

Crosses

Bailey Bell-Leon Cross

Purple Gloves

1. On April 4th, your dad, Carmen, took you to get dinner at a food truck? (26)
2. And that food truck is the Souper Soups truck?
3. You and your dad visited the Souper Soups food truck twice? (29-33, 37-38)
4. And both times you saw Mr. Hendricks working at the food truck? (33, 39)
5. And both of those times Mr. Hendricks was wearing purple gloves? (33, 41)

Key

1. You have a key to your condo?
2. And your mom, Kerry, has a key to the condo?
3. And your father has a key too?
4. Even Dylan Hendricks has a key to the condo, right?
5. You've seen her enter the back door with a key, didn't you?

Gun

1. Dylan had visited your dad in the condo several times?
2. And the last time you saw Dylan in the condo was June 30th, 2017? (107)
3. And your mom wasn't home? (108)
4. And that was the time Dylan was holding the gun? (107-108)
5. You saw Dylan walking towards the utility room? (109-110)
6. And you followed her? (110-111)
7. And you saw Dylan looking in the cabinet? (111)
8. And she took the gun from the cabinet? (111)
9. And then Dylan and Carmen left the condo? (113)

Calendar

1. Dylan also visited your condo on June 1st? (70)
2. You had gotten home from school early? (71)
3. And you went home to get ready to go to the pool with your friend? (73)
4. And while you were getting ready, you saw Dylan and your dad Carmen in your kitchen? (76)
5. And Dylan was looking at your family calendar? (77)
6. Specifically, she was looking at July? (78)
7. And she took a picture of July with her cell phone? (78)
8. And you would recognize a copy of this calendar if you saw it today?
- 9. ENTER EXHIBIT 11**
10. This calendar shows what everyone in your family has planned?
11. And the week of July 16th you planned to be at camp?
12. And you did go to camp, correct?
13. And your dad had left the country?
14. So your mom was home alone?

Thank you, no further questions

Dylan Hendricks Cross

I want to talk about the night of July 16, 2017

1. At 7:00pm, you parked your truck across the street from Chuggie's, correct? (DH 72)
2. And Chuggie's is right in front of the Jaywood Building?
3. You don't usually park your truck on that street?
4. Because you have a permit to operate the food truck in another part of town?
5. But that night, the night of the attack, you choose to park by the Jaywood building?
6. Where you knew that the victim lived?
7. In fact, you actually saw Kerry that evening?
8. She approached your food truck?
9. And you served her food?
10. And then she walked away back into the Jaywood Building?
11. And this was at 10:20PM?
12. You promptly closed your truck at 10:30?
13. Then you left your food truck?
14. While you were gone, a citation was put on your food truck?
15. Would you recognize a copy of the parking citation from that evening?
 - a. Show it to her
16. This is a parking citation?
17. This is for your truck?
18. Parked on Ellis Blvd.?
19. On July 16th?
20. This was given at 10:50pm
21. And it clearly states that you were not in your truck?
22. Ms. Hendricks, you knew on that night that Carmen was out of town, right? (Interrogation 62)
23. You knew that Bailey, the Bell-Leon's child, would not be there that night?
 - a. See Exhibit 24
24. And, as we said earlier, you knew Kerry was there that night?
25. You know Kerry lives in the Jaywood building?
 - a. See Exhibit 1. Line 268.
26. You are familiar with the Jaywood building?
27. You know which floor Kerry lives on?
28. 6th floor right?
29. You *know* he is in apartment A, right?
30. You've been inside that apartment?
31. Dozens of times?
32. You know where the living room is in that apartment?
33. You know where the bathroom is?
34. You know where Kerry's room?
35. You know where the back door is?

Thank you Mr. Hendricks, no further questions, your honor.

Jamie Morrison Cross

Souper Soups Truck Location

1. You tend to frequent the downtown area, right? (19)
2. As an uber driver you work in the downtown area between 9pm and 2:30 am? (8, 14-16)
3. And you usually pick up dinner at one of the food trucks so you won't miss customers? (20-21)
4. Because of that, you know most, if not all, of the food truck owners who operate downtown? (21-22)
5. And on the night of July 16th you saw the Souper Soups truck parked across the street from Chuggies, a bar, around 10:00 P.M. (22-25)
6. And that stood out to you in particular because you had never seen the Souper Soups Truck downtown before that night? (21-24)
7. In fact, you had only ever seen the Souper Soups truck in midtown by the courthouse? (26-28)

Time Downtown to the defendant's residence

1. Later that night, at 11:11 P.M., you were back at Chuggies again and noticed the Souper Soups truck was not in the area? (25-26)
2. So the Souper Soups truck must have left before 11:11 P.M.? (25-26)
3. On the night of July 16, 2017, you picked a customer up at Chuggies at 11:11 P.M. and dropped that customer off one block from the defendant's house at 11:24 P.M., correct? (52-54)
4. So that drive from downtown to the defendant's residence took about 13 minutes? (53-54)
5. And on most nights the drive downtown to the area around the defendant's house takes about 10 to 15 minutes? (47-48)

Uber Driver Conversation

1. On July 16, 2017, you got a call from the defendant through the Uber app around 11:25 P.M.? (32-33)
2. You started the ride to Chuggies with the defendant at 11:27 P.M.?
3. And that ride ended at 11:38 P.M.? (39)
4. And during the ride you tried to start up a conversation with the defendant? (55)
5. When you asked the defendant if someone special was waiting for you to drop him/her off at the bar, the defendant responded with "nope, but I have a feeling this will be the last night I spend alone?" (56-58)
6. When you asked what the defendant meant, he/she responded with "sometimes you just have to take matters into your own hands. I've decided to focus on making myself happy?" (58-61)

Thank you Miss Morrison, no further questions your honor.

