

2018

**TRIAL COURT
CASE 1
STATE OF MINNESOTA V. BRATTON**

CASE MATERIALS

Murder Trial

(Pretrial Hearing Materials Included)

FACTUAL BACKGROUND

Jordan “Outside Voice” Bratton grew up in New Prague aspiring to be a successful stand-up comedian. Much of Bratton’s childhood was spent making jokes and working on stand-up comedy routines. Bratton would practice routines on street corners, in parks, during recess, in coffee shops, in shopping malls, at open-mic nights, at talent shows, or just about anywhere else Bratton could get people to listen. Because Bratton acted as the class clown, Bratton usually received below average marks in the classroom. Bratton did not participate in any other activities. Bratton focused exclusively on being a comedian and thought that the comedy business was the only path to success.

In January 2016, Bratton left New Prague behind and moved to Minneapolis to pursue this dream. Many famous comedians got their start at the local comedy clubs. Bratton knew that this was the only opportunity to be successful. In 2017 the comedy business was booming and many comedians were signing lucrative contracts indicative of their promising careers. Bratton’s shows grew from two monthly shows to eight shows a month during this boom. Bratton’s future as a comedian looked promising. In addition to stand-up comedy shows, Bratton had a Twitter account under the username “OutsideVoice.” Bratton used Twitter to get more exposure, tweeting jokes occasionally in an attempt to keep fans laughing and develop a strong fan base. In February 2017, OutsideVoice reached the milestone of 1,000 followers.

Preston Palmer was born and raised in Minneapolis. Palmer had a tough upbringing, where he was made an outcast by the other kids. Insecure about his inability to make friends, Palmer often turned to criticizing and degrading other children in order to attempt to gain his own sense of importance.

Preston Palmer eventually became a famous critic with a strong cult-like following of loyal fans. His entertainment blog criticized celebrities such as actors, actresses, musicians, stylists, athletes, reporters, models, or anyone with enough publicity and exposure to reach celebrity status. Palmer’s comments were often degrading and humiliating. Many of his “victims” lost a substantial number of fans after being insulted in his blog. In 2006, Palmer criticized multi-platinum singer Billy Martin harshly, which led to a rock bottom drop in Martin’s popularity and fortune. Palmer’s blog was so popular and influential that it was named one of the 50 most influential blogs in 2016.

In 2017, Palmer began to broaden the scope of his reviews by becoming a member of YellUp. YellUp is a community-based web site where people can review local restaurants, hotels, night clubs, businesses, theaters, comedy acts, and entertainment events. On YellUp, reviews are publicly posted and can be seen by anybody, but only members of the YellUp community can post comments or rate reviews. Nothing can be purchased on YellUp. YellUp gets all of its revenue from advertising. Palmer immediately became one of the more popular YellUpers with 521 fans and 2,518 friends as of March 26, 2017.

On April 1, 2017, Palmer wrote a severely demeaning review on YellUp about Bratton’s stand-up comedy routine, which had been performed the night before at Minneapolis Comedy Club. The one star review is as follows:

This is probably the most horrifying thing I have ever seen. I felt physical pain watching this. This person is awful. The material is just so terrible it’s awkward watching. Outside Voice played to a dead silent audience. I’ve seen many horrifying attempts at comedy but nothing so pitiful made me cringe in disgust as I did last night. It was as if Bratton went onto the stage without any material. One day, while on my deathbed, if someone asks me if I have any regrets about my life, watching Jo Outside Voice will be my answer. I have lost all respect for the Minneapolis Comedy Club and will never attend anything there again. Any club that hires such worthless talent to do a show will have automatically lost any credibility it has to produce quality comedy. Jo Outside Voice and MCC are both garbage. Take the mic away please.

This review was given 172 useful ratings, 88 funny ratings, and 29 cool ratings. Because of all of the useful ratings, it was featured on YellUp's homepage as the Review of the Day. Business owners subsequently posted many comments about the review. These comments usually stated that the review was useful and that they would never ask Bratton to perform again in fear of losing their reputation and regular attendants.

Almost immediately, Bratton's appointments for future acts were cancelled. By April 10, Bratton had only one act remaining, a non-paying act that Bratton agreed to perform at the carnival as a clown in a dunk tank. Bratton's fan base also began to diminish. OutsideVoice's Twitter followers dwindled down from 1,000 to 27. On April 6, Bratton began to ask businesses why the gigs were lost, and many managers explained that Palmer's review had ruined Bratton's popularity and that any business that books Bratton will ruin its own reputation. Bratton pleaded with the owners to rebook the gigs and tried to explain that the review was wildly erroneous and Palmer only wrote it to promote his own fame. None of the comedy club managers rebooked, and the conversations usually ended with an outburst of rage by Bratton. Bratton could only get gigs at clubs by going to their open-mic nights. But most of the time, even at open-mic nights, the comedy club owners made sure Bratton never got the chance to step on stage.

On April 7, a personal message was sent to Palmer's YellUp account. The fuming message was from a user by the name of Tyler "Torcher" T. The message was written as follows:

Hi Preston. I am writing you to give you one last attempt to remove the review you posted about Jo Outside Voice's performance. Trust me, you don't want to leave that review up. You are ruining people's livelihood. If you leave that degrading comment up, I will do more than ruin your livelihood.

In response to this statement, on April 8, Palmer briefly wrote:

I will never take any of my reviews down. I am leaving the review up in hope that no one has to hear one of OutsideVoice's jokes ever again.

After the review, Bratton's jokes became darker and more personally insulting. Many of them were verbal attacks directed toward critics, especially Palmer.

At 5:21 p.m. on April 13, OutsideVoice posted a tweet that stated:

I am going to kill tonight and shut up the critics once and for all.

On April 13, 2017, Preston Palmer wrote his blog at Minneapolis Coffee Shop from 6 p.m. to 9 p.m. At approximately 9:30 p.m., Palmer was seen by Morgan Bernard driving into his neighborhood. Bernard found Palmer strangled on his driveway at 9:50 p.m.

OutsideVoice posted a new tweet at 10:15 p.m. as follows:

I hate being back at the bottom of the game. I waited 3 hours tonight at open mic and didn't even get a chance to tell a joke.

On April 15, Detective Kendal Malone obtained a search warrant for Bratton's home. After the search, Detective Malone arrested Bratton for the murder of Preston Palmer.

CHARGES

The prosecution has charged Bratton with Murder in the First Degree

DESCRIPTION OF THE CHARGES

Murder in the First Degree

Minn. Stat. 609.185(a)(1)

Whoever causes the death of a human being (1) with premeditation and (2) with intent to effect the death of the person or of another is guilty of murder in the first degree and shall be sentenced to imprisonment for life:.

Premeditation Defined

Minn. Stat. 609.18

For purposes of section 609.185 “premeditation” means to consider, plan or prepare for, or to determine to commit, the act referred to prior to its commission.

Mental State

Minn. Stat. 609.02(9)

(1) When criminal intent is an element of a crime in this chapter, such intent is indicated by the term “intentionally, “. the phrase “with intent to,” the phrase “with intent that,” or some form of the verbs “know” or “believe.”

