

1 IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT

2 WILLIAMSON COUNTY, ILLINOIS

3

4 THE PEOPLE OF THE STATE OF ILLINOIS,)

5 Plaintiff,)

6 vs.) No. 2020-CF-596

7 JULIA E. BEVELY,)

8 Defendant.)

9 JURY TRIAL

10 Report of proceedings of the hearing before
11 the Honorable Stephan Green on February 14th, 2023.

12

13

14 APPEARANCES:

15 JENNIFER MUDGE and PHILLIP BUTLER
16 Special Prosecutors
17 Springfield, Illinois
For the People

18 THERESA THIEN
19 Public Defender
20 Williamson County, Illinois
For the Defendant

21

22

23 Amy L. Holloman, CSR
24 Official Court Reporter
Williamson County Courthouse
Marion, IL 62959

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1 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
2 THE PRESENCE OF THE JURY.)

3 THE COURT: Go ahead and bring in the jury.
4 Please rise for the jury.

5 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
6 THE PRESENCE OF THE JURY.)

7 THE COURT: Be seated. The Court re-calls
8 20-CF-596. People versus Julia Bevely. The parties are
9 all present. We're still in the case in-chief of the
10 State. The jury is seated. Is the State ready for its
11 next witness?

12 MS. MUDGE: Yes, Your Honor.

13 THE COURT: Call your next witness, please.

14 MS. MUDGE: The People would call Officer
15 Steven Sloan.

16 THE COURT: Sir, please face my clerk to be
17 sworn in.

18 STEVEN SLOAN,
19 was called as a witness on behalf of the People, and
20 being first duly sworn, was examined and testified as
21 follows:

22 THE COURT: Please have a seat here, sir. I
23 need you to state your full name, spell your last name
24 for the record and please speak up loud enough that

1 everybody can hear.

2 THE WITNESS: Steven Sloan. S-L-O-A-N.

3 THE COURT: You may inquire.

4 MS. MUDGE: Thank you, your Honor.

5 DIRECT EXAMINATION

6 BY MS. MUDGE:

7 Q. Where are you employed?

8 A. City of Marion Police Department.

9 Q. How long have you been with the police
10 department?

11 A. Uh, six years.

12 Q. What is your position there?

13 A. I am a patrol officer.

14 Q. How long have you been a police officer?

15 A. Uh, a total of 16 years.

16 Q. On December 5th of 2020, were you a police
17 officer with the Marion Police Department?

18 A. Yes, I was.

19 Q. And what shift were you on that day?

20 A. Uh, I was on day shift that day.

21 Q. Were you in uniform?

22 A. Yes.

23 Q. In a squad car?

24 A. Yes.

1 Q. Alone?

2 A. Yes.

3 Q. Okay. Um, I'm going to direct your attention to
4 about 12:24 that day. Did you get a call or a dispatch
5 to, um, 11304 Songbird Road?

6 A. Yes, I did.

7 Q. How did that call come out?

8 A. Uh, it came out as a male who had left a
9 residence, and there was a female inside the residence
10 with stab wounds.

11 Q. Um, we've heard from Officer Welge already.

12 A. Yes.

13 Q. Were you on duty with him that day?

14 A. I was.

15 Q. And were you actually near him when this call
16 came out?

17 A. We were actually sitting in a parking lot talking
18 to each other when the call came out.

19 Q. Did you and Officer Welge respond right away?

20 A. Yes, we did.

21 Q. On your way to Songbird Road, are you receiving
22 more information from dispatch?

23 A. I believe so, yes.

24 Q. Okay. And as you're going to Songbird Road, do

1 you see something that makes you want to stop and
2 investigate further?

3 A. Yes.

4 Q. And what did you see?

5 A. Officer Welge, I believe, advised for me to check
6 on a person that was wearing a black hoodie or a black
7 jacket that was walking on Buckley Road, I believe, is
8 the name of the road, so I did that.