Longfellow Cross (12/11 changes)

Qualifications

1. Mr. Longfellow, you've testified for defense counsel regarding interrogation techniques?
2. Evidence of self-defense?
3. Bribery and corruption?
4. And crime scene investigation techniques?
5. So you don't exclusively testify regarding cellular tracking?
6. And Dr. Smith does.

Cell Towers

1. You reviewed Dr. Smith's report in preparation for your testimony today? (13)
2. And you claim to be skeptical of Dr. Smith's report? (93)
3. And you listed several reasons for this? (93)
4. In your report you state that cell phones can connect to any tower in range?
5. Which is not necessarily the closest tower? (48-49)
6. But Dr. Smith states that the first available tower pinged is the one to initiate the call? (Smith 101-102)
7. And Dr. Smith pinged the same towers as Dylan Hendricks during his investigation? (Smith 135-145 and 205-220)
8. And you state that phones that are the same model and use the same carrier can connect to different towers from the same location? (67-68)
9. And you state that each range is a shifting blob that is impossible to determine after the fact? (70-73)
10. But Dr. Smith states that, while the ranges do shift, the shifts are not significant? (Smith 223-225)
11. And you did not conduct your own tests to determine whether the five towers used by Dr. Smith are prone to shifting? (100-102)
12. And finally, these problems you state are more pronounced when using a single tower? (78-79)
13. But Dr. Smith based his investigation on multiple towers?
14. And such tracking is even more effective in urban areas due to the close arrangement of the towers? (89-91)
15. And you say that given the concentration of the cell towers, it is likely that Dylan Hendricks was roughly where Dr. Smith places him the night of the attack? (112-114)

Tender

16. Now cell towers and Wi Fi check ins are two different things?
17. And Wi Fi check ins aren't affected by cell signals?
18. And Dr. Smith used both techniques in his investigation?
19. And he concluded that the defendant's phone was within a 10-foot radius of the Jaywood Building.
20. But you also suggest that it might be possible for a phone to connect to the Bell-Leon Wi-Fi from outside of that 10-ft radius? (128)
21. And you acknowledge that it's also entirely likely that Mr. Hendricks's phone would not have connected from anywhere but the condo itself?
22. But you have never tested this yourself? (129)
23. And you've never downloaded the Tender app? (130)
24. Or attempted to connect to the Bell-Leon Wi-Fi? (130)
25. And to clarify, Dr. Smith did download the Tender app?
26. And he conducted an investigation of the area around the Jaywood Building?
27. And he connected to the Bell-Leon Wi-Fi?
28. Meanwhile, your conclusion regarding this 10-foot radius is purely theoretical?

No further questions.

Reeves Cross

Material Reviewed:

- Dr. Reeves, you arrived to your conclusion today based off of the affidavits of Kerry Bell-Leon, and Morgan Jones?
- As well as a toxicology report?
- But you never spoke to the eyewitnesses in today's case?
- Even though this would have helped you verify your ASSUMPTIONS.

Equation:

- Dr. Reeves, you prepared an equation to verify your findings?
- You used this formula to determine the concentration of Everest in Kerry Bell-Leon's system
- I want to walk through that equation with the jury.
- Now you assumed The Elimination rate, K_e ?
- You assumed Kerry Bell-Leon had normal renal functioning?
- But it never stated that in Kerry's affidavit?
- And if this number was adjusted by .1, the value would be lower than 14 mg/l?
- You also assumed the volume of distribution, (V)
- And you have never tested the Volume of Distribution in Everest?
- Nor have you reviewed any scientific research on the Volume of Distribution?
- So, you just assumed 20 liters?
- Now, Dr. Reeves, Everest is dose dependent, correct? (D)
- But you don't know the exact amount that Kerry ingested?
- And because Everest is a street drug, the amount per pill is varied?
- You tested the pills found on Kerry Bell-Leon's person
- ENTER EXHIBIT 8
- This is the bag of pills Kerry had, right?
- You'd say there are probably 20, maybe 30 or more, pills in that bag.
- But you only tested 10 of those, right?
- So, you just assumed the highest amount?

Dosage:

- Dr. Reeves, if the dosage rate were lower; the concentration would not have reached 14 mg/l
- If the Volume of distribution were higher, it would not have reached 14 mg/l
- If the elimination rate were higher, your findings would not have been 14 mg/l

Reeves Cross

EVEREST BACKGROUND

1. Simply because a patient has a given concentration level does not mean the patient experiences all of the symptoms associated with that level?
2. In fact, it doesn't even mean that the patient experiences any of the symptoms associated with that level? (63-67)
3. And habitual users can develop a tolerance to a drug like Everest?
4. Meaning even higher concentrations are needed to experience a given symptom? (69-71)
5. And at no point is it scientifically possible to experience a symptom associated with a certain concentration level until they reach that concentration level? (71-72)

FORMULA

1. Now, to reach your conclusions you used a formula that has been validated in a lab? (289)
2. But never tested on human subjects? (289)
3. And nearly every major drug has a formula that has been validated on human subjects? (292)

ASSUMPTION

1. Now let's talk about the assumptions you used with this formula. First, you assumed the elimination rate of Everest? (162)
2. And Everest is cleared renally?
3. Meaning it's cleared through the kidneys? (125)
4. Knowing a patient's height or weight isn't necessary to determine elimination rate? (126)
5. You only need to know their estimated renal function? (127)
6. And Kerry Bell-Leon never mentions her renal function in her affidavit? (Kerry Bell-Leon)
7. And you never interviewed her to confirm your assumptions? (31-32)
8. These interviews would have helped you to verify the assumptions you used? (33-34)
9. Let's talk about the other assumptions you made. You also assumed the dose of Everest consumed by Kerry Bell-Leon? (176)
10. And Everest pills are not filled by pharmaceutical professionals? (178)
11. Meaning that unlike drugs that are filled by these professionals, each pill contains a different dose of Everest? (178-180)
12. And to reach the dose you used in your analysis you relied on the set of pills found on Kerry Bell-Leon that night? (181)
13. And you settled on a maximum dosage of 500mg? (186)
14. Even though there was only one pill out of ten that had a dosage that high? (185)
15. And the next highest dosage was 483 mg? (185)
16. And if there was substantially less Everest, your conclusions would be entirely different? (188-189)
17. Finally, you assumed that Kerry Bell-Leon took the Everest 1 hour and 15 minutes before the attack? (193-195)
18. But this is a point of which you cannot be sure? (207-298)