...

(4)““With intent to” or “with intent that” means that the actor either has a purpose to do the thing or cause the result specified or believes that the act, if successful, will cause that result.

(5) Criminal intent does not require proof of knowledge of the existence ... of the statute under which the actor is prosecuted or the scope or meaning of the terms used in that statute.

Jury Instructions regarding the Charge

First Degree Murder

The defendant is guilty of first degree murder if the State has proven that the defendant acted (1) with premeditation and (2) with the intent to commit the act that caused the victim’s death.

The defendant acted with premeditation if the defendant considered, planned or prepared for, or determined to commit the act before committing the act that caused the victim’s death. The length of time the person spends considering whether to kill does not alone determine whether the killing is deliberate and premeditated. The amount of time required for deliberation and premeditation may vary from person to person and according to the circumstances. A decision to kill made rashly, impulsively, or without careful consideration is not deliberate and premeditated. On the other hand, a cold, calculated decision to kill can be reached quickly. The test is the extent of the reflection, not the length of time.

The defendant acted with intent if the defendant intended to kill the victim or if the defendant knew or believed that the defendant’s actions would result in the death of the victim.

STIPULATIONS

Both sides stipulate to (agree and admit) the facts that:

1. Preston Palmer died from hypoxia caused by ligature strangulation.
2. Each of the witnesses can be of either sex.
3. The arrest warrant was based on sufficient probable cause and properly issued.
4. Dr. Flenderson and Dr. Scott are qualified expert witnesses and can testify to each other's statements.
5. Dr. Flenderson reviewed and analyzed the crime scene.
6. The absence of lab reports is not in question.
7. The absence of photographs is not in question.
8. All physical evidence and witnesses not provided for in the case packet are unavailable and their availability is not in question.
9. All witness statements were taken in a timely manner.
10. Nothing of relevance was located on Bratton's computer except for the private "YellUp" messages exchanged between Palmer and Bratton.
11. Physical descriptions of the victim, the defendant and of the witnesses are accurate and may not be questioned. For example, Bratton was born April 19, 1993, is left-handed, is 5' 10" tall, and is in average-athletic condition.
12. The horizontal marks on Palmers neck were caused by a smooth, straight, flexible cord. The vertical marks were caused by Palmer's own fingernails.
13. There were no footprints, fingerprints, glove prints, or DNA at the scene of the crime.
14. The only trace evidence located at the scene of the crime was Palmer's skin cells located under Palmer's fingernails.
15. It cannot be determined the exact time the tire tracks were made, but they were created within the 48-hour period provided in the facts.
16. The unpublished case provided for the pretrial is valid, can be used as a persuasive source, and may not be objected to.
17. Bratton signed in at Minneapolis Humors club at 4:30 p.m. and at 7:00 p.m. on April 13, 2017.

WITNESS STATEMENT
Prosecution Witness
Detective Kendal Malone

1 My name is Kendal Malone. I am 35 and work as a police officer for the Minneapolis Police Department.
2 On April 13, at 9:52 p.m., I was dispatched to a possible homicide at the home of Preston Palmer.
3 Arriving at 9:55 p.m., I was the first officer on the scene. I found Palmer's body face down on the
4 driveway. I checked the victim for a pulse. There was none.

5 He appeared to have been strangled. The body was still warm so I knew that the death occurred very
6 recently. I saw a person, later identified as Morgan Bernard, sitting across the street. I immediately called
7 for Dr. Casey Scott to come investigate the crime scene. I then secured the neighborhood.

8 The victim's lime-green Volkswagen was parked in the driveway. The engine was still warm. Both doors
9 were locked and shut, and there was no sign of any attempt to enter the car. This indicates that the killer
10 waited until the victim got out of his car and began walking toward the house. The body was four feet
11 from the front left tire of the vehicle.

12 The victim was fully dressed. I went through his pockets and found his keys, wallet, and phone. I checked
13 his wallet, and the driver's license identified the victim as Preston Palmer. There was still \$111 left in his
14 wallet. He also had a computer bag with his laptop inside. This evidence indicated to me that this was not
15 a robbery.

16 An ambulance soon arrived and the medical personnel confirmed Palmer's death. I called the other
17 emergency services on the radio and told them about the homicide. I asked them not to approach the crime
18 scene because I wanted to preserve the evidence until Dr. Scott and I could investigate the scene.

19 While I was waiting for Dr. Scott, I began to question Morgan Bernard. Bernard was dressed in shorts, a
20 gray T-shirt, and running shoes. Bernard was carrying keys, an iPhone, and standard Apple headphones.
21 Although Bernard seemed shaken up, I needed to get a witness statement from Bernard while the
22 information was fresh. Bernard kept telling me how unbelievable it was that Palmer had been killed when
23 Bernard had just seen Palmer driving by minutes ago. Bernard told me that Bernard did not see anyone in
24 the neighborhood before or after the death. I considered Bernard a witness. I found no evidence leading
25 me to believe Bernard was responsible for the death.

26 Dr. Scott arrived at 10:05 p.m., and we then began our search of the crime scene for evidence. Because
27 Bernard had not seen a car arriving or fleeing the crime scene, I searched thoroughly behind the home
28 because it would have been the quickest escape route for the killer. An eight-foot-tall sound and privacy
29 barrier surrounds the neighborhood and separates Palmer's home from the road. Although this barrier
30 keeps sounds and cars out, a gate behind Palmer's home would allow a person to walk through with ease.

31 I found tire tracks but no footprints in the soil directly behind the gate. The tracks appeared to be well
32 defined. I concluded they must have been formed recently, at least since the rain on the night of April 11.
33 Four tire tracks were exposed so the car must have gone completely off the road. The track width, the
34 wheelbase, and the radius of the turn determine the exact size of the car frame. The car frame that made
35 the tracks is 165 inches long and 69.4 inches wide. I made a casting of the impressions for further
36 examination of the ribs, grooves, sipes, lugs, and slots.

37 I have taken a one-week course in tire track analysis and have three years of experience in the field. Tires
38 are constantly subjected to wear and tear on the road. As a result, defects make tires unique and
39 distinguishable from others. Tires wear differently because their alignment and balance are rarely

40 uniform. Cuts, tears, gouges and accumulated debris such as rocks and nails add a unique quality to the
41 tread impression. Because we had tread marks on all four tires, I knew that if we could locate a car with
42 matching wear, the probability that the car was the same would be astronomical. But even before
43 examining individual car treads, the possibilities can be narrowed. I combined the specs of the size of car
44 frame and the patterns of the tire. I searched through the database and found that the only possible tires
45 that could have made these impressions are Firetire XFS wheels on a 1992, 1993, and 1994 Buick
46 Century.

47 During the investigation, Taylor Hudson and Ryan Howard voluntarily came forward with evidence of the
48 crime. Hudson told me of seeing Bratton's car follow Palmer's car out of the Minneapolis Coffee Shop
49 parking lot. Hudson also told me of seeing Bratton get into a Buick Century, the same kind of car that
50 made the tracks behind Palmer's home. When I talked with Howard, I learned Bratton had a motive to kill
51 Palmer. Palmer had written a scathing review of Bratton's act, which Bratton believed had killed
52 Bratton's career. I realized Bratton was a possible suspect in the killing of Preston Palmer.