9 Q. So, Officer Welge went to the residence?

10 A. Yeah. He continued on and I stopped.

11 Q. You stopped. Did you get out of your car?

12 A. Yes, I did.

13 Q. And did you talk to the person in the black
14 hoodie?

15 A. Yes, I did.

16 Q. Did you identify that person?

17 A. I don't believe I identified her. Uh --

18 Q. Was it a female?

19 A. Yes.

20 Q. Okay. Um, did you speak with her?

21 A. Yeah. She was walking her dog or looking for her
22 dog or something to do with her dog. She was looking
23 for a dog in the area.

24 Q. And were you able to confirm that she lived in

1 that area?

2 A. Yes. She's a resident.

3 Q. Okay. After you spoke with the female, did you
4 -- what did you do next?

5 A. I continued to Songbird to assist Officer Welge.

6 Q. Okay. So when you got to Songbird, are you the
7 second first responder there?

8 A. Yes.

9 Q. Okay. And when you got into that residence, what
10 was Officer Welge doing?

11 A. Uh, he was in the bathroom, um, with a juvenile
12 female with the stab wounds.

13 Q. Okay. And did you assist him?

14 A. Yes, I did.

15 Q. Did you notice anything about the juvenile female
16 in the bathtub -- bathroom?

17 A. Uh, her color was -- she was kind of a pale gray;
18 lips were kind of bluish in color.

19 Q. Did you notice any wounds to her?

20 A. Yes, I did. She had several stab wounds on her
21 chest area.

22 Q. Were those wounds actively bleeding at the time?

23 A. I do not believe so.

24 Q. Um, did you see the defendant, Julia Bevely, in

1 this case in that house that day?

2 A. Yes.

3 Q. What was she doing when you first saw her?

4 A. She was sitting in the kitchen -- in the floor of
5 the kitchen.

6 Q. On the floor?

7 A. Mm-hmm.

8 Q. Um, did you assist Officer Welge in bringing the
9 female victim out into the hallway --

10 A. Yes, I did.

11 Q. -- and he began resuscitation efforts?

12 A. Yes.

13 Q. And what did you do?

14 A. I attempted to assist him. Uh, I noticed the
15 stab wounds. I noticed there was no pulse; didn't
16 appear that she was breathing. And I, of course,
17 advised Officer Welge of that. He continued on.

18 Q. You knew she was dead?

19 A. Yes.

20 Q. Okay. Um, what did you do after that?

21 A. Um, I took Ms. Bevely to the front porch. I
22 grabbed a chair from the living room and a blanket, I
23 believe, to get her away from that and let her have a
24 seat on the front porch away from all that.

1 Q. Um, did you then participate further in the
2 investigation?

3 A. Um, I was later called to transport her to the
4 Williamson County Sheriff's Office.

5 Q. And did you do that?

6 A. Yes, I did.

7 Q. Did you ask her any questions along the way?

8 A. No, I did not.

9 Q. Did she say anything to you along the way?

10 A. Uh -- she didn't make any statements. I believe
11 she inquired of Jade's status at one point.

12 Q. Um, when you were transporting her, did you
13 notice any wounds to her?

14 A. I did. I noticed a bite mark on her forearm.

15 Q. After you noticed her bite mark, did you look any
16 further for the man in black?

17 A. Uh, yeah. That was before the transport, but,
18 yes. I drove the area; walked a few places. Could not
19 locate anybody.

20 MS. MUDGE: No further questions.

21 THE COURT: Cross?

22 MS. THIEN: Thank you, your Honor.

23 CROSS-EXAMINATION

24 BY MS. THIEN:

1 Q. Officer Sloan, did you prepare a written report
2 in this case?

3 A. Yes, ma'am, I did.

4 Q. In that report, did you mention any contact with
5 this individual wearing a black hoodie on Buckley Road?

6 A. No, I did not.

7 Q. Did you -- when you stopped to identify this
8 person, did you get a name?

9 A. I do not believe so.

10 Q. Did you get an address?

11 A. I do not believe so.

12 Q. How long did this contact occur?

13 A. Guessing probably --

14 Q. -- moments?

15 A. -- a couple minutes maybe.

16 Q. Like, a whole couple of minutes?

17 A. I assume. I didn't -- I didn't -- I didn't time
18 it.

19 Q. Okay. Did this person have a dog with them?

20 A. Uh, I don't recall seeing a dog.

21 Q. Okay. So if you reported back that this
22 individual was walking a dog, that would have been an
23 error?

24 A. I said she was either walking a dog or she said

1 something -- she was walking or looking for her dog or
2 something.