DEMO

1. Now let's talk about just how different your conclusions would have been under different assumptions. You included in your report a chart highlighting the different conclusions you could have reached under different assumptions? (247)
2. PERMISSION TO PUBLISH SAID CHART IN THE FORM OF A DEMONSTRATIVE
3. Now, Dr. Reeves, none of these different assumptions, with the exception of the elimination rate of .53 mg/hour, would have brought you to a concentration of 14mg, would they?
4. And without that concentration, it is highly improbable that Kerry Bell-Leon would have been experiencing memory loss at the time of the attack? (251-253)

Thank you, Dr. Reeves. No further questions, your Honor.

Directs

Morgan Jones Direct

1. Please introduce yourself to the members of the Jury

- a. Hello, my name is Morgan Jones.

2. What do you do for a living Mr. Jones?

- a. I'm the superintendent of the Jaywood Building in Midlands City. It's a pretty laid back job. I have a lot of pet snakes, and I get to tend to them pretty often. They're usually helpful for getting rid of mice in the furnace room.

3. Do you know Kerry Bell-Leon?

- a. Of course. She's my best human friend. We've known each other since Kindergarten. She lives there with her husband, Carmen, and their son Bailey.

4. Do you know Carmen and Bailey very well?

- a. I've known Carmen since he and Kerry met back in 2002. Carmen didn't like me too much, probably because of that one time my flying snake, Foster, cornered Bailey.

5. Do you know if Carmen and Kerry had a good relationship?

- a. Carmen and Kerry's relationship always seemed pretty rocky. And when Kerry got her promotion, Carmen started going out more and spending less time with Kerry. And in July of 2017, turns out Carmen was cheating on Kerry! To make matters worse, Carmen left for Ecuador right after Kerry found out about the affair. That's why Carmen was the only snake I didn't like.

6. Do you know who he was having an affair with?

- a. Some food truck owner named Dylan Hendricks. I have to say I wasn't surprised. I had seen Dylan's food truck parked outside the Jaywood Building whenever Kerry was traveling, and would often run into Dylan in the elevator. She was always going to Kerry's floor, the sixth floor.

7. Did you ever see Dylan and Carmen together?

- a. Yes, a couple of times. Once I saw them kissing in the hallway. Another time I saw them on the fire escape. It was June 30th. Carmen asked Dylan "do you know how to use it", and Dylan said "I think so. I've never fired one before but how hard can it be? I'll get rid of it after I do it."
- b. OBJECTION: Hearsay
- i. Carmen; a question is not a statement
 - ii. Dylan is the party opponent
 - iii. Carmen's statement is a question offered to provide context, not for the truth of the matter asserted.

8. Did you see Dylan after Carmen left for Ecuador?

- a. Yeah, I did. I saw her truck parked outside the Jaywood Building several times. It was really creepy, especially with Carmen being gone and all. Then there was another time when I saw Dylan lurking in the parking lot behind our building. She was just staring at it. It was pretty unsettling. When she saw me, she tucked something into her pants and ran off.

9. How did Kerry react when Carmen left?

- a. After he left, Kerry started coming down to my condo to watch TV a lot. She eventually started using this drug, Everest.

10. What is Everest?

- a. It's a new drug that's supposed to make you feel elated. I'll admit, I went through some bad times with my previous divorces, and when my cobra companion Dennis died. I resorted to drug use but I think I am on the other side now.

11. Did you use Everest the night of July 16th?

- a. No, and now I'm happy I didn't. I've been off the stuff for a while, but I knew that Kerry was having a hard time. And she didn't seem to like it when I got her Virgil. He's a support snake. So I gave her Everest instead. That's the night when Kerry was attacked.

12. Can you tell us what happened that night?

- a. Well, it was my birthday and my friends, my human friends, had planned a sort of get-together at Chuggies, which is right next to the Jaywood Building. Around 9:45 Kerry took an Everest pill, but like I said I didn't take any. Shortly after that, Kerry headed out.

13. Did you follow Kerry?

- a. Yes. Around 10:45 I went looking for Kerry, but I didn't see her. I did see Dylan though. She was wearing a maroon shirt and khakis, and purple gloves. I tried to get her attention so I could ask her about Kerry, but she didn't respond and kept walking down Pearl Alley. I thought Kerry might have gone home, so I went into the Jaywood Building to check.

14. What happened in the Jaywood Building?

- a. I heard a noise coming from Kerry's condo, and I ran to see what was going on. That's when I saw someone strangling Kerry. They had something wrapped around her neck. It wasn't Sven, he's my corn snake. It was horrible. As soon as I came in the strangler released Kerry, grabbed a gun from the hallway, and ran off. They sure seemed familiar with the building.

15. Did you chase them?

- a. I tried to chase them, but they were too fast, so I went to go take care of Kerry. When I got back to her, I saw her lying unconscious on the ground. **Whoever did this, had to be cold-blooded.** I was shaken, so I called the police.

16. When did you make that call?

- a. 11:01 PM.

17. Did you notice anything out of place in the condo?

- a. Yeah, as I was walking back to Kerry I noticed that the cabinet door in the utility closet was open. I knew that Kerry owned a gun, and that she kept the gun in the cabinet because I saw it when I was working on the hot water tank in their utility room in February of 2017. It was sitting on the top shelf, next to a sealed box of bullets. But when I walked past the utility room that night, I noticed that the gun was gone.

Thank you, Mr. Jones. No further questions, your honor.