53 When Dr. Scott reported that the murderer was likely 5-foot-nine- to 5-foot-11- inches tall and left-handed
54 and that the murder weapon could have been a microphone cord, the case against Bratton strengthened. I
55 knew that if I could search Bratton's home and car, I might find gloves and a murder weapon, and I could
56 also examine the wear marks on Bratton's car to see whether they matched the tire marks behind Palmer's
57 home. On April 15, I drafted an affidavit and received a search warrant from the judge to search for a cord
58 similar to the one described by Dr. Scott. The search warrant allowed me to search the home and vehicle
59 of Bratton for a murder weapon, gloves, and tire treads that match the tracks at the crime scene.

60 I went to Bratton's home during the afternoon of April 15 and informed Bratton of being under
61 investigation for the killing of Preston Palmer and of the search. Bratton's maroon Buick Century was in
62 the garage. It had a joker sticker on the back windshield just as Hudson had described. When I began to
63 search the car, I found a microphone in the backseat of the car. The microphone was a Sony FV 100 with
64 a cord attached. I read Bratton the *Miranda* rights and interrogated Bratton about the microphone. Bratton
65 claimed to use it when performing for the public in parks, in playgrounds, and on busy sidewalks. Bratton
66 said that the microphone was in the car because Bratton had just used it on April 12 at a show in
67 Minneapolis Central Park. The amplifier was not in the car. It was in Bratton's bedroom. I seized the
68 microphone and gave it to Dr. Scott for analysis.

69 In the trunk of Bratton's car, I found two brand-new pairs of brown cotton gloves. The gloves were still in
70 a three-pack sleeve. Large print on the sleeve said "Three all-purpose work gloves," and in smaller print
71 the gloves were described as "thick brown cotton gloves for protecting your hands during jobs at home,
72 office, garage, warehouse, or factory." One set of gloves was missing from the pack, and even after a
73 diligent search, they were never found. Also with the gloves, we found a receipt that said "3pk Brn Ctn
74 Gloves" with a purchase date of April 3, 2017 and a price of \$6.57 with tax. The gloves were the only
75 item on the receipt. I seized the gloves because they had characteristics that matched the description Dr.
76 Scott had given me. I gave them to Dr. Scott for forensic analysis.

77 I examined the tires of the maroon Century and compared them to the cast that I had obtained from the
78 crime scene. The patterns of the tires matched perfectly. There were five vertical ribs and four vertical
79 grooves on the tire with the same width as the mark in the soft soil behind Palmer's home. The lugs were
80 the same size, and the sipes were the exact same angles.

WITNESS STATEMENT
Prosecution Witness
Dr. Casey Scott, Medical Examiner

1 My name is Dr. Casey Scott, and I am 62 years old. I am the chief medical examiner-coroner for the
2 County of Minneapolis. I received my bachelor's degree and medical degree from the University of
3 Minnesota in Minneapolis. I served a six-year residency in forensic pathology at Hennepin County
4 Medical Center. I passed my examination and became a licensed pathologist in 1987. In 1988, I was
5 appointed deputy coroner for Minneapolis County and became the county's chief medical examiner in
6 1993, which has remained my position to this day.

7 At 10:05 p.m. on April 13, 2017, I examined the crime scene of the death of Preston Palmer. I was the
8 only crime scene investigator present so Detective Malone and I were solely responsible for evidence
9 collection and storage. Detective Malone and I both examined the crime scene for evidence and
10 discovered tire tracks near Preston Palmer's home. Detective Malone performed the analysis and
11 investigation on the tire tracks. The body was removed to the morgue for analysis.

12 An on-scene analysis at 10:14 p.m. revealed that the body's temperature was 97.8 degrees, lividity had
13 just begun to set in, rigor was full, and there was no appreciable insect activity. From this evidence, I
14 concluded that the time of death was about 9:40 p.m.

15 The death was caused by hypoxia, a low level of oxygen in the brain. Hypoxia is the cause of death in all
16 strangulation cases. The victim had petechiae in the conjunctivae and sclera of his eyes, which is common
17 in victims of strangulation. These small red dots appear near the eyes when immense pressure is put on
18 the veins by blocking blood circulation. This pressure causes the blood to leak near the eyes causing the
19 small red dots.

20 A lot of evidence tended to establish the method of strangulation. Defined horizontal marks wrapped
21 nearly halfway around the victim's neck. Perpendicular to the marks were vertical scratches from the
22 victim's fingernails. The strangulation must have been by a ligature, rather than by choking or hanging. If
23 choking had caused the strangulation, the neck would have had oval or circular bruises on the neck caused
24 by the assailant's fingertips. The victim lacked these bruises. Because the mark is horizontal below the
25 thyroid cartilage (Adam's apple) without a rising point or a descending point, it is certain that the victim
26 was not hanged. In a hanging, the constriction mark is usually above the thyroid cartilage. The victim's
27 neck had vertical fingernail markings common in many victims. The claw marks are from the victim's
28 struggles to relieve pressure from the ligature. The claw marks on the victim's neck matched the victim's
29 own fingernails.

30 The patterns on the victim's neck leave evidence of the type of ligature used. Soft fabric-based ligatures
31 leave a diffused mark while wires and cords leave a deep and defined mark. The mark left on the victim is
32 deep and distinct; therefore I determined that a cord was used in the killing as opposed to a rope, wire,
33 belt, or any other clothing. Furthermore, the way the marks wrap around the neck in a consistent manner
34 indicates that a flexible item was used rather than a firm item, such as a crowbar. The width of the mark
35 shows that the item had a diameter of one-eighth inch. Because there is evidence of friction but no fibers
36 dug into the skin, the weapon had a smooth surface. Moreover, there was not a braided pattern at the area
37 of constriction. This eliminates the possibility of the weapon being a rope or wire. The mark was straight
38 and consistent as opposed to wavy, which is found when a telephone cord or a chain is used as the murder
39 weapon. This narrows the possible murder weapon down to a cord with a smooth surface. Microphone
40 cords or computer cords are good examples of possible weapons used.

41 The physical characteristics of the microphone cord found in Bratton's home are consistent with the
42 ligature marks I found on the victim's neck. The width of the cord is approximately one-eighth of an inch
43 and matches the size of the marks on Palmer's neck. The flexibility of the cord is consistent with the
44 marks wrapping around the neck. The density of the cord is consistent with the depth of the distinct
45 patterns. With these similar characteristics and no marks opposing a match, the match is identical.

46 Although Bratton's microphone cord did not contain any skin cell or DNA trace from Palmer's neck, it
47 could still be the murder weapon. The smooth coating of a microphone cord would allow for easy
48 cleaning. It is not uncommon for criminals to bleach a murder weapon after it is used. If oxygen bleach is
49 used, all DNA is removed. The Sony FV100 cord is made with a dense water resistant coating, which
50 would enable any traces of bleach and DNA to be removed without altering the appearance or damaging
51 the composition of the cord. Moreover, with a hard, water-resistant surface, any bleach on the cord would
52 have evaporated within a couple of days.

