not address demonstrative aids that may be used during trial that may or may not be admitted into evidence.
- (3) All parties and witnesses are of at least of normal intelligence and none has or ever has had a mental condition that would impact a person's perception, memory, or ability to respond to questions on cross examination.
- (4) Brett Jackson and Brook Jackson were married at all times relevant to this case.
- (5) Brett Jackson has chosen to testify in this case, and has waived all 5th Amendment protections, and all other parties have waived any 5th Amendment protections that they may have been able to claim in this matter.
- (6) All objections based on improper search and seizure under the 4th Amendment have been waived.
- (7) All objections to the authenticity of any Exhibit have been waived, and all Exhibits are what they purport themselves to be. However, all other objections related to any Exhibit are preserved for trial.
- (8) All objections to Exhibit F are waived, and either party may enter Exhibit F into evidence at any point after opening statements.

- (9) It is stipulated that Officer Camren Cole and Expert Kennedy Gill have the ability to testify to Exhibit F, insofar as it is in their expertise to testify as to the trajectory of a bullet based on the diagram, and it is stipulated that the trajectory as indicated on Exhibit F is the trajectory in which the bullet entered the body of Shan Lee on July 1, 2020.
- (10) It is also stipulated that the text messages represented in Exhibit A were sent on January 21, 2020, even though that date is not represented on Exhibit A itself.
- (11) It is stipulated that this trial is only as to the guilt of Brett Jackson, and the sentencing of Brett Jackson, if found guilty, will be given at a later date.
- (12) It is stipulated that Brett Jackson and Brook Jackson ultimately divorced each other after the incident that occurred on July 1, 2020, and that they are not still together at this time, however, Brook Jackson kept the last name of Jackson.
- (13) It is stipulated that the gun represented in Exhibit E was the gun involved in the incident that occurred on July 1, 2020, and that it is the same gun that is represented as having been purchased by Brett Jackson in Exhibit D.
- (14) All objections relating to the chain of custody of any evidence represented in all Exhibits have been waived.
- (15) It is stipulated the Exhibit G is an accurate representation of the firearm at issue in this matter, as it was when examined by Kennedy Gill, and that the only relevant letter on the image depicted is Letter A, which is a representation of the Sear and Sear screw discussed in Kennedy Gill's testimony.

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INDICTMENT

THE GRAND JURORS OF GRANDE PARISH, CHARGE THAT, IN THE
STATE AND PARISH AFORESAID, DID:

COUNT ONE -SECOND DEGREE MURDER:

ON OR ABOUT JULY 1, 2020, IN GRANDE CITY, GRANDE COUNTY, LOUISIANA,
BRETT JACKSON DID WILLFULLY AND UNLAWFULLY COMMIT SECOND DEGREE
MURDER OF SHAN LEE CONTRARY TO THE PROVISIONS OF R.S. §14:30.1.

A TRUE BILL

/s/ JOHN S. DOE
Foreperson of the Grand Jury

CADE P. CADERSON
Cade P. Caderson,
Asst. Dist. Attorney
Seventy-Fifth Judicial District

STATE OF LOUISIANA ~ PARISH OF GRANDE
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RELEVANT LOUISIANA STATUTES AND LAW

The only statutes applicable to this case are set forth below.

Additionally, all trials in the Seventy-Fifth Judicial District are governed by the National High School Mock Trial Rules of Evidence, as well as Rules of Competition provided in the Handbook

STATUTORY LAW

La. R.S.14:30.1. Second degree murder

A. Second degree murder is the killing of a human being:

- (1) When the offender has a specific intent to kill or to inflict great bodily harm; or
- (2) When the offender is engaged in the perpetration or attempted perpetration of aggravated or first degree rape, forcible or second degree rape, aggravated arson, aggravated burglary, aggravated kidnapping, second degree kidnapping, aggravated escape, assault by drive-by shooting, armed robbery, first degree robbery, second degree robbery, simple robbery, cruelty to juveniles, second degree cruelty to juveniles, or terrorism, even though he has no intent to kill or to inflict great bodily harm.
- (3) When the offender unlawfully distributes or dispenses a controlled dangerous substance listed in Schedules I through V of the Uniform Controlled Dangerous Substances Law, or any combination thereof, which is the direct cause of the death of the recipient who ingested or consumed the controlled dangerous substance.
- (4) When the offender unlawfully distributes or dispenses a controlled dangerous substance listed in Schedules I through V of the Uniform Controlled Dangerous Substances Law, or any combination thereof, to another who subsequently distributes or dispenses such controlled dangerous substance which is the direct

cause of the death of the person who ingested or consumed the controlled dangerous substance.

B. Whoever commits the crime of second degree murder shall be punished by life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence.

STATE OF LOUISIANA ~ PARISH OF GRANDE
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JURY CHARGE

Ladies and Gentlemen, you have now heard all of the evidence that is to be presented in this case. You have also heard the arguments of the attorneys.

It is now my duty to instruct you on the law that applies to your deliberations. It is your duty to follow these instructions in reaching your verdict. Although you are the sole judges of the law and the facts on the question of guilt or innocence, you have the duty to accept and apply the law as given by the court. You must decide the facts from the testimony and other evidence and apply the law to those facts in reaching your verdict.

You must not single out any of these instructions and disregard others. The order in which the instructions are given does not indicate that one instruction is more important than another.

If I have given you the impression that I have an opinion regarding any fact in this case, you are to disregard that impression. If I have given the impression that I have an opinion concerning the guilt or innocence of the accused, you are to disregard that impression. The law does not permit the court to make any comment upon the evidence or the testimony. You alone decide what facts have been proven and what has not been proven. Each of you must base your verdict solely upon the evidence and testimony presented throughout this trial and disregard any other thing that you may have read or heard concerning this case from any other source.

This case has been brought to court by the return of a Grand Jury Indictment. An indictment is nothing more than a written, formal accusation against the accused charging him with a crime. You are not to consider the indictment as evidence against the accused. The mere bringing of an indictment creates no inference whatsoever that the accused is guilty. It is simply the method by which the accused is brought to trial.

Statements and arguments made by the attorneys are not evidence. In opening statements, the attorneys are permitted to familiarize you with the facts they expect to prove. In closing arguments, the attorneys are permitted to present for your consideration their analysis of what the evidence has shown or not shown and what conclusions they think may be drawn from the evidence. Therefore, the comments, the objections, the opening and closing arguments of the attorneys for either side are not evidence. You can accept them or reject them depending on whether or not they appear to be reasonable and logical and coincide with whatever facts you find to have been proven or not proven.

You must decide the facts only from the evidence presented. As jurors, you are not to be influenced by sympathy, passion, prejudice, or public opinion. You are expected to reach a just verdict. The evidence which you should consider consists of the testimony of the witnesses and of exhibits such as writings and physical objects which the court has permitted the parties to introduce. You must not consider any evidence which was not admitted, or which you were instructed to disregard, or to which an objection was sustained.

The accused is presumed to be innocent until each element of the crime necessary to constitute his guilt is proven beyond a reasonable doubt. This legal presumption of innocence is sufficient to create a reasonable doubt and sufficient to acquit the accused if it has not been properly rebutted by the State. The State accuses, therefore, the State must prove what it claims

is true. The accused is not required to prove that he is innocent. The accused is not required to call any witnesses or to produce any evidence, though they have the right to do so. Thus, the accused begins the trial with a clean slate.

The burden is upon the State to prove the accused's guilt beyond a reasonable doubt. In considering the evidence, you must give the accused the benefit of every reasonable doubt arising out of the evidence or out of the lack of evidence. If you are not convinced of the guilt of the accused beyond a reasonable doubt, you must find them not guilty. Reasonable doubt is doubt based on reason and common sense and is present when, after you have carefully considered all the evidence, you cannot say that you are firmly convinced of the truth of the charge.

While the State must prove guilt beyond a reasonable doubt, it does not have to prove guilt beyond all possible doubt. The State does not have to prove the guilt of the accused to one hundred percent perfection or to an absolute certainty. The law recognizes that all human endeavors fall short of perfection; and, therefore, it is sufficient, if after a full consideration of all of the evidence, that you are honestly convinced from the evidence that the accused is guilty beyond a reasonable doubt.

As jurors, you alone shall determine the weight and credibility of the evidence. You are the sole judges of the credibility of witnesses and of the weight their testimony deserves. You should scrutinize carefully the testimony given and the circumstances under which each witness has testified. In evaluating the testimony of a witness, you may consider the following factors: (1) his or her ability and opportunity to observe and remember the matter about which he or she has testified, (2) his or her manner or demeanor while testifying, (3) any reason he or she may have for testifying in favor of or against the State or the accused; and (4) the extent to which the testimony is supported or contradicted by any other evidence.