Nichols Direct

1. **Please introduce yourself to the members of the jury.**
 - a. Hello, my name is Detective Marie Nichols.
2. **How are you involved in today's case?**
 - a. I am the lead detective investigating the attempted homicide of Kerry Bell-Leon.
3. **How did you come to be a homicide detective?**
 - a. Once I graduated from the police academy I began working for the Midlands State Highway Patrol. After a few years I moved to the Vice and Narcotics unit, where I gained experience investigating drug-related crimes. Eventually, I was promoted and moved to the homicide division, where I've been stationed ever since.
4. **What training have you received as a homicide detective?**
 - a. I received training on evidence preservation and collection, witness interrogation, undercover officer safety, confidential information handling, and computer and machine-based data collection.
5. **Now let's get to the case at hand here, when your investigation begin?**
 - a. On July 16th, 2017, at approximately 11:10pm. I responded to the Jaywood Building in downtown Midlands City, and began investigating a potential homicide which had occurred at approximately 10:50pm. After making contact with the first responders, I entered the Jaywood Building to begin my investigation, starting by interviewing the victim.
6. **What did you discover during your interview with the victim?**
 - a. I discovered that Kerry Bell-Leon had symptoms consistent with drug use. She also had visible discoloration and contusions on her neck, consistent with strangulation. Upon further investigation, I discovered an **extension cord** lying next to her on the floor of the condo.
7. **Would you recognize that extension cord if I showed it to you today?**
 - a. Yes.
 - b. **Enter Ex. 4**
8. **Did you discover any other physical evidence inside the condo?**
 - a. Yes, I discovered a key on the floor of the living room. I tested the key, and found it unlocked both doors of the condo, as well as the door to the back parking lot of the Jaywood Building. However, the victim could not identify the key, and neither her nor her family's DNA was found on the key.
9. **Would you recognize that key if I showed it to you today?**
 - a. Yes.
 - b. **Enter Ex. 6**
10. **Did you conduct any further investigation after you searched the inside of the condo?**
 - a. Yes. After searching the condo, I proceeded to the parking lot, where I was approached by Charley Waters, who reported that she had seen an individual

flee the building and toss something into a nearby dumpster. Upon hearing that report, I conducted a search of the dumpster, and found a A.D. Baker and Company revolver, loaded with a single bullet.

11. Would you recognize a photo of that handgun?

- a. Yes.
- b. Enter Ex. 5

12. Is there anything that can link the defendant to that handgun?

- a. Yes, a receipt was recovered from Charley Waters which indicated that the defendant had bought 18 rounds using the same make and caliber handgun at DeRosa's firing range the day before.

13. Would you recognize this receipt if I should it to you today?

- a. Yes.
- b. Enter Ex. 31

14. What did you do after recovering the handgun?

- a. I returned to Ellis Boulevard. At that same time, Dylan Hendricks arrived. Kerry Bell-Leon became agitated, her face became red and she started shaking. Suddenly, she exclaimed that Dylan Hendricks was her attacker. I then proceeded to arrest the defendant, based on the information I had gathered at that point.

15. Was the defendant read her Miranda Rights?

- a. Yes, but she waived them. After she waived those rights I was able to interview her.

16. What did you learn during this interview?

- a. I learned that the defendant had been having an affair with the victims spouse, Carmen Bell-Leon. When I asked about the nature of this affair, she stated "we're in love, nothing else matters". I also learned that Carmen Bell-Leon had left the country on July 2nd.

17. Did you question the defendant about her whereabouts at the time of the attack?

- a. Yes, I did. She stated that she had set up her food truck on Ellis Boulevard in the early evening. She had closed at 10:30pm, 20 minutes before the attack took place, and drove home later that night before taking an Uber back downtown. She claimed she had not left her food truck until she got home that night.

18. Did you find any evidence which contradicts this claim?

- a. No I did not. A public records search for "Dylan Hendricks" lead to the discovery of a citation issued to her food truck at 10:50pm, which contradicts her claim.

19. Would you recognize the citation if you saw it today?

- a. Yes.
- b. Enter Citation
 - i. What have I just handed you?
 - 1. The citation issued to Dylan Hendricks's food truck.
 - ii. What is that page attached to the document?

1. It is a certificate which certifies that this citation is a fair and accurate copy and that it is kept in the regular course of business.
- iii. And who is that custodian?**
1. Jeff Thomascott, the Director of Corrections and Violations Division of the Midlands City Clerk of Courts

20. How does this document contradict the defendant's claim that she never left the food truck?

- a. The citation was given to the defendant's food truck while parked on Ellis Blvd. It indicates that at 10:50pm, the time of the attack, no employee was present in the food truck.

21. Did you perform a search of the defendant's food truck?

- a. Yes. At 2am on July 17th I searched the defendant's home and food truck. I did so based on probable cause.

22. What did you find during the search of her food truck?

- a. The truck was notably clean, save for a pair of still-wet purple gloves in the sink and some food waste in the trash can. The purple gloves were collected as evidence based on reports from witnesses that the assailant had been seen entering the building and strangling the victim while wearing purple gloves.

23. Would you recognize those gloves if I showed them to you today?

- a. Yes
- b. Enter Ex. 7

24. How did you conclude your investigation?

- a. I brought all of the evidence I had collected and the incident report I had prepared to the Midlands prosecutors office.

Thank you, Detective. No further questions Your Honor.