3 Q. But you don't recall if the dog was there?

4 A. I do not believe so.

5 Q. But this person was dressed in black; is that
6 correct?

7 A. Uh, she had a black hoodie on.

8 Q. Okay. How far is Buckley Road or this area from
9 Songbird Road where you were going to?

10 A. I do not know the exact distance.

11 Q. Walkable?

12 A. Sure.

13 Q. Okay. When you first reached the residence and
14 went inside, Julie was on the kitchen floor?

15 A. Yes.

16 Q. Crying?

17 A. Yes.

18 Q. Um, you were the one that then assisted her out
19 to the front porch; is that correct?

20 A. Yes.

21 Q. Did you take any actions to clear the residence?

22 A. Uh, I believe after.

23 Q. After?

24 A. Yeah.

1 Q. Okay. On your way out -- well, let me back up.
2 When you were there, do you recall what Julie was
3 wearing? And we're talking in the kitchen at this
4 point.

5 A. I do not remember.

6 Q. Was it such that you grabbed a blanket for her
7 off of the -- or from the living room when you guys went
8 outside?

9 A. I remember grabbing -- I believe, grabbing a
10 blanket for her, yes.

11 Q. Okay. Like a fleece throw?

12 A. I believe so.

13 Q. Couch blanket kind of thing?

14 A. Yes.

15 Q. Okay. But you do not recall if she was wearing
16 short sleeves or long sleeves at that point?

17 A. I do not recall.

18 Q. Okay. When you were present with Julie on the
19 porch, do you recall Deputy Kelley being present at all?

20 A. Is that the -- there was an investigator.

21 Q. Yeah, Dusty Kelley from the Sheriff's Department?

22 A. Yes.

23 Q. Okay. Not Cindy Geittmann. They are strikingly
24 different.

1 A. There was an investigator there. To say exactly
2 which one it was, I don't know. I am not familiar with
3 them.

4 Q. Do you recall if that person went inside to grab
5 a sweatshirt for Julie?

6 A. I do not recall.

7 Q. When you came back to drive Julie up to the
8 Sheriff's Department, she went voluntarily, correct?

9 A. Yes.

10 Q. She wasn't handcuffed or anything like that?

11 A. No, I don't believe so.

12 Q. But she was wearing a large black sweatshirt at
13 that point?

14 A. I do not recall what she was wearing.

15 Q. You don't recall?

16 A. No.

17 Q. Did she still have the blanket on her?

18 A. I believe she left the blanket there.

19 Q. But you don't know if she was wearing a full,
20 long-sleeved sweatshirt at that point?

21 A. I do not recall what she was wearing.

22 MS. THIEN: Thank you, officer. I have no
23 further questions.

24 THE COURT: Redirect?

1 MS. MUDGE: No, thank you.

2 THE COURT: Sir, you may step down. Thank
3 you very much. The State may call their next witness.

4 MS. MUDGE: The People would call Aaron
5 Newlin.

6 THE COURT: Sir, please come forward; face
7 my clerk to be sworn in.

8 AARON NEWLIN,
9 was called as a witness on behalf of the People, and
10 being first duly sworn, was examined and testified as
11 follows:

12 THE COURT: Please have a seat here, sir. I
13 need you to state your full name, spell your last name
14 for the record, and when you speak, sir, please make
15 sure you speak loud enough for everyone to hear.