You may take into account the probabilities or improbabilities of what the witness has testified about and any prejudice or bias on the part of the witness. You must weigh and evaluate the testimony of each witness to determine whether it's believable or not, correct or incorrect, truthful or false.

Under the law, it is presumed that no witness has deliberately testified falsely or attempted to mislead you. However, you have the right to disregard or disbelieve the testimony of any witness as being unworthy of belief and proving nothing. You can accept as true, or reject as false, any part of or all of the testimony that you've heard from any witness in the case depending on whether you believed it to be true or not.

IMPEACHMENT- PRIOR INCONSISTENT STATEMENT

The testimony of a witness may be discredited by showing that the witness made a prior statement which contradicts or is inconsistent with his or her present testimony. If you find that a prior inconsistent statement was made, the prior statement may be considered for the truth of the matter asserted in the statement only if you find that there exists additional evidence to corroborate the matter asserted by the prior inconsistent statement.

CIRCUMSTANTIAL EVIDENCE

Evidence may be direct or circumstantial.

Direct evidence is evidence which if believed proves a fact at issue directly and without inference from other facts. (Eyewitness testimony is an example of direct evidence.)

Circumstantial evidence is evidence of fact which may be inferred from the existence of other facts relating to the questions at issue. For example, if someone came into the courtroom with a dripping umbrella and a wet raincoat, you could reasonably infer from those facts that it is raining outside, although you do not have any eyewitness testimony that it is raining outside.

Circumstantial evidence is legal and competent evidence and must be considered by you together with the direct evidence, if any, which may have been presented at the trial.

When the evidence in a case consists of both direct and circumstantial evidence, the rule is: you must not convict unless you are convinced beyond a reasonable doubt of the accused's guilt.

When the evidence in a case consists solely and exclusively of circumstantial evidence, the rule is: you must not convict the accused unless, the circumstantial evidence is so compelling that it eliminates or rules out every other reason, theory, or explanation of the defendant's innocence.

EXPERT TESTIMONY

You have heard testimony of a witness who is characterized as an expert. An expert is one who, as the result of knowledge, experience, training or education, has acquired specialized knowledge in an art, science, or craft.

It is the duty of the jurors to consider the opinions of an expert together with all the other testimony in the case, and to give them such weight as they deem proper.

The testimony of experts is merely offered to assist the jury in understanding the evidence or determining facts at issue. However, experts are not called into court for the purpose of deciding the case. You, the jurors, are the ones, in law, who must bear the responsibility of deciding the case. The experts are merely witnesses and you have the right to either accept or reject their testimony and opinions in the same manner and for the same reasons for which you would accept or reject the testimony of any other witness.

FLIGHT OF THE ACCUSED

You may also consider the flight of the accused, or his attempt to escape detection. Flight, if established by the evidence, does not, by itself, raise a legal presumption of guilt. The fact of an accused having fled, if proven, is merely another fact in the case to be considered in relation to

all the other facts that have been proven in the case. Flight may be prompted by a sense of guilt, but not necessarily so. You are entitled to give whatever weight you feel proper to the alleged flight, if you find that it has been established by the evidence.

EXPLANATION OF STATUTORY LAW TO BE APPLIED

The accused in this case is charged with **Second Degree Murder**. Second Degree Murder is defined in two ways, the first definition, which is the one relevant in this case, is the killing of a human being when the offender has a specific intent to kill or to inflict great bodily harm. Thus, in order to find the accused guilty of the first definition of Second Degree Murder you must find:

- (1) That the defendant killed the victim; and
- (2) That the defendant acted with a specific intent to kill or to inflict great bodily harm.

The State has the burden of proving intent beyond a reasonable doubt. Article 10 of the Louisiana Criminal Code provides that there are two types of criminal intent. They are specific intent and general intent. Second Degree Murder requires the presence of specific intent. Specific intent is defined as that state of mind which exists when the circumstances indicate that the offender actively desired the prescribed criminal consequences to follow his act. General criminal intent is present whenever there is specific intent, and also when the circumstances indicate that the offender, in the ordinary course of human experience, must have adverted to the prescribed criminal consequences as reasonably certain to result from his act or failure to act.

Criminal intent is an essential element of the crime of Second Degree Murder and must be proven as any other fact. However, intent is not an objective thing that can be displayed to you. It is a subjective thing within the mind; it is within the thinking of an individual; and although it is a fact that must be proven to your satisfaction and beyond a reasonable doubt, it need not be proven in the same manner as other facts are proven. It may be inferred from the circumstances

surrounding the transaction. Intent, absent an admission of such by the defendant, must necessarily be proven by inferences drawn from surrounding facts and circumstances.

Thus, if you are convinced beyond a reasonable doubt that the accused is guilty of Second Degree Murder under the definition provided above, your verdict should be GUILTY.

If you are not convinced beyond a reasonable doubt that the accused is guilty of Second Degree Murder under the definition provided above, your verdict should be NOT GUILTY.

Testimony of Brook Jackson

BEFORE ME, the undersigned legal authority in and for the State and Parish aforesaid, personally came and appeared, BROOK JACKSON, who after being duly sworn, did depose and state, as follows:

My name is Brook Jackson, and I am 32 years old. I have lived in Grande City, Louisiana most of my life. I was originally born in Sunnyside, California, but my family moved to Grande City when I was very young and have lived here ever since. I consider Grande City my home. I attended Grande City Community College where I met my ex-spouse, Brett Jackson. We did not immediately start dating when we met, and in fact, I really did not like him that much when we first met.

The first time we met in college, Brett seemed arrogant and like a know-it-all, but Brett eventually caught my eye, and we began dating. We were on and off again throughout college, but Brett's persistence won me over, and we were eventually married in 2015. One of the most important things that drew me to Brett was that they were as eager as I was to become a parent. All I ever wanted growing up was to have a big family and as many children as possible. Unfortunately, we later learned in our marriage that we could not have children, due to a medical condition that Brett had, which was not curable.

I never understood how Brett did not know of this medical condition prior to our marriage. When we discovered that Brett had an incurable medical condition that hindered them from having children, Brett did not seem surprised at all. In fact, Brett made it seem like they had known for a long time. However, Brett never mentioned this to me while we were dating, engaged, or even after our marriage. It was not until we had tried for several years and multiple

medical appointments before Brett confided that they had an inclination that they were not able to have children due to a condition that was possibly a genetic disorder that ran in their family.

I was devastated by this because my goal in life was to have a big family and children with my spouse. Unfortunately, it was not physically or medically possible for us to have children together. After we discovered this news, our marriage was never the same. I believe it was in part that we both knew Brett may have not been honest with me about their medical condition before we were married. I am not saying that I would not have married Brett if I would have known prior about the medical condition, but it could have been a subject we discussed before we were married.

Our marriage was never the same. I tried to speak with Brett about the possibility of adoption after we confirmed there was no way for us to conceive a child, but they would never listen. Brett became very distant and paranoid to the point I did not feel safe or comfortable in my own home. I suggested we seek marriage counseling, which at first, Brett did not want to do. However, I told Brett that if they did not want us to eventually divorce, we should try counseling or our marriage would likely end in failure. Brett eventually agreed, and we began marriage counseling. Unfortunately, it did not help our marriage.

Brett continued to act paranoid and believed that I was cheating on them with every person imaginable, including our mutual friends. I was devastated. I just found out that we could not have children, my spouse did not trust me, and our marriage felt like a fraud. Counseling was not helping, and I became very depressed. Luckily, I met a wonderful, amazing person named Shan Lee. Shan and I worked together and were great friends. Shan and I were very close, and I confided in Shan about mine and Brett's marital problems. Shan had gone through something

very similar in their first marriage, so Shan was the perfect person to talk about my problems. Shan understood me, they listened to me, and Shan trusted me. I trusted Shan.

On frequent occasions, Shan and I would go to lunch in between our shifts to eat and talk about my marital problems with Brett. Like I said before, Shan listened to me and Shan was a great friend. However, Brett became very jealous of Shan and I's friendship and believed we were having an affair. At first, Shan and I were completely platonic and had no desire to be anything more than great friends, but Shan and I eventually began falling madly in love with each other. Due to Brett's extreme paranoia, Brett would go through my phone, emails, texts and calls. I caught Brett several times doing this and when I confronted them, Brett would get extremely angry and make statements like, "I better not ever catch you with anyone else or it will not be good." I never really knew what Brett meant until the dreadful day in July 2020. I will never forget that day.