Smith Direct (12/11 changes) (8:04-- 1/14)

1. **Please introduce yourself to the members of the jury.**
 - a. Hello, my name is Dr. Jordan Smith
2. **And how are you involved in today's case?**
 - a. I have been retained by the State of Midlands to analyze the cellular activity of the defendant, Dylan Hendricks. 10-14
3. **What education do you have that allows you to testify on this matter?**
 - a. I have a Bachelors of Science from the University of Virginia and I have a PHD in Applied Engineering from University of California Berkeley, which I received in 1994. 16-22; 77-78
4. **Where are you currently employed?**
 - a. I am the chair of the department of Telecommunications and Applied Engineering at the University of Midlands.
5. **How many peer-reviewed articles have you published on this topic?**
 - a. I have published 36 peer-reviewed articles on the intersection of telecommunications and the law. (22-23)
6. **Have any of these articles dealt specifically with the use or application of cellular tracking in criminal law?**
 - a. Yes, "Serial: A professional Critique of the Cell Tower Testimony" in the Journal of Law and Technology and "Cellular Triangulation and ICE: Tracking Visa Violators with Smart Phones" in the International Journal of Telecommunications Policy.
7. **What is cellular analysis?**
 - a. Your average smartphone sends out hundreds of pieces of data every day to satellites, cell towers, and Wi-Fi networks. But a smartphone stores a limited amount of useful data. For example, the phone will store which Wi-Fi networks the user has logged into in the past. Cellular analysis is a way of extracting these pieces of data and analyzing them to learn things such as when a phone connects to Wi-Fi, or where a person is when they make a phone call. (80-83)
8. **And have you ever testified regarding cellular analysis in a criminal case before?**
 - a. I have been retained in 27 cases, 8 of which were criminal cases. While most of these cases focus on whether someone was on their phone during a car accident, I am also regularly consulted by police who need help locating a fugitive. I have helped police pinpoint the location of persons of interest on several occasions using this method, which I used to evaluate the cellular data in this case. (28-36)
9. **What materials have you reviewed for today's case?**
 - a. I've reviewed the affidavits of the victim, Kerry Bell-Leon, and Jamie Morrison, the defendant's Uber driver, along with Hendricks's call log from the night of July 16th. I also performed a cellular data extraction on the Defendant's phone to examine the Wi-Fi check-in data from that night. (39-47)
10. **And is your review of such materials standard practice in your field?**
 - a. Yes.

11. **What principles and methods did you use in forming your conclusions?**
 - a. I performed a data extraction on the defendants cell phone which showed the defendant's use of the app Tender over the course of the night, and conducted my own investigation to further analyze the way the Tender app interacts with the Bell-Leon Wi-Fi.
12. **And did your investigation comply with the standards in your field?**
 - a. Yes.
13. **And were your conclusions reached to a reasonable degree of scientific certainty?**
 - a. Yes.
14. **How would you describe data extraction?**
 - a. That would be when you retrieve the cellular data from the users phone to determine certain facts, such as the location of the phone at the time of a call, connection to certain apps, and the times the phone checks in to a specific Wi-Fi network.
15. **What is a WiFi check in?**
 - a. A WiFi check in consists of data recorded when a phone "checks-in", or connects, to a specific Wifi network.
16. **Can you describe how Wi-Fi check ins are used in a cellular data analysis?**
 - a. Yes. My main focus *regarding Wi-Fi check-ins in this case* was on the dating app Tender and the information I extracted from the Defendant's phone. Because the defendant logged into Tender on the Bell-Leon Wi-Fi, we know that she was connected to that Wi-Fi, and that the connection could have happened without the defendant knowing it, since the Bell-Leon Wi-Fi was on her list of saved networks.(231-237)
17. **Does the user have to be actively using Tender for a check-in to occur?**
 - a. No. The Tender app will run in the background of a user's phone. The app will check in when the user is connected to wifi but won't check in if the user is not connected to wifi. 239-245
18. **And did the defendant's phone connect to the Bell-Leon Wi-Fi at any point during the night of July 16th?**
 - a. Yes. The tender app checked into the Bell-Leon's Wi-Fi at 10:49 PM. At that time, she also received three "likes" on the Tender app, meaning someone else was using the app and decided to send her a notification that they were interested in her. The first like was at 10:49 PM, and the last like was at 10:52 PM, with a third one occurring between those two times. All three likes occurred while Ms. Hendricks's phone was connected to the Bell-Leon Wi-Fi. 247-248, 265-269
19. **Just to clarify for the jury, Dr. Smith, did the defendant have to be using her phone at all for any of this to occur?**
 - a. No. Her phone, in fact, acted as a tracking mechanism for her location that night. All of this could have happened without Ms. Hendricks being aware of it.
20. **How did your investigation of the area help you to further analyze this data?**

- a. I was able to obtain a phone with the same make, model, and carrier as the defendant. Using this phone, I downloaded the Tender app and added the Bell-Leon Wi-Fi to the list of known networks. I also also explored the area to analyze from which points the connection would have been possible.

21. How did you do this?

- a. I started from the Jaywood Building, which is the origin point of the WiFi signal, and gradually walked away from it, testing my connection with the WiFi signal, until I reached that 10-ft radius and found that the phone would no longer connect to the Wifi if I went any further. (271-275)

22. Can you describe the importance of your findings regarding the Wifi connection?

- a. I determined that you have to be either inside or within a 10 foot radius of the Jaywood building to be connected to the Bell-Leon's WiFi. I've actually brought this tape measurer to illustrate what I mean by this. 271-275 (10-ft radius)

23. STEP DOWN

24. Can you illustrate your findings to the jury?

- a. Yes. If you could hold this end and walk away from me, I'll tell you when you've reached ten-feet. *extend* Okay, stop. This is what ten feet looks like. *retract*

25. Finally, Dr. Smith, what are your conclusions in today's case?

- a. From 10:49 to 10:52, the defendant's phone had three notifications from the Tender app, all three of which occurred while her phone was connected to the Bell-Leon Wi-Fi. What this means is that, at that time, the defendant would have had to be either inside or within ten feet of the Jaywood Building.

Thank you, Dr. Smith. No further questions, Your Honor.