53 The abrasions on a victim's neck also leave evidence about the assailant. The mark on Palmer is
54 horizontal below the thyroid cartilage (Adam's apple) without a rising point or a descending point. That
55 indicates a person similar in height to Palmer was applying the pressure. The person who killed Palmer is
56 most likely between 5-foot-nine- and 5-foot-11-inches tall. Also, the abrasions on the victim's neck were
57 more distinct on the left side and wrapped farther back on the neck than on the right side. This means that
58 more pressure was applied from the left hand, signifying that the killer was most likely left-handed.

59 The only significant trace found was under the victim's fingernails. Under the fingernails, the victim had
60 a lower layer of the victim's own skin cells, followed by traces of brown cotton fabric, and finally a
61 thicker layer of the victim's own skin cells. The cotton fiber has an easily recognizable twisted ribbon
62 pattern. The brown cotton fibers did not match any of the articles that the deceased was wearing or
63 possessed. When a layered pattern such as this is found, it is critical evidence of the timeline of the
64 struggle between the assailant and victim. This particular pattern shows that first the victim struggled to
65 relieve pressure on the neck by digging his fingers under the ligature. Second, the victim attempted to
66 relieve pressure by weakening the assailant. It is likely that the victim reached back toward the assailant to
67 grab either the assailant's hands or arms. The third and final move by the victim was a more aggressive
68 move to dig his fingers under the ligature around his neck. It is highly likely that this fabric comes from
69 the clothes worn by the attacker. The victim attempted to grab the hands or arms of the assailant in order
70 to catch a breath, and the fabric from the attacker got under the victim's fingernails. Because of the lack of
71 the fingerprints at the crime scene, the killer most likely wore gloves when strangling Palmer. The fibers
72 from the victim's fingernails could have been fibers from the gloves worn.

73 Detective Malone found a pair of gloves in Bratton's car and asked me to analyze the fibers to see if they
74 matched. I compared the fibers from the gloves and the fibers found on the victim. Although the cotton
75 fabric found is not unique, the fabrics were consistent in every measurable way. I first examined the fibers
76 side by side under a stereomicroscope. The diameter, shape, and coarseness of the fibers were the same. I
77 used the microspectrophotometer to determine that both fabrics had the exact same mix of dye. The
78 wavelength of the light in each fiber was identical. Colors used in fabrics are typically made out of a
79 different mixture of dyes. The microspectrophotometer indicated that the brown mixture was created from
80 two parts yellow #001, one part blue #001, and one part orange #001. This created the dye color brown
81 #001. When identical mixtures of dye appear in identical matching fibers, there is a very strong likelihood
82 that they came from the same textile.

83 Based on my examination of these items and coupled with my background, experience, and training, it is
84 my opinion that it is highly probable that the death was a homicide caused by ligature strangulation.
85 Specifically, there is a strong match between the microphone cord found in Bratton's car and the weapon
86 used in the killing of Preston Palmer, there are similar physical characteristics between Jordan Bratton and

87 the person who killed Palmer, and the fibers found under the fingernails of the victim are a strong match
88 to the type of gloves found in Bratton's car.

WITNESS STATEMENT
Prosecution Witness
Taylor Hudson, Minneapolis Coffee Shop Server

1 My name is Taylor Hudson. I am a 17-year-old server at Minneapolis Coffee Shop. The coffee shop is on
2 the northwest corner of the Minneapolis Shopping Center. Large glass windows make up the outer walls
3 of the shop and provide the customers and workers with a good view outside. The Minneapolis Coffee
4 Shop parking lot separates the building from the street. At night, streetlights provide safety lighting to
5 parts of the parking lot but not all of it.

6 Because our coffee shop was near Palmer's home, he came here almost every night from about 6 p.m. to 9
7 p.m. to write his blog and reviews. I had been following Palmer's reviews on YellUp ever since he started
8 writing them. The Minneapolis Coffee Shop received the first and only 5-star review Palmer ever gave.
9 He often referred to it as his office. Palmer always ordered the Non-Fat Cafe Latte with Hazelnut and sat
10 at the same two-person table at the back corner of the shop. Because Palmer came in so often, I got to
11 know him pretty well. He once told me that he became a critic because he was criticized so much as a kid.
12 He said he started to use his pen as a weapon to attack those who he didn't like. As anyone can see from
13 his many hateful writings, Palmer didn't like a lot of people.

14 April 12 is the first time I ever saw Jordan Bratton in the Minneapolis Coffee Shop. I recognized Bratton
15 because I follow Preston's reviews on YellUp. YellUp contains pictures of the users next to their posts. A
16 picture of Bratton was posted on the page that contained Palmer's review. Bratton came into the coffee
17 shop around 5:25 p.m. At first, Bratton did not order a drink but oddly looked around the place and
18 inspected the layout of the shop. Business was slower than usual so I asked Bratton if I could help with
19 anything. Bratton snapped back at me saying, "When I want something, I'll order it." Bratton came to the
20 register, bought a bottle of water, stormed out, and got in a maroon 4-door Buick Century. Bratton sat in
21 the car for roughly 45 minutes until 6:15 p.m. when it then pulled out of the parking lot. I noticed a sticker
22 of a joker card on the back window. I serve many customers each day at the coffee shop so I tend to forget
23 most of them, but because Bratton was acting so weird and rude, I remember Bratton clearly.

24 Preston Palmer did not come into the coffee shop on April 12. At least one night a week, Palmer had a
25 movie premiere or had a juicy lead that occupied his evening. But on April 13, 2017, Palmer returned to
26 Minneapolis Coffee Shop at 6 p.m. as usual. Nothing seemed new with him, and he stuck to his regular
27 routine of ordering his Non-fat Cafe Latte with Hazelnut and sat in the back corner of the shop. Palmer
28 wrote on his blog for three hours and then left the parking lot at 9:15. Palmer arrived and left in his lime-
29 green Volkswagen Beetle. When he drove away, that was the last time I saw him. I learned of his death
30 the next morning.

31

32 Although Palmer did not act suspiciously on April 13, there was something out of the ordinary. The same
33 car that Bratton had driven to the coffee shop the day before had pulled into a dark part of the parking lot
34 about 8:45 p.m. I noticed the same joker sticker that was on the car window the day before. The sticker
35 was also in the same place. I couldn't tell who was in the car because it was dark and no one ever got out
36 of the car. The car stayed in the lot until Palmer's lime-green Beetle pulled out of the parking lot. The
37 maroon Buick Century left immediately afterward.

38 In addition to Palmer and Bratton, I am also familiar with Ryan Howard. Howard occasionally comes into
39 the coffee shop in the mornings. I have never seen Howard with either Palmer or Bratton. Whenever I
40 notice, Howard is in a blue SUV.

