

STATE OF LOUISIANA ~ PARISH OF GRANDE

SEVENTY-FIFTH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

FILED: \_\_\_\_\_

VERSUS

NO. CR 2026-2034

STAMKOS

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 1 - 18 are relevant. This stipulation does not bar objections to Exhibits 1-18. 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. Morgan Stamkos has chosen to testify in this case, and has waived all 5<sup>th</sup> Amendment protections, and all other parties have waived any 5<sup>th</sup> Amendment protections that they may have been able to claim in this matter.
5. All objections based on improper search and seizure under the 4<sup>th</sup> Amendment have been waived.
6. 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.
7. This trial is only as to the guilt of Morgan Stamkos, and the sentencing of Morgan Stamkos, if found guilty, will be given at a later date.
8. All objections relating to the chain of custody of any evidence represented in any Exhibit have been waived.
9. The scissors depicted in Exhibit 13 are from Professor Lawrence's lab.

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**BILL OF INDICTMENT**

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

MORGAN STAMKOS

ON OR ABOUT APRIL 28, 2025, IN LAKE CHARLES, GRANDE PARISH, LOUISIANA,  
VIOLATED LA. R.S. 14:30.1 IN THAT THEY DID COMMIT FIRST DEGREE MURDER OF  
ALEX TURNER.

CONTRARY TO THE FORM AND STATUTE OF THE STATE OF LOUISIANA, AND  
AGAINST THE PEACE AND DIGNITY OF THE STATE.

A TRUE BILL

/s/ JOHN DOE

Foreperson of the Grand Jury

CADE P. CADERSON

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

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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 Louisiana State High School Mock Trial Rules of Evidence, as well as Rules of Competition provided in the Handbook.

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**STATUTORY LAW**

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**La. R.S. 14:30.1 – First Degree Murder<sup>1</sup>**

**Definition:**

A. First 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.

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<sup>1</sup> In the fictional State of Louisiana, Parish of Grande, the definition for “First Degree Murder” is the same as that of “Second Degree Murder” in Louisiana criminal law. For the purposes of this fictional problem, all references to the charge of “First Degree Murder” should be considered synonymous with the elements of Louisiana’s Second Degree Murder statute.

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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 falls 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.

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.

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.

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.

The accused in this case is charged with the First Degree Murder of Alex Turner. First degree murder is the killing of a human being: when the offender has a specific intent to kill or to inflict great bodily harm. In order to find the accused guilty of First Degree Murder you must find:

1. The defendant killed Alex Turner;
2. The defendant acted with **specific intent** to kill (or inflict great bodily harm).

The State has the burden of proving intent beyond a reasonable doubt. There are two types of criminal intent: specific intent and general intent. First 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.

Criminal intent is an essential element of the crime of First Degree Murder and must be proven as any other fact. Whether criminal intent is present must be determined in the light of ordinary experience. Intent is a question of fact which may be inferred from the circumstances. You may infer that the defendant intended the natural and probable consequences of his acts.

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

Court will be in recess until the verdict is reached.