Tarot Readers Association of Midlands v. Merrell Dow (1994)

In assessing reliability under Davis v. Adams, judges should consider, among other factors, whether the theory or technique has been or can be tested, whether it has been subjected to peer review and publication, whether it has a known error rate, and whether it has gained widespread acceptance within the field. These factors, while relevant, are not necessarily dispositive. For example, lack of publication does not automatically foreclose admission; sometimes well-grounded but innovative theories will not have been published. Indeed, there is no definitive checklist in making a preliminary assessment of whether reasoning or methodology underlying expert testimony is scientifically reliable. Judges must make such assessments based on the totality of the circumstances, and the proponent of such expert testimony must meet the threshold proof requirement by a preponderance of the evidence.

Waters Direct

Background of Hendricks

Saw someone who looked like Hendricks

- 1. Please introduce yourself to the members of the jury.**
 - a. My name is Charlene Ann Waters. My dad wanted a boy so he called me Charley. (4)
- 2. What do you do for a living, Charley?**
 - a. I am a street musician. (6)
- 3. What do you play?**
 - a. Guitar mostly and I like to play my own songs but I will take requests.
- 4. Where do you play your music?**
 - a. During the day, I play near the courthouse in midtown. And in the evenings, I play right behind the Jaywood Building's parking lot, downtown. (7-10)
- 5. How long have you played around the Jaywood building?**
 - a. For the past five years, so I know almost all of the local business owners downtown and midtown.
- 6. Do you know the defendant, Dylan Hendricks?**
 - a. Yeah, she owns the Souper Soups food truck. She serves soup outside the courthouse when I play there.
- 7. How well do you know Dylan?**
 - a. Dylan and I are pretty close, sometimes at the end of the day she would give me soup to take home. (27-28)
 - b. We would talk a lot about our relationships and our dating struggles. For example, there was one time where we both matched with this character, "Mickey," on a Midlands only-dating site called Tender. He turned out to be a drug dealer, not my type. (29-36)
- 8. Did you and Dylan ever talk about other Tinder matches?**
 - a. Yes, in February when she was just getting into a relationship, Dylan showed me a Tinder profile and said, "this is the one." "The one" was all Dylan would talk about since. To me, it seemed that he was the only thing Dylan really cared about. (41-43)
- 9. Did you recognize who it was?**
 - a. Yes I did. I'm pretty sure he lived in the Jaywood Building. I have seen him walking around with a lady and some kid. Like they were married or something, I told Dylan that, but she half-heartedly dismissed it at the time. (45-47)
- 10. What was her name?**
 - a. Dylan told me his name was Carmen and he was gonna be like her soulmate, man. It just didn't seem right because Carmen was married and I was afraid Dylan would get hurt. (53; 60-61)
- 11. Why did you think the defendant would get hurt?**
 - a. Well, from what she told me, it sounded like she was so obsessed with this man, and he even said "I love Carmen. Carmen loves me. Everything else is just meaningless." I understand that love can be like an addiction, but I got so angry at Dylan. (55-56)

b. *Hearsay Response: Dylan is the party opponent*

12. How did this affect your relationship with Dylan?

- a. We started hanging out less ever since he started dating “the one”. It was all Carmen Carmen Carmen. But I still did see she around when she served soup.

13. Your honor, may the witness make use of a demonstrative aid? Opposing counsel have seen this demonstrative before trial.

14. Where were you on the night of July 16th?

- a. I was playing at my usual site, right near parking lot of the Jaywood Building. I saw Dylan pull up her food truck near the Jaywood building at 7pm, which was a bit surprising.
- b. Well, I’ve worked there for five years and I have only seen him around the Jaywood Building once.

15. When was that?

- a. On the night of July 16th, when I saw him go into the Jaywood building from the back parking lot holding a gun.
- b. I didn’t even know he had a gun.

16. And how did you know it was Dylan?

- a. It looked like Dylan. Same height, same build. But the person was wearing purple gloves and I’ve never seen Dylan wear purple gloves.
- b. I saw Dylan go into the Jaywood Building around 10:45pm and go up to the 6th floor. And then I heard a yell and a crash.

17. What happened after the crash and yelling?

- a. Dylan ran out of the building. He threw something that looked like a gun into a dumpster and ran down the alley toward the food trucks.

18. What time did you observe that person leaving the Jaywood Building?

- a. It was close to 11pm. I tried to follow them, but I had to gather up my things first. I was going through my tips when I remembered that earlier that night I had found a firing range receipt in my case that was Dylan’s, so it made more sense she had a gun. I got to the food trucks at 11:10, Souper Soup was gone.
- b. Stipulation 13, authentic business record

19. When did the police arrive?

- a. A minute later. Once they arrived, I told Detective Nichols what I saw, gave him the firing range receipt, and I pointed out the dumpster where Dylan throw away the gun. And sure enough, the gun was there.

20. Was Dylan still at the scene?

- a. No. She was gone.

Thank you, Ms. Waters. No further questions your honor.

Prosecution Opening

May it please the court? Opposing counsel, your honor, members of the jury:

A love turned into infatuation. An affair turned into an addiction. An obsession turned deadly.

It all started in February 2017, when Dylan Hendricks met Carmen Bell-Leon through a dating app called Tender, a midlands only dating app. They talked, they went out on a few dates, and a relationship ensued. It wasn't until two months into the relationship that Dylan found out Carmen was already married. But by that point, it was too late, Dylan was already infatuated. Instead of ending the relationship, Dylan did the only thing she thought would give her a life with Carmen. The defendant attempted to murder Carmen's spouse. She attempted to murder Kerry Bell-Leon.

As the prosecution, we carry the burden of proof in today's case. We have to prove to you beyond a reasonable doubt that Dylan Hendricks: 1.) Acted purposely or knowingly AND 2). Engaged in conduct that, if successful, would have resulted in the death of Kerry Bell-Leon

And our burden is a heavy one, members of the jury, it is the highest burden in our legal system. And the state readily accepts that burden. We will prove to you beyond a reasonable doubt that the Defendant intended to murder Kerry Bell-Leon.