WITNESS STATEMENT
Prosecution Witness
Ryan Howard, Comedy Club Manager

1 My name is Ryan Howard, and I am the manager of the Minneapolis Comedy Club. I am 32 years old and
2 have worked as the manager of the club for the past six years. The comedy club targets repeat audience
3 members by consistently producing entertaining acts. The club tries to give off a traditional vibe by using
4 an older style set-up with unpainted brick walls, an informal seating arrangement with folding chairs and
5 card tables to host the audience, a one- foot-tall elevated stage with only a microphone stand, and a single
6 FV 100 microphone with a cord tracing to an individual PA system. Business had been consistent for the
7 past six years, except for the huge spike following the crash of the markets in 2016, followed by an even
8 bigger decline following the review written on YellUp.

9 I was present at the act performed by Bratton and attended by Preston Palmer on March 31, 2017. The act
10 was not nearly as bad as the review by Palmer said. The sold-out audience had many laughs and gave an
11 ovation of approval when the performance ended. I read the review, and it seemed to be written out of a
12 personal problem with the material rather than an overall review of the performance. At the beginning of
13 the performance, Palmer seemed to be laughing and enjoying Bratton's routine. But I noticed that Palmer
14 grew uncomfortable when Bratton started bashing critics. Bratton made a series of remarks calling critics
15 "nobodies" and said that "those who can't do, critique." Bratton took the joke even further by saying that
16 "critics have all the ego of an actor but none of the talent." At this point, Palmer was so upset that he stood
17 up, knocked over his chair, and stormed out of the club. The rest of the crowd seemed to enjoy the
18 performance.

19 I am a YellUp account holder and had a chance to read Palmer's review of Bratton's performance. I
20 believe that the review was written solely for the purpose of attacking Bratton and my club. As a result,
21 the Minneapolis Comedy Club unfairly got a bad reputation just for allowing the act. Since the review, the
22 club has had trouble selling tickets. The club's revenue for the month of April was cut in half from last
23 year creating a large deficit for the month. This is especially devastating considering that April tends to be
24 one of our strongest months and that we are in a comedy boom. The bad review came at an awful time for
25 me. I wanted to sell the club for the past few months in order to pay off some of my debt. I had three
26 serious buyers looking at buying the club, but they all backed out after the April numbers came in. If we
27 are not selling tickets and are not making any money, then Minneapolis Comedy Club isn't worth much.

28 As a result of the review, the club certainly couldn't hire Bratton again, so we had to cancel all of the
29 future bookings we had with Bratton. On April 6, Bratton called me infuriated about my canceling
30 Bratton's acts. Bratton complained of losing income and the opportunity to be discovered. I had to explain
31 to Bratton that we didn't cancel because of Bratton's lack of talent but only because of Bratton's bad
32 reputation among the comedy audiences. I explained how the bad reputation came from Palmer's review.
33 Furthermore, I had to tell Bratton that Minneapolis Comedy Club already took a big hit in revenue this
34 month because we had previously hired Bratton and that we could not hire Bratton again because we don't
35 want to risk another bad review.

36 In addition, we also discussed our shared hatred for Palmer because of how detrimental the review was to
37 our livelihood. We spoke of how we had a "passionate hate" for Palmer and how we thought scum like
38 him didn't deserve celebrity status. But Bratton became irate. Bratton made statements such as, "Someone
39 should shut him up," and "The world is better off without filthy liars like him." Bratton said this so
40 seriously and passionately that it made me fearful. I didn't say anything to disagree or discourage Bratton
41 from doing anything over the top. I know a lot of people felt the same way Bratton did.

42 Bratton also has a history of violence in my club. On January 27, 2017, I witnessed Bratton punch a
43 member of the audience, Nicky Blake. An altercation arose when Blake started to make offensive remarks
44 toward Bratton during the routine. At first, Bratton responded by returning offensive jokes toward Blake,
45 but the dispute escalated into Bratton punching Blake after an insult over Bratton's struggling career.
46 Blake said afterward, "I was just trying to snap quips like on MTV's Wild 'N Loud, but Bratton can't take
47 a joke." Bratton admitted to getting carried away but said that "Nicky took it too far attacking my
48 livelihood." No charges were pressed, and no arrests were made. I banned Bratton from the club
49 temporarily, but I let Bratton perform again once the comedy boom hit.

50 I follow many comedians on Twitter because I like to read what performers think about the club after they
51 come in for an act. I have been following Bratton's tweets as OutsideVoice since March 25, 2017. After
52 Palmer's bad review of Bratton on April 1, 2017, Bratton's popularity on Twitter dropped off
53 substantially. Although OutsideVoice's followers went down from around 1,000 to 27, I continued to
54 follow Bratton. At 5:21 p.m. on April 13, 2017, the day of Palmer's death, Bratton posted an odd tweet. It
55 stated "I am going to kill tonight and shut up the critics once and for all." At 10:15 p.m. later that day,
56 OutsideVoice tweeted "I hate being back at the bottom of the game. I waited 3 hours tonight at open mic
57 and didn't even get a chance to tell a joke."

WITNESS STATEMENT
Defense Witness
Dr. Peyton Flenderson
Professor of Forensic Science

1 My name is Dr. Peyton Flenderson, and I am 63 years old. I attended the University of Minnesota in
2 Minneapolis, where I received my bachelor's and medical degree. I then served my six-year residency in
3 forensic pathology at the University of Minnesota Hospital. I passed my examination and became a
4 licensed pathologist in 1986. In 1987, I became a professor for the Criminal Justice Department at the
5 University of Minnesota in Minneapolis, where I have continued to study and teach to this day. I have
6 written many articles for professional and academic journals on crime-scene investigation and medical
7 examinations.

8 After Bratton's arrest, Bratton's lawyer asked me to re-evaluate the evidence in this case and give my
9 expert opinion to the court. I discovered that the prosecution case against Jordan Bratton for the murder of
10 Preston Palmer has many flaws and inconsistencies.

11 I analyzed the forensic data of Preston Palmer on April 16 and came to many of the same conclusions as
12 Dr. Scott, but I also have several differing opinions. I agree with Dr. Scott that Palmer was killed by
13 hypoxia caused by ligature strangulation. I also do not dispute the time that the death occurred. The skin
14 cells under the victim's fingernails certainly indicate that the claw marks on his neck are his own. When I
15 was examining the corpse, I found skin cells under Palmer's fingernails that came from his own neck. I
16 agree that the pattern formed by the ligature eliminates many materials from being used. The consistently
17 distinct marks on Palmer's neck certainly eliminate chains, ropes, clothing, and wire. But the types of cord
18 that could have been used in this strangulation case are still broad. Although a microphone cord found in
19 Bratton's car matches the markings on Palmer's neck, many other kinds of cords could also have made
20 these markings, and hundreds of other Sony FV 100 cords exactly as the one in Bratton's car could have
21 been used. If the particular cord in Bratton's car had been used in the murder, it would contain traces from
22 the victim. No trace could be found on the cord.