On July 1, 2020, Shan and I had met up to grab a cup of coffee and talk about me leaving Brett and filing for divorce. I had fallen in love with Shan and wanted to be with them instead of Brett, who I knew did not love me anymore either, if they ever did. Shan and I had just gotten coffee when all of the sudden, we walked upon Brett. It appears Brett had been waiting for us. There was a certain burger spot, Big Bob's Burger, that was one of mine and Shan's favorite lunch spots. It was on the other side of town, where I knew Brett hated to go, so I never expected to run into them.

When we walked upon Brett standing outside of Big Bob's Burger, Brett immediately reached for their gun from their side holster and pointed it at Shan. I immediately froze in complete fear and could not move. My whole life flashed before my eyes because I thought Brett was going to kill us both. Shan tried to stop Brett by reaching their hand out at Brett's gun and

trying to disarm Brett, but Shan was not fast enough, and Brett shot Shan. When the gun went off, I immediately closed my eyes and fell down in complete fear. I had never been so close to a gun before when fired. When I opened my eyes, Shan was lying on the ground holding their chest, and Brett had run away.

I immediately called 9-1-1 and informed the dispatch officer that the love of my life was shot by my ex-spouse, Brett, and that Brett was fleeing the scene on foot. I tried to hold the gunshot wound to help slow the bleeding as the dispatch officer advised me to do, but by the time the ambulance arrived, Shan had passed away from too much blood loss. I later learned that Brett shot Shan in the chest in a fatal area striking an artery, which lead Shan to die by excessive blood loss. I held Shan for several minutes after the investigators and ambulance arrived. I did not want to let go. It was at that moment I realized just how much I truly loved Shan. Brett took the love of my life, and I will never see Shan again because of Brett. I will never forgive Brett for what they did.

I informed the investigating officer, Cameron Cole, that I had witnessed Brett reach for a gun after seeing us walking towards them, and there was nothing we could do at that point because we were right in front of Brett. I did not even know that Brett owned a gun. Brett shot Shan and then ran from the scene. Officer Cole assured me that they would find Brett and bring Brett to justice. The only comfort that I have now is that justice will be served for the love of my life, Shan Lee, and that Shan tried to protect me and probably saved my life as well.

I am familiar with Exhibits A, B, C, D, and E.

I agreed to and completed this affidavit under oath.

Brook Jackson

Brook Jackson

Investigative Report of Officer Cameron Cole

BEFORE ME, the undersigned legal authority in and for the State of Louisiana, Parish of Grande, personally came and appeared Officer Cameron Cole, who after being duly sworn, did depose and state, as follows:

My name is Officer Cameron Cole, and I am the lead homicide investigator for the Grande Parish Sherriff's Office. I have been a lead investigator for the Grande Parish Sherriff's Office for over five (5) years, and I have been employed with the homicide unit for over fifteen (15) years.

My educational background consists of an undergraduate degree in Criminal Justice from Grande Parish State University. I later returned to Grande Parish State University to obtain my master's degree in Criminal Justice with a concentration in criminology theory and research methods. Upon graduating with my MS in Criminal Justice, I was hired by the Grande Parish Sherriff's Office, where I have been employed ever since. I quickly rose through the ranks of a First Sgt. in burglary and violent crimes and was promoted to the homicide unit after just two years with the Sherriff's Office.

Since being promoted to the Homicide Unit, I have investigated over fifty (50) homicides. Additionally, I have testified in trial as an expert in the field of homicide investigation and criminology theory over two dozen times. My rate of conviction to arrest is over 90%. This means that when I find the bad guy, I am almost guaranteed to put him away with the evidence I am able to collect for the District Attorney to prosecute the criminal. I consider the methods, theory, and practices I use in my field to be of the highest standard and the consistent practice of others in my field. Moreover, I take tremendous pride in making sure that I keep my hometown safe from violent criminals.

On July 1, 2020, I was contacted by our emergency dispatch regarding a possible homicide that occurred right outside of my favorite burger spot, Big Bob's. Dispatch informed me that the victim was a Shan Lee, and that they had succumbed to an injury from a single gunshot wound to the chest.

Upon my arrival, I immediately began my investigation. The first step of my investigation was to take statements from any witnesses that were at the scene or may have actually witnessed the incident take place. This is the standard practice in my field.

The first person I spoke with was the ex-spouse of the defendant, Brook Jackson. It was clear that Brook was close with the victim, Shan Lee, and that Brook was there at the time of the incident. When I began questioning Brook as to what transpired, they informed me that the person who shot Shan was in fact their ex-spouse, Brett Jackson.

I was informed by Brook that they were walking towards Big Bob's Burger spot when they were confronted by Brett. Brook indicated to me that as they approached Big Bob's, Brett withdrew their handgun that was concealed on their side in a holster. The gun was left at the scene of the incident, and so it was tagged and labeled as evidence. We also found one single shell casing that was consistent with Brook's statement that there was a single gunshot. Brook went on to explain that as they approached Brett, Brett pulled the gun from the holster and Brook immediately froze with fear and did not know what to do. Brook admitted that they closed their eyes either before or after hearing the gunshot. It happened so quickly, and Brook could not be sure when exactly they closed their eyes, whether right before or immediately after the gun was fired. Brook stated that they had never been so close to a gun before and the sound alone caused them to be disoriented, coupled with the fear of having a gun pointed in your direction.

Upon further investigation, I confirmed that the trajectory of the bullet was consistent with someone shooting it from their waist area, or at minimum, below the belt line of the shooter. This is consistent with Brook's testimony that Brett pulled the gun from a side holster. Brook was not able to provide any other information regarding the incident. I have included exhibit F, 1-2, which illustrates the trajectory of the bullet and the entry and exit wounds of the bullet as well. These illustrations are consistent with the findings and investigation I conducted. The methods I used to determine this information is standard protocol in my field of homicide investigation.

I also took a statement from Bob, the owner of Big Bob's Burger. Bob informed me that the defendant, Brett, was in Bob's restaurant right before the homicide took place, and even had a conversation with the defendant prior to the shooting. Bob stated that Brett wanted to look at Bob's surveillance footage to spy on Brett's ex-spouse. Bob rightly refused. Bob confirmed that Brett left his establishment angry and in a hurry. It was only a few moments later that Bob and his staff heard a single gunshot right outside the restaurant. No one in the restaurant witnessed the incident and only saw the aftermath of someone fleeing the scene and the victim falling to the ground holding their chest. Bob stated that they witnessed Brook Jackson hold the gunshot wound and reach for their cellphone to apparently call 9-1-1. Bob did not exit the restaurant and instructed his staff to stay put in fear that the gunman would return. Bob called 9-1-1 as well.

My next statement was taken from Harper Hill, who is a known friend of the defendant. Unfortunately, Harper did not witness the incident and was only able to confirm that it was in fact Brett Jackson who had a gun and shortly fled the scene after a single shot was fired. Harper was not able to provide any other facts or relevant evidence in my investigation.

I later was able to interview the defendant, Brett Jackson. My initial assessment of Brett was that they were rather calm for someone who was being accused of shooting another person. Brett went on to explain that they thought Shan had a gun and was going to shoot them. Brett indicated that they feared for their life and felt they had no other choice but to draw their gun. However, Brett stated that they did not pull the trigger of the gun and that it fell from their hand by Shan hitting it. When the gun struck the ground, it fired a single shot, striking the victim, Shan Lee. My investigation revealed that the victim, Shan Lee, had no weapon of any kind on their person. There was no other evidence to support the accusation Brett had acted in self-defense. Brett confirmed that the gun used in the homicide of Shan Lee was their gun, and that they had a license to conceal carry the weapon. When I questioned Brett as to why they initially ran from the scene after the gun was fired, Brett would only simply state that they were scared and did not know what else to do.

I later conducted an analysis of the gun used in the homicide that was confirmed to be owned and in the possession of the defendant, Brett Jackson. My investigation revealed that the gun was extremely sensitive and could easily fire with a bare tap of the trigger. This is very uncommon in most handguns. Additionally, I noticed that there were small scratches and a dent on the bottom of the handle consistent with the gun being dropped. No other witnesses were able to corroborate that the gun struck the ground prior to the gunshot, but for Brett Jackson. It is possible that this gun owned by Brett could be fired by incidentally dropping it to the ground. However, there are several grassy patches outside of Big Bob's Burger that could have easily braced the gun's fall, not causing any damage to the bottom of the handle. It is possible that the scratches and dent on the gun could have already been there prior to this subject incident.