Today, we will prove to you that on the night of July 16, 2017, the defendant entered the Bell-Leon Condo through the backdoor, using a key she had attained through her relationship with Carmen. The defendant then assaulted the victim, who attempted to flee the condo. With the gravest fear one can experience, Kerry had almost reached the safety of the front door when she was tackled to the ground. The defendant had found an orange extension cord, **this extension cord**, wrapped it around Kerry's neck so tight she could not breathe or speak or move. The Defendant was choking Kerry Bell-Leon to death.

A love turned into infatuation. An affair turned into an addiction. And on that night, an obsession turned deadly.

The defendant fled the scene. The police were called. Paramedics arrived to tend to Kerry. Even through the trauma and the pain Kerry was able to identify her attacker. **Dylan Hendricks.**

On that night, the defendant took matters into her own hands and went to the victim's apartment with the intent to kill.

To prove this, we will first call Charley Waters, a local street performer who was across the street from the Jaywood Building that night. Waters is a friend of the Defendant. The two of them frequently discussed their dating struggles, and Charley was aware of the affair with Carmen. She will discuss the obsessive nature of the relationship, and how in the defendant's own words, regarding Carmen, "nothing else mattered." On the night of the attack, Waters can verify that she saw someone with Defendant's appearance entering the Jaywood building just minutes before the attack occurred.

Next, the prosecution will call Lead Detective Mark Nichols, who will explain the evidence which was gathered to build this case today. He will talk about his initial investigation of the crime scene, and about how he recovered the weapon which had been used in an attempt to take Kerry Bell-Leon's life. *This extension cord.* The detective also found a key at the scene which the victim, the owner of the apartment, did not recognize. Yet it could open the front and back doors of the apartment. Ladies and gentlemen, in today's case, you will need to ask yourself who else could have had a key to the apartment? Furthermore, Detective Nichols will tell you how the Defendant went out of her way to place herself in the area for this crime. Hendricks operated a food truck outside of her regular hours in a part of town she usually did not work. She was there for one purpose. The Defendant's alibi will be that she was working her food truck, but this evidence directly contradicts that contention. If she wasn't working in her truck by the Jaywood Building, then what was she doing there, ladies and gentlemen?

Finally, we will call Morgan Jones, the superintendent of the Jaywood Building, where the victim lived and the crime occurred. He saw the Defendant visiting the condo of the victim, in times when the victim was out of town and Carmen was at home. Even after Carmen left town, Jones saw the Defendant lurking around the apartment building. On the night of the July 16th, Jones was the one who stopped the would-be murder and made the 911 call after discovering the attack in progress.

By the end of today's case, you will have heard that the Defendant had the means to commit this crime, the motive to commit this crime, and the opportunity to commit this crime.

A love turned into infatuation. An affair turned into an addiction. And on the night of July 16th, this obsession turned deadly.

That's why at the end of today's case, you must find Dylan Hendricks guilty of attempted murder.

Thank you.

Pros. Closing

May it please the court, opposing counsel, members of the jury.

Dylan Hendricks had some choices on the night of July 16th. He had the choice of where to locate his food truck, he had the choice to

Means, Motive, Opportunity

Means: The extension cord was in the apartment by the bathroom,

Motive:

Opportunity: His food truck was in the same location as the Jaywood building, Kerry was alone in the

Theme:

May it please the court? Opposing counsel, members of the jury.

Dylan Hendricks had a choice on the night of July 16, 2017. He had a choice of what clothes to wear to work that day. He had a choice of what chowder to serve to his customers that night. He also had a choice that night of whether or not to commit a crime. The crime of trying to murder her lover's spouse with this extension cord. *picks up extension cord*

With this extension cord, Dylan Hendricks had the means necessary to attempt to murder Kerry Bell-Leon. There was a key to get into the apartment, which was found by our Detective Nichols and he told us that the victim, Kerry Bell-Leon, didn't know what that key was, but after testing by Detective Nichols, it worked in both doors of the condo to get in. Lastly, the attacker was wearing purple gloves to not leave a trace at the scene of fingerprints or DNA evidence saying it was Dylan Hendricks. But, these same purple gloves that were described by Morgan Jones and Charley Waters were found in the defendant's, Dylan Hendricks's food truck later that night by Detective Nichols.

Dylan Hendricks had a motive to attempt to murder Kerry Bell-Leon since Kerry was the spouse of his lover, Carmen Bell-Leon. In order to be with his true love, she had to get her lover's wife out of the way to be with him. She needed Kerry out of the picture. She said that if Carmen came back from Ecuador, that she would be with him still. She could get him out of this situation.

The defendant had a clear opportunity on the night of July 16, 2017 to take out Kerry. Dylan has evidence against her for being in the area that night at the same time of the attack. She was issued a parking citation at 11:04 pm, 3 minutes after Morgan Jones told us that he called the police at 11:01 pm. She also served Kerry soup that night since we were provided with the receipt from the Souper Soups database. The attacker seen wearing purple gloves was running towards the food trucks by Charley Waters and the purple gloves were discovered in Dylan Hendricks's food truck later that night.

We heard from three witnesses today from the prosecution side that gave us even more evidence to show you how Dylan Hendricks committed this crime. We have the burden of proof, but from testimony from these witnesses today, we are certain she did it.

Detective Nichols gave us all of the evidence in today's case, 39 exhibits in total. He showed us the place of the defendant on the night of July 16, 2017 by showing us the parking citation that established she was parked illegally downtown. The permit showed that the usual operating hours of the Souper Soups truck were Monday through Friday during the day. However, the night of July 16, 2017 was outside of its usual operating hours since it was a Sunday night. The detective also found these purple gloves that other witnesses saw the attacker wearing and were found in the Souper Soup truck later that night.