23 Dr. Scott used the markings on Palmer's neck to determine that the killer was likely left-handed, but this
24 is not reasonably likely. I have studied many cases when a right-handed killer leaves more distinct
25 markings on the left side of the victim, and vice versa. Besides having a dominant left hand, causes of a
26 more distinct mark on the left side can include pressure being relieved on the right side by the victim, an
27 object being held in the right hand by the assailant, or the victim struggling to the right side to escape,
28 which allows more pressure to be put on the left side of the neck. Another explanation is that sometimes
29 killers cross their hands when strangling someone. This would make a right-handed killer create more
30 distinct marks on the left side of a victim.

31 Dr. Scott is correct that the killer must have been of similar height to the victim because of the horizontal
32 markings on the corpse. But Dr. Scott's conclusion that the killer must have been 5-foot-nine to 5-foot-11
33 inches tall is too narrow. Assailants position their hands differently when attacking, and it is not
34 uncommon for an assailant two inches taller or shorter to make horizontal markings around the neck. This
35 would put the attacker somewhere between 5-foot-8-inches and 6-feet tall, not just 5-foot-nine- to 5-foot-11
36 inches tall as Dr. Scott concluded. This creates a broader category of suspects that could have murdered
37 Preston Palmer.

38 Whenever two people come in contact with each other, they will exchange or transfer trace materials such
39 as hair, cells, or fingerprints. If Bratton had been present at Palmer's murder, it is most likely that there
40 would have been traces of Bratton's skin cells, hair, or fingerprints on the victim. When I examined the

41 corpse for trace evidence, I found no hairs, prints, or skin cells belonging to Bratton. Neither did Detective
42 Malone nor Dr. Scott find any at the crime scene.

43 The only trace evidence found was brown cotton fiber. Cotton is by far the most commonly used natural
44 fiber. Cotton fabric is used in nearly every type of clothing. Undyed white cotton is so common that it is
45 of little evidentiary value. Moreover, brown is a common color for cotton. The brown dye used is brown
46 #001. The brown dye #001 is a common mixture of dye and the most common of all brown dyes. Nearly
47 all brown dyes are created from yellow, blue, and orange. Since yellow #001 and blue #001 are the
48 primary base colors, they are the most commonly used dyes for the mixture. Orange #001 is the base
49 secondary color and is the most commonly used orange dye. The mixture of these three colors creates the
50 commonly used brown #001 that was found in each of the fibers. Because this fabric is so common, it is
51 likely that the same mixture is used in many different textiles. Not only could the exact same dye be used
52 in a completely different fabric by a different manufacturer, but it is likely that the maker of the brown
53 cotton gloves used the same dye while making its brown cotton T-shirts and socks, too. Additionally, the
54 only identifiable characteristics in the fabrics found were the diameter, dye color, coarseness, and
55 classification. Some fabrics must have 15 identifiable characteristics before being considered a match. If
56 there are not 15 identifiable characteristics, then the fiber is not unique enough to be of value for
57 comparisons. A brown cotton fabric is certainly not unique.

58 Strengthening the defense case even further, if gloves were used during the murder, glove prints are
59 sometimes found. In this case, however, no glove prints were found.

60 I have taught two courses in tire-track analysis, and an article I wrote about tire-track analysis was
61 published in the University of Minnesota in Minneapolis *Journal of Criminal Science*. Using my expertise
62 in this area, I evaluated the tire tracks. Although the tire mark is a perfect and unique match to the tread on
63 Bratton's tires, it does not necessarily mean Bratton or Bratton's car was at the crime scene at the time of
64 the crime. The time the tracks were made cannot be determined because only a cast was made of the
65 tracks, and no further examinations, such as a soil examination, were made. Therefore it cannot be
66 assumed that Bratton's car was parked behind Palmer's home at the time of his murder. I am in agreement
67 with Dr. Scott that the tracks most likely occurred after the rain on the night of April 11, but this leaves
68 approximately 48 hours when the tracks could have been made. Statistically, it is most likely that they
69 were not left during the time of Palmer's murder. Furthermore, even if it could be shown that the track
70 was at the time of the murder, it is not conclusive evidence that Bratton was on the scene, only that
71 Bratton's car was there.

72 There are many possible murder weapons that would match the markings on Palmer's neck, the likely
73 characteristics of Bratton's killer are very broad, the fiber found under the victim's fingernails are
74 common, and the time range for when the tire tracks were made is wide.

WITNESS STATEMENT
Morgan Bernard
Neighborhood Jogger

1 My name is Morgan Bernard, and I am 29 years old. I moved into the same neighborhood as Preston
2 Palmer in 2006. Living in the same neighborhood was a demanding experience. Wild fanatics often drove
3 through the neighborhood trying to get a picture of Palmer in his yard. In addition, occasionally an upset
4 victim of his articles came by his home looking for revenge. The most extreme instance I witnessed was
5 in 2007. Someone burned the word “liar” into his lawn. It was always speculated that it was the singer
6 Billy Martin, but there was never enough proof to press charges. It is unbelievable to me that Palmer
7 never put a gate or a privacy fence up to protect himself. But I think he craved the attention.

8 I had followed Palmer’s material for the past few years. Among many other things, I read his blogs and
9 his YellUp reviews. I read the YellUp review that he posted about Bratton. It was very demeaning.

10 It read as follows:

11 This is probably the most horrifying thing I have ever seen. I felt real physical pain
12 watching this. This person is something awful. The material is just so terrible it’s
13 awkward watching Outside Voice played to a dead silent audience. I’ve seen many
14 horrifying attempts at comedy but nothing so pitiful to make me cringe in disgust as I did
15 last night. It was as if Bratton went on stage without any material. One day, while on my
16 deathbed, if someone asks me if I have any regrets about my life, watching Jo Outside
17 Voice will be my answer. I have lost all respect for the Minneapolis Comedy Club and
18 will never attend anything there again. Any club that hires such worthless talent to do a
19 show will have automatically lost any credibility it has to produce quality comedy. Jo
20 Outside Voice and MCC are both garbage. Take the mic away please.

21 Although this review seems particularly hateful, it is not out of the ordinary when looking at what Palmer
22 commonly wrote. For example, earlier this year Palmer wrote a review about rapper Leslie Lane. The
23 review said that the album was “wack with lame lyrics” and “a disrespectful affront to rap.” The review
24 then called Lane a “real clown.”

25 Palmer’s blog sometimes provoked wild, crazy, and even dangerous reactions. It was common for
26 protesters to wake me up in the morning with screaming and honking on their way to Palmer’s.
27 Sometimes it scared me, but mostly it was annoying.

28 Despite the danger and annoyance, I stuck to my routine of jogging a three-mile circle around the
29 neighborhood as part of my daily exercise. The jog always starts and ends at my front door with one of the
30 two entrances to the neighborhood being my one-mile marker and Palmer’s home being my two- mile
31 marker. I think part of what kept me sticking to my schedule was the curiosity to see if something new
32 was going on at Palmer’s house. For example, in February when I jogged by Palmer’s home, the word
33 “hater” was spray painted in glow-in-the-dark orange on the siding of his home.