Upon conclusion of my investigation, I was able to determine that the gun used in the homicide was owned, drawn, and fired by Brett Jackson. When we booked Brett on 2nd degree murder, we took samples of Brett's clothes. These clothes revealed gun residue. Brett has never denied that the gun was in their possession and that they drew the gun from its holster and pointed it at the victim, Shan Lee. I have reviewed the report from the Defense's expert, Kennedy Hill, and I do agree that this particular firearm does have inconsistencies that are not found in most handguns, specifically, the hair like trigger that could possibly misfire from it being dropped from a high distance.

Throughout my investigation, there were no other witnesses that were able to identify or provide any supporting facts that would suggest Brett had any reason to fear for their life. There was also no other evidence to support Brett's allegation that they acted in self-defense. Due to Brett's confession of owning the gun, drawing the gun, and pointing the gun at the victim, I arrested Brett and they were booked at our local prison on charges of 2nd degree murder.

I am familiar with all exhibits and affidavits regarding this matter.

I agreed to and completed this affidavit under oath.

Officer Cameron Cole

Cameron Cole, Lead Homicide Investigator

Testimony of Dr. Frances Edwards

BEFORE ME, the undersigned legal authority in and for the State of Louisiana, Parish of Grande, personally came and appeared FRANCES EDWARDS, who after being duly sworn, did depose and state, as follows:

My name is Dr. Frances Edwards, and I am a medical doctor with a specialty in the psychiatric field. I was born in Paris on a military base. We later moved to the military base in Grande City, Louisiana when I was in high school. I graduated valedictorian of Grande City High School and went on to attend Tulane University where I received a dual bachelor's degree in biology and chemistry. I then attended the Harvard School of Medicine, and I graduated with Honors and became a licensed medical doctor. Thereafter, I completed my residency training under the Johnson School of Psychiatric Medicine, which is one of the most prestigious professional schools in my industry.

After my residency, I moved back to Grande City, Louisiana so I could help take care of my parents who are now elderly. When I returned back to the great state of Louisiana, I opened my own private practice. I am hired on occasion by the State to perform psychiatric evaluations on defendants who are accused of crimes in which they could possibly receive life sentences.

In addition to all evidence, emails, texts, and affidavits, I conducted a thorough analysis interview of the defendant, Brett Jackson. The interview I conducted with Brett took approximately 45 minutes. Based on my education, training, experience, and investigation with respect to this matter, I formed an opinion that the defendant, Brett Jackson, did not lack substantial capacity to appreciate the criminality of his conduct.

Additionally, I formed an opinion that the defendant, Brett Jackson, did not have a mental disease or defect such that they lacked substantial capacity to conform their conduct to the

requirements of the law. In review of the exhibits associated with this case and my interview with the defendant, I found that Brett Jackson became noticeably angry and frustrated when speaking about Brett's ex-spouse and the victim, Shan Lee. Moreover, I found that there was no remorse in my analysis by Brett Jackson for what transpired between Brett and the victim. Brett believed that they were justified in the matter due to them fearing for their life.

The type of personality test that I performed on the defendant is called a Multi-phasic Personality Examination, or MPP. This test is standard in my field of study. It consists of a series of questions with scenarios that require the interviewee to provide me with their ability to recollect facts, analyze different scenarios, and provide their interpretation of those particular scenarios. Using these techniques, I am able to provide a positive assessment and draw a reasonable conclusion that the defendant in this case, Brett Jackson, is competent to stand trial for their actions, and that the defendant understands the possible repercussions of those actions. I have included in my report **Exhibit H**, that illustrates some of my methods in conducting this type of examination.

While conducting my interview with the defendant, I had Brett recall the events leading up to the alleged shooting of Shan Lee. Brett informed me that they had suspicions of their ex-spouse, Brook Jackson, cheating on the defendant with the victim, Shan Lee. Brett informed me that they were conducting surveillance of their ex-spouse and had visited the establishment of Big Bob's Burger to investigate the possible affair further. Brett stated that they were displeased after leaving Big Bob's because they were not able to obtain desired surveillance footage that may helped them prove that their ex-spouse was in fact having an affair.

Upon leaving the establishment, Brett stated that they walked into their ex-spouse and the victim. Brett thought Shan Lee had a gun, so Brett drew their gun in self-defense. Now, my job is

not to determine whether or not Brett actually fired the gun at Shan. My testimony and opinion are solely based on if the defendant in this case is competent to stand trial and if the defendant understands the potential consequences of their actions, if found guilty.

My conclusions from my interview, testing, and experience with the defendant, I was able to conclude that the defendant absolutely was able to appreciate the criminality of their conduct and they were absolutely able to, but did not, conform their conduct to the requirements of the law. Brett Jackson is not insane.

I have examined over thirty (30) defendants in my career of behalf of the state of Louisiana and for different District Attorneys throughout the country. I have testified as an expert in over a dozen trials for the state. I have also written several peer reviewed articles regarding the subject of psychiatric testing for mental state of patients and findings of insanity, that have been used throughout the country.

I am familiar with all exhibits and affidavits regarding this matter.

I agreed to and completed this affidavit under oath.

Dr. Frances Edwards

Frances Edwards, M.D.

Testimony of Brett Jackson

BEFORE ME, the undersigned legal authority in and for the State and Parish aforesaid, personally came and appeared, BRETT JACKSON, who after being duly sworn, did depose and state, as follows:

My name is Brett Jackson, I am currently 34 years old, and I have lived in Grande City, Louisiana, my entire life. I attended high school at Grande City High School, and went to College at Grande City Community College, graduating with a degree in communications. That is where I met the love of my life, Brook Orgeron. They were all I ever wanted, and in 2015, we were married in a beautiful ceremony.

Brook and I made our life here in Grande City. We both already had jobs in town, so we were able to go ahead and buy a house right after we were married. Brook and I then set to making it our home. It was a great life. We were so happy. In 2019, we decided we wanted to start having children, but in September of 2019, we found out I was unable to have children. Brook and I always wanted kids, so this was devastating to us. It put a strain on our marriage, but we were working to get through the tough time in our marriage.

It was not until a few months later in January of 2020 that I began to become suspicious that Brook was cheating on me. It was at this time that I started noticing Brook was getting text messages from a person named Shan Lee, who Brook worked with. I asked Brook about this, but they assured me Shan was only a friend. However, a few weeks later, on January 21, 2020, I was looking at Brook's phone to find the name of a restaurant we had talked about going to and saw text messages between Brook and Shan Lee that made it clear Brook was having an affair. I confronted Brook, and Brook told me they had been having an affair, and confirmed that it was the news about me not being able to have children that drove them to having the affair. Brook

told me they would break it off, and we began going to marriage counseling. I felt guilty, because I felt like I had ruined our marriage because my failure to have a child was what caused this infidelity, but I still loved Brook so I wanted to give them a second chance.

I thought things were better, but on May 5, 2020, I was on Brook's phone again, looking for a photograph taken of the day we got married to incorporate into what I was giving Brook for our anniversary, which was coming up on July 1, 2020, and noticed Brook was signed into an email account, I didn't know they had. This email account only had messages from one address, "slee@gmail.com." What I read on these messages broke me. Apparently, Brook and this person had been meeting up, and it became apparent to me that Brook had been lying to me and was still having an affair.

I confronted Brook about it that day, and they confirmed they were indeed still having an affair, but would not, however, confirm that the "S Lee" in the email was indeed Shan Lee from Brook's work. However, I knew it was. Brook's texting with Shan Lee had stopped about the time the emails from "S Lee" started coming to Brook's new email address. I was mad, but Brook told me they still wanted to work it out and I told Brook that I wanted to do the same, so we continued going to counseling and Brook again promised to break off the relationship.

After a few visits, I could tell the counseling was not working. Soon after that, on May 20th, I found out why. My friend, Harper Hill, told me they saw Brook and Shan out for lunch the day before. Harper said they followed them back to an apartment complex, where they went inside. Harper got out and walked up to the door of the complex, and saw a name plate for Shan Lee on the door, confirming this was Shan Lee's apartment they had gone to.