Morgan Jones showed our defendant leaving the apartment where the attack happened dozens of times. He knew this was wrong of Dylan to be doing since Carmen was a married man. But, he kept seeing this happen and knew of this love affair going on. Morgan Jones even told us how Dylan would come back after Carmen left the country. Why would this food truck owner be coming around the Jaywood building when she doesn't live or work around there? Morgan Jones also saw the attack happening and saw the attacker wearing dark clothes and purple gloves, which are later found in the Souper Soups truck.

Charley Waters showed us how Dylan was in love with Carmen. According to Dylan, this guy was the one and she was in love. Charley knew something was up with her friend, but let it go since she thought Dylan was happy. So she thought. Charley also saw the attacker enter and leave the Jaywood building, wearing purple gloves and fleeing towards the food trucks after the attack. And you know exactly where those purple gloves were fine.

The defense also called three witnesses today, but they weren't any help to the defendant case today. The prosecution "kerries" the burden of proof and with these witnesses, we receive more proof to how and why Dylan Hendricks committed this crime.

Dylan Hendricks was parked illegally near the Jaywood building on the night of July 16, 2017 and had a parking citation issued to him at 11:04 pm, three minutes after Morgan Jones called the police. And in that parking citation, it said that she was found not in her truck at 11:04pm. So, where was she? She was in love with Carmen Bell-Leon, the wife of Kerry Bell-Leon. She knew he was a married man, but completely ignored that fact since she claimed "nothing was logical; it was just love". Finally, she served her victim soup on the night of July 16, 2017. There is even a receipt to prove it and it has the hours of operation on it, which doesn't include Sundays.

Jamie Morrison gave the defendant a ride to Chuggie's, a bar downtown near the Jaywood building, on July 16, 2017. The ride from the defendant's house to the downtown area took just enough time for the defendant to go home and shower before coming back downtown to the scene of the crime. Jamie Morrison also saw the Souper Soups truck in the downtown area that night only half an hour from the attack. He even mentioned how he usually doesn't see the Souper Soups truck downtown.

Ryan Reeves showed us how our victim, Kerry Bell-Leon, had taken the designer drug, Everest, the night of the attack. Everest is a drug that gives off an euphoria that users crave. From the toxicology report from the hospital, we know Kerry took it. However, Ryan Reeves isn't certain that Kerry Bell-Leon suffered from the effects of incomplete memory encoding. He is certain that Kerry suffered from anxiety and paranoia, however, wouldn't you say if you experienced

anxiety and paranoia, you would still remember if someone was attacking you? Just because you have anxiety doesn't mean you don't remember a horrible attack.

Today we carried the burden of proof, to convince you the jury beyond a reasonable doubt that dylan hendricks committed this crime against kerry bell-leon. The facts of today's case clearly paint dylan in the right place at the right time. Dylan hendricks should be held accountable for his actions rather shifting the blame to someone else, like [only if defense attempts to blame carmen] Carmen. Dylan had many choices that night, and he made the choice to attack kerry bell-leon. With this, we ask you to find the defendant, Dylan Hendricks guilty of attempted murder.

Thank you.

Prosecution Closing

Your honor, opposing counsel, members of the jury: may it please the court?

Today's case is about a love turned to infatuation. An affair turned to addiction. And an obsession turned deadly. Today's case is about how Dylan Hendricks's obsession with Carmen Bell-Leon drove her to attempt to murder Kerry Bell-Leon, in an effort to win Carmen back.

A love turned infatuation.

In February of 2017, the defendant met Carmen Bell-Leon on a dating app called Tender. Their love soon turned to an infatuation. Dylan told her friend Charley Water's that Dylan was "the one", and that Dylan was her "soulmate". In fact, just a few months into their relationship, Dylan believed that Carmen was going to leave Kerry so the two could be together. But when Carmen left the country without her on July 2nd, 2017, Dylan had to form a new plan to be with Carmen. She had to find a new way for them to be together.

An affair turned addiction.

In the two weeks after Carmen left the country, Dylan began looking for a way to win Carmen back. She would park near the Jaywood Building, not to serve soup, but to look for a chance to get rid of Kerry. Sometimes she would even leave her truck to stand in the back parking lot, looking at the sixth floor where Kerry lived. For two weeks she looked for her chance. And on the night of July 16th, 2017, that chance presented itself.

An obsession turned deadly.

On July 16th, 2017 Dylan Hendricks arrived downtown at 7pm. [USE TIMELINE]

A love turned infatuation. An affair turned to addiction, and on the night of July 16th, an obsession turned deadly.

Later that night, while she was being questioned by Detective Nichols, Dylan Hendricks was asked about a citation issued to her food truck while she was inside the Jaywood Building, strangling Kerry Bell-Leon. When asked why this citation indicated that her food truck was empty, Dylan Hendricks said "I did not leave my food truck until I got home." Members of the jury, she lied to Detective Nichols that night. Not only does the citation state that her food truck was empty, but three different eyewitnesses saw her leaving her truck that night, wearing these purple gloves found in the sink of the truck by Detective Nichols.

Members of the jury, we the prosecution bear the burden of proof in today's case. At no point has that burden shifted from us. We the prosecution must prove to you beyond reasonable doubt that Dylan Hendricks knowingly committed this crime. We have presented evidence that shows that the defendant had the means, motive, and opportunity to commit this crime. We have done this. She had the means. She had a gun taken from the Bell-Leon condo and fired 18 times at DeRosa's firing range the day before in order to familiarize herself with the murder weapon. And when the gun failed, she knew where to find the extension cord. She had the motive. Her obsession with Carmen Bell-Leon had turned deadly, and she was willing to do anything to win Carmen back. And she had the opportunity. She had gone out of her way to park herself downtown that night, just a block from the Jaywood Building. Members of the jury, the defense will come before you in a few minutes and will present their side of the story. When you go back to that deliberation room, do not check your common sense at the door. Examine all the facts, and find Dylan Hendricks guilty of attempted murder.

Thank you.