34 My jog on April 13 began at 9:15 p.m. from my house as it always does. I saw Palmer’s lime-green Beetle
35 pull into the neighborhood as I reached my one- mile marker around 9:30 p.m. When I jogged by Palmer’s
36 home 15 minutes later, I found his body lying in the driveway. The body wasn’t moving and was lying
37 flat on the surface. I was sure he was dead. Luckily, I had my iPhone with me because I listen to music
38 when I jog. I immediately dialed 911. I didn’t approach the body because I was alone and feared for my
39 own life. I just stood across the street and waited for the emergency services to arrive. Detective Malone
40 arrived first.

41 In the small window between the time I saw Palmer arrive into the neighborhood and the time I found him
42 dead, I did not witness any suspicious activity. I didn't see any other cars or people in the neighborhood in
43 that time, and I didn't hear anything loud enough to overcome the music I listen to while jogging. There
44 certainly wasn't a maroon Buick Century following Palmer to his home.

45 With all of the obsessive and crazy people with easy access to Palmer's home, it could have been
46 anybody. The hundreds of celebrities and businesses that Palmer has reviewed and critiqued should all be
47 suspects in this case, not just Bratton.

WITNESS STATEMENT
Defense Witness
Dani Levinson, Comedian

1 My name is Dani Levinson. I am 31 years old. For the past 10 years, I have been a struggling comedian
2 living in Minneapolis. In April 2016, I met Bratton at a comedy club when we were booked to perform on
3 the same night. I thought Bratton's crude humor was brilliant, and we immediately became friends.

4 I watched Bratton's career grow from struggling amateur to rising star. Then I watched Bratton's career
5 go from promising to into the gutter in April 2017. During this time, Bratton and I remained close, and we
6 openly discussed our thoughts on the direction of our careers. Bratton's career went down the drain due to
7 Preston Palmer's review, but Bratton still never showed any signs of wanting to harm Palmer or get
8 revenge on him in any way. I would describe Bratton's attitude as saddened but not angry.

9 We have been like family over the past few months. I would do anything for Bratton. We use each other
10 for support whenever our careers or emotions are down. We would always discuss our feelings if we were
11 nervous about a big upcoming show or after we bombed an act. If Bratton hated a club manager, didn't
12 like performing with another comedian, or was upset about something on the street, Bratton would always
13 tell me about it. If Bratton planned on harming Preston Palmer, Bratton certainly would have told me
14 about it. Since Bratton never mentioned any dislike of Palmer, Bratton definitely did not hate him enough
15 to kill him.

16 Since the downfall of Bratton's career, Bratton has been going to open-mic nights and to Minneapolis
17 Central Park to tell jokes. Open-mic nights don't pay, so Bratton needs to perform at the park from time to
18 time (where he uses a hat to collect tips), just to make ends meet. I have stopped to watch Bratton perform
19 before, just to give Bratton moral support. It is common for Bratton to perform at Minneapolis Central
20 Park in the evenings. Minneapolis Central Park is one of the best-lit parks in the county so it is well
21 attended after daylight. Bratton used the Sony FV 100 microphone found in Bratton's car. It is typical for
22 performers to have their own microphones, especially up-and-coming comedians who need to practice
23 their routines. The microphone helps entertainers become more comfortable with its use and makes a
24 practice routine feel more like a paid gig. I personally own the exact same microphone for similar uses.
25 The Sony FV 100 is a common microphone that nearly every club uses.

26 At 5 p.m. on April 13, Bratton came to my house for dinner. I knew it had been a while since Bratton had
27 eaten a good meal so I thought it would be a nice favor for a friend. I remember letting Bratton use my
28 computer at approximately 5:21 p.m. to update Twitter. Later that night when I checked my Twitter
29 account, I saw that Bratton posted, "I am going to kill tonight and shut up the critics once and for all." I
30 didn't think of this as being a dark remark at all. Bratton was referring to silencing critics by putting on an
31 outstanding performance. The term "kill" is commonly used in the comedy industry with the meaning of
32 doing well in a performance and getting positive feedback from the audience.

33 We finished dinner at 6:30 and Bratton left around 6:45 for an open-mic night that we had been talking
34 about. I stayed home for the remainder of the night.

35 I didn't talk to Bratton again that night, but I did see that Bratton had posted on Twitter after arriving
36 home. I know that Bratton wasn't tweeting from a mobile device because under the tweet it said "from
37 web." If a tweet is from a mobile device, it will say "from mobile web" or from a twitter application such
38 as "twitterberry." Bratton usually tells jokes on Twitter, but after OutsideVoice's followers dwindled
39 down to only friends, Bratton started tweeting more serious material. As far as I know, all of the things
40 Bratton said have been true, so whenever Bratton tweeted about being at Minneapolis Humors that night, I
41 have no reason to think Bratton was lying.

42 From what I know about Palmer, he was a very controversial critic. He ruined people's careers and
43 reputations with the strike of a pen. Many people probably wanted to harm him. But I never saw anything
44 to make me think Bratton was one of them.

WITNESS STATEMENT
DEFENSE WITNESS
Jordan Bratton
Defendant

1 My name is Jordan “Outside Voice” Bratton. I am 31 years old, 5-foot-10-inches tall, and left-handed. I
2 consider myself in average athletic condition. I live in Minneapolis where I moved in 2016 to pursue my
3 career as a comedian.

4 After the economic crash of 2016, my career began to take off. I was getting more and more exposure
5 through stand-up acts in comedy clubs and through my growing number of followers on Twitter.

6 The growth of my career as a comedian came to a stop and began a sharp decline when Preston Palmer
7 wrote an unfair review of me on YellUp on April 1, 2017. Although this created a slight setback in my
8 career as a comedian, I am still pursuing my dream to become a famous stand-up comedian.

9 I was saddened by the loss of a substantial number of fans caused by the review, but I certainly never
10 wanted to harm Palmer for writing it. I realize that there are other ways to solve this problem without
11 resorting to violence. I have already started to rebuild my reputation just by telling jokes to anyone who
12 will listen and by showing people that I have potential to make it in the business.

13 It is true that I was in Minneapolis Coffee Shop on April 12, at roughly 5:25 p.m. I went in to buy a bottle
14 of water before I went to the park to do a show. When I first walked in, I began to look for a table where I
15 could work on my material before I went to the park. I began to grow impatient looking for a place to sit
16 when the server asked me if I needed anything. I decided to buy my bottle of water and work on my
17 material in the car. I sat in my car until about 6:15 p.m., adding a couple of new jokes and perfecting my
18 old ones.

19 When I left Minneapolis Coffee Shop at roughly 6:15 p.m., I started to go to my friend Dani Levinson’s
20 house for dinner. When I was on my way there, I started to think that Dani may have invited me on for
21 dinner on April 13, not April 12. I keep my schedule in my backpack, so I pulled off of the road so I could
22 safely access it. When I saw my schedule said that it was on April 13, I went straight to the park to do my
23 show instead of going to Levinson’s house. If there were tracks of my car left near Palmer’s home, it was
24 by mere coincidence that I pulled over near Palmer’s home.

25 At 4:30 p.m. on April 13, I went to a comedy club called Minneapolis Humors to sign up for open mic
26 later that night. When I arrived, the list was already full of acts, but I signed up anyway. I had no other
27 options.