After this, I knew the marriage was over. I started thinking about the best way to end my marriage with Brook, and protect my interests in the assets we had. I started looking on the

internet for divorce attorneys. I wanted to be sure I did everything I needed to, to get every possible thing I could during the divorce I knew I would file, so that I could make Brook hurt like I was hurting at the time. I actually went and saw an attorney on May 21, 2020, and the attorney told me to gather every piece of proof of infidelity I could. After this, I started trying to look at Brook's messages when Brook wasn't with their phone to find more evidence to document the affair. While doing this I found a reference to Bob's Big Burger, based on what I read it was apparent that Brook and Shan went to this restaurant regularly.

To further my evidence gathering, I went to Bob's Big Burger on July 1st, our anniversary date to see if I could talk to the owner of Bob's Big Burger to get the surveillance footage from a date that I knew Brook and Shan had been there eating based off of messages I had seen. I went in, sat down and got myself a burger, I figured the owner would be more willing to give me the footage if I had ordered something. I then asked to speak with the owner. Bob came out, I told him my situation and explained that I wanted to get the surveillance footage. However, Bob told me he would not give it to me because he respected the privacy of his patrons and would not tarnish that reputation. If I wanted the footage, I would have to subpoena it. I told him I wouldn't tell anyone I got it from him, but he still wouldn't give it to me. After that, I was disgusted and angry, I didn't even wait for the check, I threw down a \$20, told Bob I hoped he was happy helping people get away with cheating, and stormed out of the restaurant.

When I got out of the restaurant, I saw something I did not expect to see. I saw Brook and Shan walking down the sidewalk, coming directly at me. They were almost at me, and I thought I saw Shan grab inside their coat pocket for something after they saw me, which I was worried would be a gun. Because of that, I grabbed my gun out of its holster, for which I have a license to concealed carry. By that time, they were right on me, and when Shan pulled their hand

out of their coat, they didn't have anything in it, but they slapped the gun out of my hand. I lost the grip of my gun and it fell out of my hand to the ground. That was when I heard it, a deafening sound that sounded like the gun going off. I then saw Shan reach for their chest and fall to the ground.

You see, I had just bought this gun, and it didn't have a safety on it because it was a concealed carry weapon. I guess when it hit the ground, it inadvertently went off because it didn't have a safety. The person I bought it from told me that the trigger was easy to pull, which they said was good because it would increase my aim when shooting, but I had no idea it was so easy to pull that it would go off without warning.

After I realized what happened, I freaked out and ran away because I was mortified by what had happened. I never intended to shoot anyone, I was only pulling out my gun to protect myself. After a few minutes, I knew I had to go back, because I had to explain what happened, and that the gun had accidentally gone off after it was knocked out of my hand. When I got back, Brook was still there beside Shan who had died. Brook looked up at me and said you killed Shan. I told Brook I didn't mean to and that the gun must have discharged when Shan knocked it out of my hand and it fell to the ground. Brook said, "oh no, I'm not going to let you get away with this, I am going to tell the police you shot Stan on purpose," which Brook ultimately did.

When the authorities arrived, I explained what happened to them, that it was an accident and that the gun had gone off after it was knocked out of my hand, and that I had only pulled it out because I thought Shan was reaching for a gun. They asked why I didn't stay at the scene, I told them because I freaked out because someone had just been shot. Apparently, they had already talked to Brook and Brook told them I knew about the affair, and that I was mad about it and had killed Shan on purpose.

I guess they believed Brook over me because immediately after I told them my side of the story, they arrested me and took me to jail. I am familiar with Exhibits A, B, C, D, and E.

I agreed to and completed this affidavit under oath.

Brett Jackson

Brett Jackson

Testimony of Harper Hill

BEFORE ME, the undersigned legal authority in and for the State and Parish aforesaid, personally came and appeared, Harper Hill, who after being duly sworn, did depose and state, as follows:

My name is Harper Hill. I'm from right here in Grande City, Louisiana, born and raised, and have lived here all of my life. I am currently 34 years old. Now I may not look very athletic currently, but when I was in high school, I was a star on the basketball team. I would have gone on to college and to play professional basketball, but for a very serious left toenail injury that ended my career my senior year... and the fact that the coach didn't play me too much before that. You see he was too worried about the future All-American on the team to play me, but if I had gotten the same chances, I would have been an All-American too.

Now, I'm the head coach of the Grande City Middle School basketball team. The kids love it when I wear my letterman jacket from my high school days, they love to see the patches on it. They ask me about what kind of player I was, and love to hear about the recruiting visits I got from all the big time coaches. I leave out the part about the fact that they were really there to see the All-American and I just happened to be in the same room. Hey, they talked to me and asked me what my name was, same thing as a recruiting visit right?

Either way, enough background on me, I was asked to create this statement regarding my knowledge of the incident that occurred on July 1, 2020, and my knowledge of the relationship between Brook and Brett Jackson, what a sad story.

I have known Brett my whole life, Grande City isn't a large place, you know everyone, but it wasn't until high school that we became friends. See, I felt bad for Brett because they were more of a mathlete than an athlete. Brett was involved in smart people things like debate club

and young investigators club, where they would look at crimes currently in the news and try to figure out who did it and how to prove who did it. Brett was always able to see the angles and think through things. I became friends with Brett because I felt bad that they didn't have many friends, and with a popular person like me around, at least Brett had a fighting chance of getting some friends. Then I ended up really liking Brett and we got close. Brett was a funny, always reliable and good at getting us out of trouble if we did something wrong.

When we grew up, Brett introduced me to Brook. Brett was head over heels from the beginning, and Brook sure seemed to feel the same way. Brett and Brook got married, and I was Brett's best person. I was always with them and always knew what was going on in their relationship, because Brett still didn't have that many friends, Brett was always too worried about work and getting ahead in life and planning for the future for their relationship with Brook.

However, that all came crashing down in 2019. It was then, in September of 2019 that Brett realized that they couldn't have kids. I was with Brett when they got the news. Brett didn't want to take Brook because they were afraid how Brook would take the news if it was bad. I also went with Brett when they told Brook the news. Brook didn't take it well, said some hurtful things to Brett because of how much Brook wanted to have kids. I thought they had worked it out, but Brett kept telling me it wasn't the same.

It was a few months later that Brett told me they were suspicious that Brook was cheating on Brett. Brett told me Brook was getting lots of messages from someone named Shan Lee, a co-worker of Brook. Brett then told me they found a text message on Brook's phone that clearly showed Brook was cheating. Brett told me they confronted Brook, and Brook admitted the same. This crushed Brett, but they loved Brook so much, they wanted to try and work it out, so I helped

them find and contact a counselor that they could go to. Brett told me they went to counseling and things were getting better.

However, in the beginning of May 2020, Brett told me they found a new email account that Brook had and saw Brook was getting messages from Shan Lee. Brett showed me the message they found. Brett told me they confronted Brook, and Brook admitted they were having an affair, but wouldn't tell Brett who the affair was with, but Brett was sure it was Shan Lee, since the other email address was slee@gmail.com. It was just after this, on May 19, 2020, I saw Brook walking hand in hand with another person. Being the good friend I am, I followed them. I saw them go into an apartment building, and I then walked up to the door of it and looked at the name plates on the wall. Sure enough, there was one for a Shan Lee.

After that, while it broke my heart to do it, I knew I had to tell Brett about what I saw. I told Brett the next day and Brett became irate. Brett had apparently been trying to convince themselves that Brook had cut off the affair after they confronted Brook after finding the email account, but clearly Brook had not. Brett said, I am going to kill Shan Lee, but I talked to Brett and calmed him down, I was always able to do that.

After our conversation on May 20, 2020, Brett changed focus. Brett was no longer mad at Shan Lee. Brett told me "Shan Lee didn't cheat on me, Brook did, and I am going to make Brook's life a living hell by gathering evidence of Brook cheating and then divorcing Brook and taking everything we worked to obtain for myself." Brett and I looked for the best divorce attorneys in Grande City, and I think Brett even went to visit some of them. However, Brett didn't get the chance to put that plan into motion.

On July 1, 2020, Brett told me Brett was going to Bob's Burger to get the surveillance video from the restaurant because Brett had found out Brook and Shan had gone there regularly

on dates. On that day, I went with Brett, but stayed in the vehicle while they went in. After Brett was inside for a while, I saw Brook and Shan walking toward the door of Bob's Burger. About the time that Brook and Shan got to the door, I saw Brett come outside. I could see on Brett's face Brett was startled, but from where I was parked, when Brett turned to face Brook and Shan, I couldn't see anything else because Brett's body was blocking my view. A half a second later, I heard a gunshot and saw a gun fall to the ground. I can't remember for sure, but it looked like the gun was on the ground before I heard the shot, but it all happened so fast, I can't be certain.

