

CLOSING ARGUMENT

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“IF YOU TRY YOUR
CASE ON THE FACTS;
YOU WILL **LOSE** EVERY
TIME.”

- Gerry Spence

Materials / Toys

- Demonstrative Aids

Burdens of Proof Chart (NCDD); Drinking Patterns; 3 Rules; BRD Comes From

- Photographs

5 x 7s of scene; helicopter; Google Earth

- Laser Level

- Alcohol

- Paper

Colored sheets of paper; post it notes

- Thermometer

- Intoxilyzer 5000

- Mouth Piece

- Cars and Action Figures

THEORY OF THE CASE

- Theory: Rush to Judgment, Misunderstanding, Different
- 4 Fathers
- Storytelling
- Swedish 3
- Trips:
 - > ABC, 123, Red White and Blue
 - > Innocent Man, Insufficient Evidence, Indisputable Conflict
 - > Hard working, Hornet's Nest, Half Hearted Evidence

3 RULES

- ⦿ Presumption of Innocence
 - > Constitutional Duty
 - > Compass
- ⦿ Burden on the State
 - > Label a criminal
- ⦿ Beyond a Reasonable Doubt
 - > Not that police are bad, or agree with the crime
 - > This one case with this evidence

RETELLING THE FACTS

- Where does Reasonable Doubt Come From?
 - > Evidence,
 - > Mistakes in the Evidence, and
 - > Lack of Evidence
- Go Home and Tell Your Neighbor
- Don't sugar coat or skirt the bad facts

THE SILVER BULLET

◎ REASONABLE DOUBT

- > Yes! (nod)
- > The Stairway Chart
- > The Definition
- > RD is Quick!
- > The more you humm and haaa = RD!!!

SCIENTIFIC RESULTS

- Taxalyzer 5000EN
- Doppler Radar
- Happy Everyday Airlines
- EKG
- Thermometer
- Mouthpiece
- Ridiculous Number

EXCLUSIVE JUDGES

- Highlight
- Explain
- GREEN, GREEN, RED

GUILT INNOCENCE

- ⦿ Impossible not to think of the ramification of your decision
- ⦿ Same decision to pull the plug
- ⦿ CRIM
- ⦿ Lasts forever
- ⦿ Worst Nightmare

NOT GUILTY

- ◎ Jury Charge
 - > 38.22, 38.23, and Others
 - Court (10)
- ◎ It's the First Choice, Because it's the RIGHT Choice

Prosecutor Closing

- ⦿ Puzzle – gun, tiger, apple
- ⦿ Flag of Texas
- ⦿ (Post It Notes)
- ⦿ Don't Pay Attention
- ⦿ Object
- ⦿ Attacking Defense Counsel

Leave Your Blood On The Field!!

- ⦿ Don't go to trial if you don't believe your own case.
- ⦿ Fight "them" at every single step, but never annoy the jury.
- ⦿ Make "them" think twice about trying cases against you.
- ⦿ Always be growing, learning, and trying new things.
- ⦿ Never ever give up.

"You don't become a real cowboy by riding ponies." – Trichter

"It's not how many times you get knocked down, but how many times you get back up that matter." – McKinney

"Play for the fumbles." – J. Silverman

QUESTIONS???



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AGGRESSIVE CRIMINAL DEFENSE