28 At 5:30 p.m. on April 13, I went to my friend Dani Levinson’s house for dinner. Dani knew that I have
29 been struggling to pay for groceries after the Palmer review, so Dani wanted to be a good friend and give
30 me a good meal. While I was at Dani’s for dinner, I used the computer to update my Twitter account. I
31 was excited about my performance later that night and felt like it would be my breakthrough show, which
32 would “silence the critics.” My tweet did not mean that I was physically going to “shut up” one critic. In
33 comedy, “kill” means to perform well and get good feedback. No violence was intended. I left around
34 6:30 p.m. in my maroon Buick Century and went back to Minneapolis Humors to wait for my turn to
35 perform.

36 I arrived at Minneapolis Humors around 7 p.m. on April 13, I found parking on the street only two blocks
37 away. I signed back in when I arrived. The club is big and loud. I needed to work on my material before I
38 went on, so I chose to wait in a room backstage where I could hear if they called my name but that had

39 enough privacy and silence for me to work on my material effectively. I stayed at the club until 10 p.m.
40 when the open-mic portion of the night ended. Afterward, I drove home where I remained for the rest of
41 the night. I did not go to Minneapolis Coffee shop at any time on April 13. When I got home, I even
42 tweeted that I had been at Minneapolis Humors from 7 p.m. to 10 p.m.

43 Because I stayed alone in the backroom at Minneapolis Humors most of the time, no one can testify that I
44 was there the entire time. I parked on the street so I don't have a parking slip or anything as proof either.
45 But I did sign in at the club at 7 p.m., and I was there the whole time.

46 I use a Sony FV 100 microphone and amplifier for my shows in the park. Detective Malone found the
47 Sony FV 100 microphone in my car when conducting a search of my home. I typically leave the
48 microphone in my car but carry the amplifier into my house to keep it from getting stolen. Most people
49 won't steal a microphone. I am sure that every comedian or comedy club has a microphone just like mine.
50 Ryan Howard's club and my friend Dani have exactly the same microphone as I do.

51 As for the gloves found in my car, I had them there just in case I have to do mechanical work or if any
52 other reason comes up. I bought them on March 3, 2017, when I was building props for a comedy act.
53 Sometimes I do shows with props that I create myself. The props may require painting, sawing, and
54 driving nails, among other things. The package said, "for protecting your hands," so I got them to keep
55 from cutting and callusing my hands when creating the props. The last pair I had got a lot of paint on
56 them, and they began to smell bad so I threw them away. The gloves are cheap so I don't even bother
57 trying to wash them.

58 It is unfortunate that Palmer lost his life. There are a lot of people who did not like him and who were
59 victims of his degrading reviews. A lot of these people probably would have wanted to harm him, but I
60 am not one of them. I did not kill Preston Palmer.

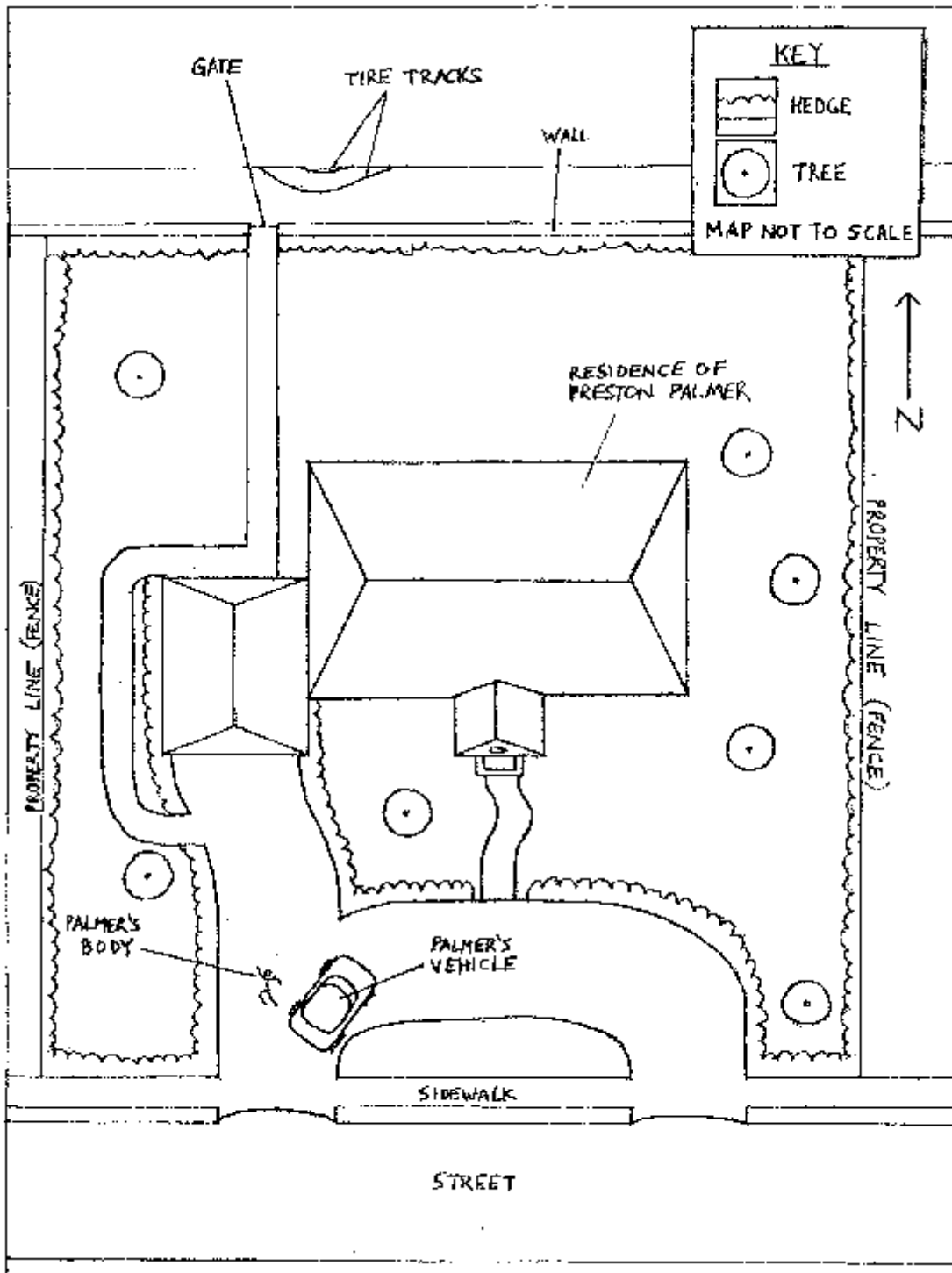
PHYSICAL EVIDENCE

Only the following physical evidence may be introduced at trial:

1. Diagram of Preston Palmer's House and Yard

Exhibit ____

[Diagram of Preston Palmer's House and Yard]



CREDITS

Materials adapted from People v. Bratton
Constitutional Rights Foundation, California.

4826-5836-0864, v. 1