After hearing the shot, I saw Shan fall to the ground, and then saw Brett run off. I didn't know what was happening, so I left the location and didn't come back. After I heard what had happened, I went to the police station to talk to the officer that was investigating the incident, but I wasn't able to see them then. I left my contact information and called back a few times, but no one seemed concerned with getting my statement. The officer I talked to once, a Camren Cole, told me they had all they needed in this investigation. I didn't know what else to do, so I made this statement to be sure everyone knew what happened.

I have known Brett Jackson a long time, and there is no way Brett could have intentionally shot Shan Lee. Brett already had a plan, to make Brook suffer by taking all of the property they had accumulated, via a divorce suit. Brett was not the type of person to change a plan once they had one figured out. I am familiar with Exhibits B and E.

I agreed to and completed this affidavit under oath.

Harper Hill
Harper Hill

Testimony of Kennedy Gill

BEFORE ME, the undersigned legal authority in and for the State of Louisiana, Parish of Grande, personally came and appeared KENNEDY GILL who after being duly sworn, did depose and state, as follows:

My name is Kennedy Gill, I am currently 50 years old, and have lived in Grande City, Louisiana, for the last 22 years of my life. Prior to that I lived and grew up in Boston, Massachusetts, which is where my love of firearms began. Being surrounded by the history of the Revolutionary War, I became enamored with the historical value of firearms at a young age, and knew I wanted to work with them the rest of my life.

Because of this love for guns, I knew I wanted to work with them for the rest of my life, so I found a gunsmith in Boston, and began working at his shop from the time I was 12 years old. When I turned 18, I joined the Marines and became a 21-11 small arms technician, where I was able to further my understanding of firearms, their components, how to make and repair those components, and how the same work together. After spending 8 years in the Marines, I already had the qualifications to become a gunsmith; however, I wanted to get a greater understanding of the business side related to gunsmithing, and all things that could be done as a gunsmith. I enrolled in the Pennsylvania Gunsmith School, the most respected institution in the industry, and obtained my degree in gunsmithing, graduating number one in my class after completing the two year gunsmithing program.

It was after this that a buddy from the Marines told me about an opportunity in Grande City, Louisiana, to work for a well-respected gunsmith known as Smithy McGee, who was trying to find an apprentice to leave his business to in the next 3-5 years. With my extensive experience, Smithy McGee was happy to hire me as his apprentice to take over his shop and work after he

retired. Even though he had planned on working another 3-5 years, after two years of working for him, Smithy felt I was more than ready to take over the business, and he retired. Since that time, 20 years ago now, I have run the business, Grande City Gunsmiths, and have grown it into a business that is respected not only in Louisiana, but nationally. People send me their guns from all over the United States for me to do work on them, and machine customized parts for antique guns when the parts can no longer be purchased to repair. I have my federal firearms license, which is required to operate as a commercial gunsmith business. I also teach continuing education courses all over the country to other gunsmiths, to help them hone their craft. Additionally, I have testified and been qualified as an expert to testify as an expert gunsmith in court thirty-five times in my career.

I was retained by the defense in this matter to analyze the firearm that Brett Jackson had in their possession on July 1, 2020, that discharged into the chest of Shan Lee. My fee for the type of review that I did of this firearm is \$10,000.00, which covers my time, the use of my equipment that is necessary to conduct this type of investigation, and my time preparing this affidavit related to my findings. Additionally, I charge a fee of \$2,500.00 for appearing at court, which covers my travel and the time for attending said trial.

With regard to the firearm in question, it was taken into custody by the Grande City Police Department and was logged into evidence. I was allowed to examine the firearm itself, under the condition that my examination would not physically alter the firearm in any way. A representative of the Grande City Police Department was present the entire time that my investigation was conducted to confirm the same.

In my field, when examining a firearm, there are various steps that are taken: first, the exterior of the firearm is examined to determine whether there are any obvious signs of wear and

tear or damage that may affect the operation of the firearm; second, the firearm is then taken apart such that the mechanisms and components of the same can be viewed. When conducting this process, a gunsmith is looking at all components and parts of the firearm to determine whether there is any excessive wear and tear or alteration of the firearm mechanisms themselves that would cause an issue with to the safe use of the firearm. However, all gunsmiths know that in an accidental firing situation, the most likely place to find an issue that could cause the same is in the firing mechanisms of the firearm, meaning an issue with the hammer, the firing pin, or the trigger mechanism of the firearm. In an accidental firing situation, these components are specifically reviewed in detail to determine whether there is any excessive wear and tear to them, a defect in the make up or manufacturing of the same, or if they have been altered after the gun was sold that would cause the firearm to improperly fire. For example, and most important for this particular assessment as outlined below, if the trigger assembly is improperly made, installed or altered, it can be, what we gunsmiths refer to as “too light”, which can cause it to discharge at times that it may not be intended for it to discharge. This review process outlined above is the gold standard in my field, and the steps taught in military and in gunsmithing schools across the country on how to assess the safety and composition of a firearm, specifically after an accidental firing situation.

In my assessment of the firearm in question, I found two specific things that shaped my determination of the cause of the discharge that occurred on July 1, 2020, from the gun in question. First, the trigger mechanism of the firearm itself was not adjusted properly. It appears that this adjustment occurred after the gun was sold, and was completed by an untrained person who did not know how to adjust the sear screw of the firearm. In the gun in question, the sear screw was set too light. The sear is the part of the trigger mechanism that holds the hammer, the striker, or bolt back until the correct amount of pressure has been applied to the trigger itself, at which point

the hammer of the firearm is released and the weapon discharges. If the sear screw is set too light, the slightest bump to the firearm can cause the firearm to discharge. In this case, the sear screw was set at four ounces, which is way too low, making the firearm extremely unstable and unsafe. This means that with the slightest wrong move, the firearm could have gone off and discharged.

The next thing I found was an impact mark on the butt, or handle, of the firearm. This impact mark was clearly seen by the scratches and indentation made on the bottom of the gun that I was able to see when reviewing the same. Based on an interview I had with Brett Jackson, they indicated that there was no scratch mark on the butt of the gun when they bought it, and they know this because they examined the exterior of the gun prior to purchasing it. Based on the testimony of Brett Jackson, the gun was purchased from a gun show and not from a licensed dealer of firearms.

In my interview with Brett Jackson, without indicating why I was asking, I also asked them whether the trigger was light on the gun. Brett Jackson was apparently an individual not familiar with firearms, because they did not understand what I was asking when I asked whether the trigger weight was light. I then explained my question better and asked them whether it was very easy to pull the trigger, i.e., did you have to put very little pressure on it for the firearm to discharge. Brett Jackson responded that indeed it was very easy to make the firearm discharge, indicating that the slightest touch of the trigger would cause the gun to go off, which is why Brett was always careful with the gun.


I also reviewed the trajectory at which the bullet entered the body of Shan Lee. Based on my expertise in firearms, and the trajectory of bullets when they leave the barrel of a gun, it is my expert opinion that it is most likely that the gun was significantly below Shan Lee when it went

off. Significantly enough below Shan, that it, in my expert opinion, corroborates the testimony of Brett Jackson that the gun fell out of Brett's hand and discharged when it hit the ground. However, I cannot say that with 100% certainty, because it may be possible that Brett Jackson was just holding it low and at an angle upward. If that had been the case, then it would be possible for the bullet to have entered Shan Lee at the trajectory it did, however, I find this possibility unlikely.

Based on my review of the firearm itself, the trajectory depiction and my interview with Brett Jackson, it is my expert opinion that the gun that Brett Jackson had on July 1, 2020, which discharged into the chest of Shan Lee, was an unsafe firearm. It is my expert opinion that the weight of the trigger was so light that if the butt of the firearm was accidentally hit or dropped that hit or drop could have easily caused a discharge of the firearm. Further, based on my expert review of this firearm, it appears that there are markings on the butt/barrel of the gun consistent with the gun being dropped, and that based on the extreme low weight of the trigger mechanism, had the gun been dropped on the portion of the firearm where the impact was shown, it would have discharged without anyone having to pull the trigger of the same. This is all corroborated by the trajectory in which the bullet entered Shan Lee's body.

All of these opinions are based on my expert review of the firearm in question, an interview with Brett Jackson, my review of the trajectory depiction, and a review of the affidavit of Brett Jackson given by them in this matter. I also prepared a demonstrative of a representative gun to assist me explaining my findings to the jury. I am familiar with Exhibits E, F and G.

Kennedy Gill
Kennedy Gill

●●●○○ Sprinkle LTE 10:15 AM 90% 

[← Messages](#) **Shan Lee** [Details](#)


Can't wait to see you tonight!

I can't wait 2 C U either

Will be fun to get some "work" done tonight!

I do luv "work"

EXHIBIT A

 [Send](#)

FROM: slee@gmail.com

TO: bbadjackson@gmail.com

SUBJECT: Still can't believe Brett doesn't know

DATE: May 4, 2020

Bad Jackson,

I can't believe Brett hasn't caught on to the fact you got a new email. I'm just glad we could continue what we have going. I enjoy being with you. I can't wait till we can be together and not have to worry about Brett. Are you coming to my apartment tonight? I'm, ready to get some more work done.

Your lover,

S. Lee

EXHIBIT B

THE LAW FIRM OF SMALL, MEDIUM AND BIG, LLC

MAY 21, 2020

INVOICE TO
BRETT JACKSON

SERVICES RENDERED

<i>Date</i>	<i>Staff</i>	<i>Description of Service</i>	<i>Time</i>	<i>Charges</i>
May 21, 2020	J. Small	Initial consultation on possible divorce	.75 hours	\$187.50

TOTAL FEES: \$187.50

May 21, 2020 Payment by Brett Jackson \$187.50

EXHIBIT C

BIG JOHN'S GUN AND KNIFE SHOW

INVOICE

1

Bill To:
Brett Jackson

Date: Jan 23, 2020

Payment Terms: PAID IN FULL

Balance Due: \$0.00

Item	Quantity	Rate	Amount
MODIFD 9MM PISTOL TAN AND BLACK	1	\$300.00	\$300.00

Subtotal: \$300.00

Tax (0%): \$0.00

Total: \$300.00

Amount Paid: \$300.00

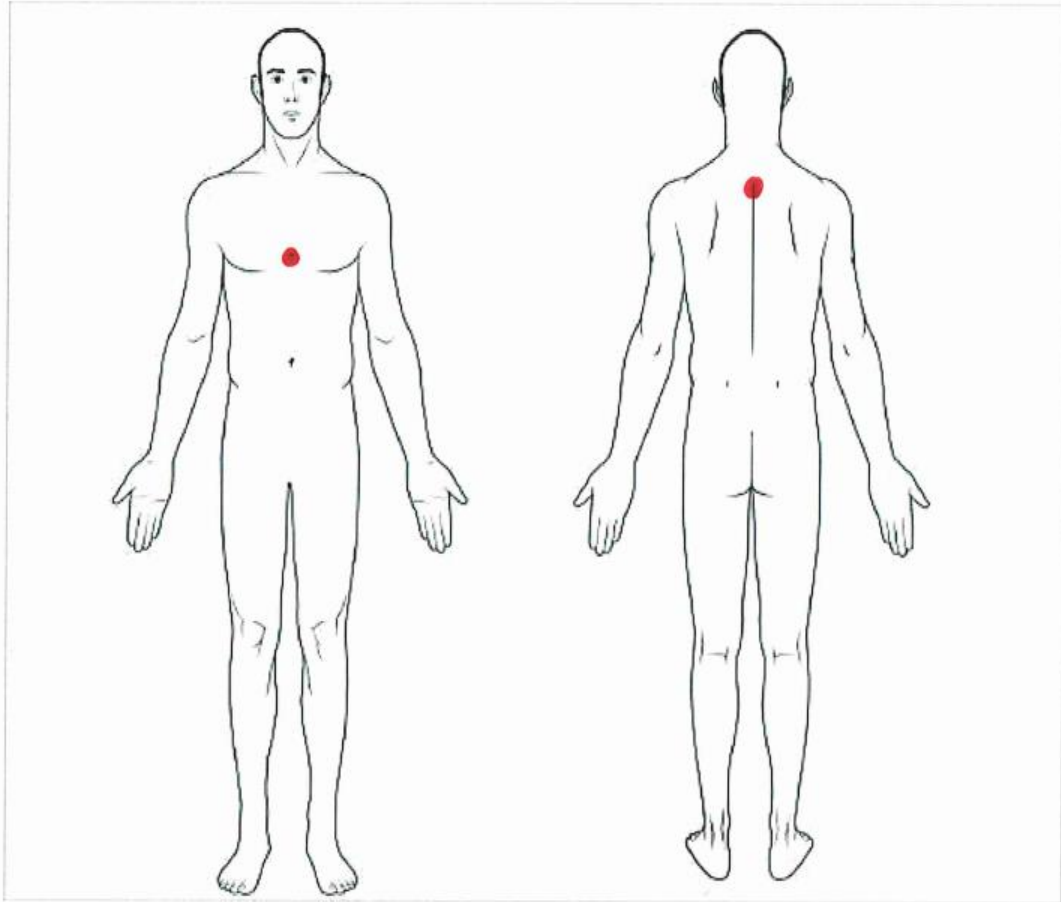
Notes:

PAID IN CASH - NO TAX

EXHIBIT D

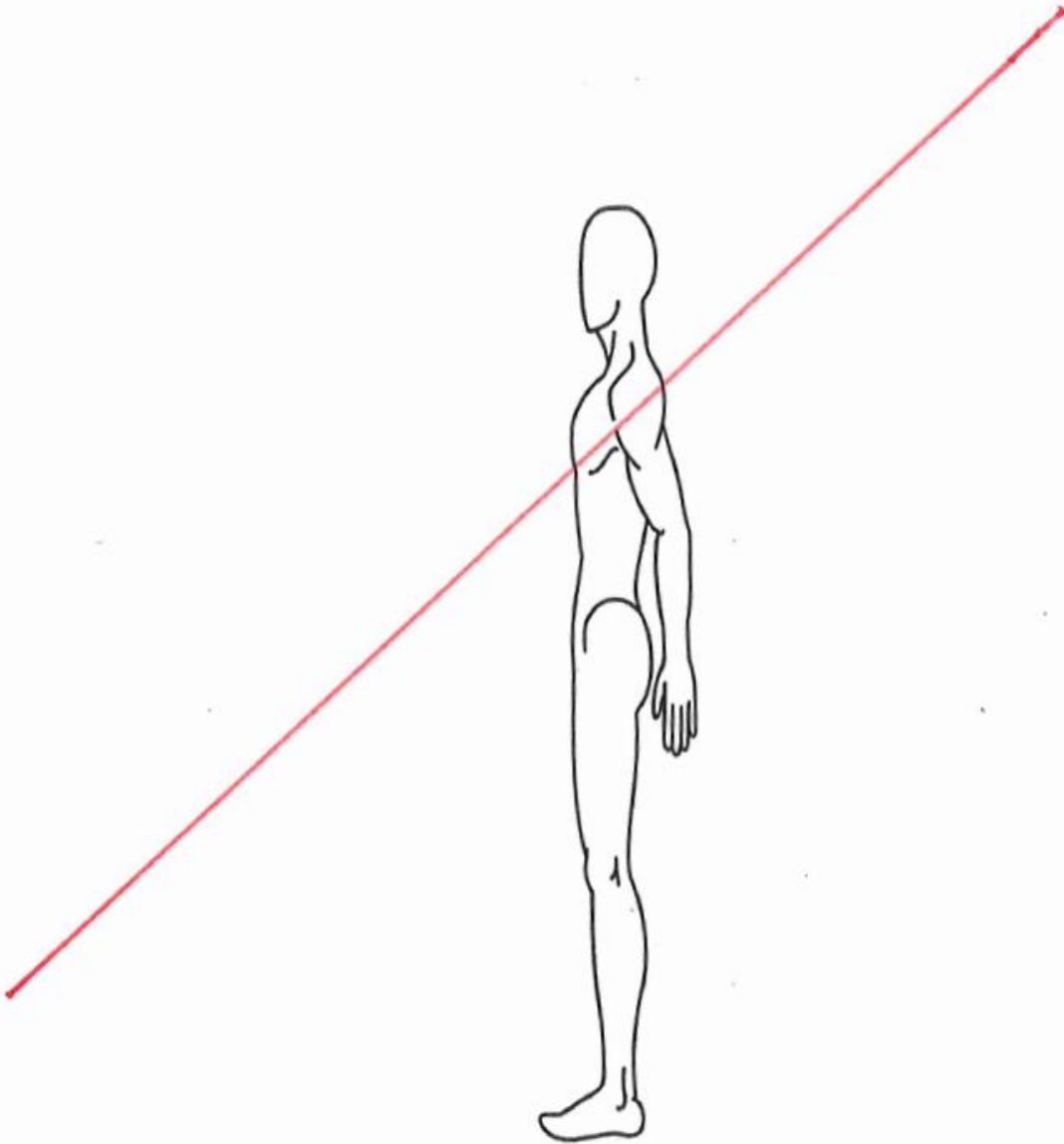


EXHIBIT E



NOT TO SCALE

EXHIBIT F-1



NOT TO SCALE

EXHIBIT F-2

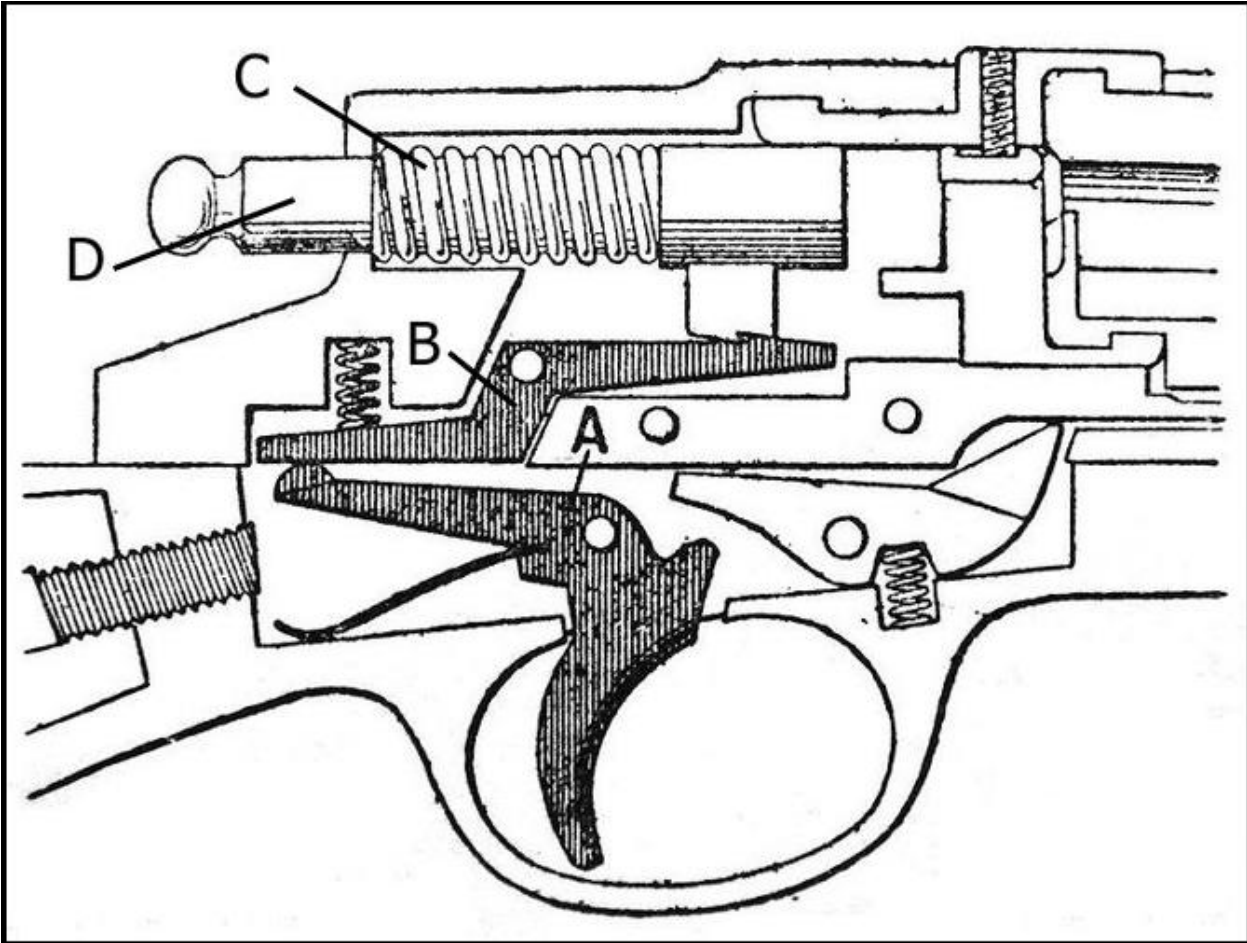


EXHIBIT G

EXHIBIT H (PAGE 1)

MURDER ON THE MMP EXPRESS

Use and Abuse of the MMP in Criminal Trials

(Excerpts from a peer reviewed professional paper by Dr. Frances Edwards)

I. INTRODUCTION

Those accused of murder are commonly subjected to extensive psychological evaluations. The MPP-2 is, by far, the most common of all the psychological assessments employed. When used correctly, the MPP-2 can be a valuable tool in the assessment of those charged with or convicted of murder.

In order to discuss the use of the MPP-2 in murder cases, it is important to define "murder." Murder is "the unlawful killing of a human being with malice aforethought." "Malice aforethought" is the "requisite mental state for common-law murder." In the legal system, murder involves two distinct elements, the *actus reus* and the *mens rea*. Actus reus can be defined as the "guilty act." Thus, the actus reus of murder is the act of causing the death of another human being. The mens rea element is not always associated by the lay public as a necessary criterion for the crime of murder. Mens rea can be defined as the "guilty mind" and is also commonly referred to as the mental element, the guilty state of mind, or the criminal intent. The mental element is what distinguishes first degree murder from some lesser offense, or no offense at all, such as where the accused lacks the requisite mental capacity to for "guilty intent."

...

II. VALIDITY

Validity on the MPP-2 is complex because it is assessed using its own internal measure: the four "validity scales." The validity scales measure the test-taking attitudes of the test-taker. Specifically, the validity scales measure the test-taker's consistency and tendency to answer falsely or inaccurately. Responding falsely or inaccurately to MPP-2 items is often referred to as "faking good" and "faking bad." "Faking good" refers to the test-taker's tendency to respond to items in a manner intended to make him or her appear to have less psychopathology. Conversely, "faking bad" refers to the test taker's tendency to respond to

items in a manner intended to make him or her appear to have more psychopathology.

The L, K and F scales reflect the validity of a given test. Scores above 60 on the "L" scale indicate an error may have occurred in scoring. Scores at this level indicate persons with rigid moralistic attitudes who are repulsed at even the most common human faults.

Scores above 65 on the "F" scale may indicate an invalid profile, or may indicate that the individual is subject to extreme distress.

Scores in the 30 to 35 range of the "K" scale are found in persons who have either fabricated or greatly exaggerated their problems to create an impression of a severe emotional disturbance. these scales should raise concerns about the validity of self-reported symptoms. Scores above 70 should raise very significant concerns about the validity of self-reported symptoms, particularly with individuals for whom relevant physical injury or medical problems have been ruled out.

III. CODETYPES AND CONFIGURATIONS

There are ten scales that comprise the MPP-2:

1. Hypochondriasis: Hs
2. Depression: D
3. Hysteria: Hy
4. Psychopathic Deviate: Pd
5. Masculinity/Femininity: Mf
6. Paranoia: Pa
7. Psychasthenia: Pt
8. Schizophrenia: Sc
9. Hypomania: Ma
10. Social Introversion: Si

Once plotted, the scores on the scales represent the examinee's "profile." The combinations of the two highest elevated clinical scales are called "codetypes." A single elevated clinical scale is called a "spike" codetype. The MPP Sc

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An inverted "V" pattern on scales 6, 7 and 8 is sometimes called a "psychotic V" and is typical of persons who are suspicious, hostile, unable to resist impulses and perhaps subject to thought disorders, delusions and hallucinations

IV. COMMON MISTAKES

Simply quoting a computer-generated printout of MPP-2 results constitutes a common misapplication. If using a computer-generated printout of MPP-2 results, the forensic psychologist should use information gathered from all sources and clinical judgment in interpreting the results. Computer generated results provide hypotheses about the individual based on the profile of scores. Not all hypotheses apply to every individual. In other words, the forensic psychologist must actually use clinical judgment in interpreting the results of an individual's MPP-2. Simply quoting the computerized interpretation constitutes a misapplication of the MPP-2.

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Common misapplications of the MPP-2 during scoring include incorrectly scoring the test. This error usually occurs when the MPP-2 is scored manually. The author is often asked to evaluate the administration, scoring, and interpretation of the MPP-2 by other psychologists. I have never evaluated an MPP-2 in court that was scored correctly. Incorrectly scored MPP-2 tests may result in inaccurate findings. Thus, incorrect scoring of the MPP-2 is a problem and an obvious misapplication of the MPP-2 in court.