16 THE WITNESS: It's Aaron. A-A-R-O-N.
17 Newlin. N-E-W-L-I-N.

18 THE COURT: You may inquire.

19 MS. MUDGE: Thank you.

20 DIRECT EXAMINATION

21 BY MS. MUDGE:

22 Q. Mr. Newlin, where do you live?

23 A. 10906 Khoury League Road.

24 Q. And did you live there on December 5th of 2020?

1 A. Yes.

2 Q. Who did you live there with at the time?

3 A. At that time, it was my wife Holly Newlin and my
4 children.

5 Q. How old were your children at the time?

6 A. Eight and six.

7 Q. Were you home the day of December 5th, 2020?

8 A. Yes, I was.

9 Q. At some point, were you made aware there was an
10 incident close to your house?

11 A. Yes. My oldest son was outside, and he came in
12 and told me that there was a bunch of police cars that
13 came down the road, and he could hear the sirens. At
14 that point, I went out towards the road and --

15 Q. So, where the police were on Songbird Road, can
16 you see that home from your home?

17 A. I cannot. It was right around the corner from
18 me. There is a field with a bunch of trees and
19 everything that would block my view to the house.

20 Q. And at some point, did you become aware that the
21 police were looking for a male subject on foot?

22 A. Yes. I seen a Marion squad car coming down the
23 road, and I actually went to the correctional academy
24 with Officer Ward from the Marion Police Department and

1 that's who it was. So, he stopped and told me that they
2 were looking --

3 MS. THIEN: Objection --

4 THE WITNESS: -- for a male subject.

5 MS. THIEN: -- hearsay. No. I withdraw
6 that.

7 MS. MUDGE: Go ahead.

8 THE WITNESS: And at that point, I took the
9 children in the house, and we made sure that the house
10 was secure, and I started watching security footage on
11 the house just to make sure nobody was in the back yard
12 or around the house at all.

13 By Ms. Mudge:

14 Q. So, you had security footage on your house?

15 A. Yes.

16 Q. Uh, how many different views did you have?

17 A. Uh, five.

18 Q. So, you start looking through the footage?

19 A. At that point, I was just watching real time
20 footage just to make sure that nobody was around the
21 house or trying to hide in the back yard or anything
22 like that.

23 Q. Did you see anybody?

24 A. No, I did not.

1 Q. About for how long did you look at your security
2 footage that day?

3 A. If I had to guess, 30 to 45 minutes.

4 Q. Okay. And you never saw anybody in black running
5 by one of those five views?

6 A. No, ma'am.

7 Q. Okay. After that, were you made aware that the
8 police were no longer looking for a male in black?

9 A. Yes. My wife, uh -- she is my ex-wife now -- but
10 my wife at the time, she worked for the Marion Police
11 Department and --

12 MS. THIEN: -- I am going to object as to
13 hearsay as to this part, Judge.

14 THE COURT: It's not hearsay yet, but it may
15 be.

16 By Ms. Mudge:

17 Q. Without getting into the contents of what --

18 A. -- yes.

19 Q. -- your wife told you, were you made aware that
20 the police were no longer looking for a male?

21 A. Yes, I was.

22 Q. Okay. And did you speak to a police officer
23 about what kind of vehicle they were possibly looking
24 for on security footage at homes?

1 A. Yes. I spoke with one of the off -- or one of
2 the detectives with the major crimes.

3 Q. And were you made aware of what vehicle they were
4 looking for?

5 A. Yes, I was.

6 Q. Did you go back and view that security footage?

7 A. Yes. At that time, I started going back through
8 the footage cause one of the cameras could actually see
9 the roadway.

10 Q. Okay. One of the cameras could see what roadway?

11 A. Uh, be Khoury League Road.

12 Q. So, Khoury League Road, you have a camera facing
13 that?

14 A. Yes.

15 Q. So, you watched for this specific vehicle that
16 the police were looking for --

17 A. -- yes.

18 Q. -- on that footage? Yes?

19 A. Yes.

20 Q. Okay. Um, did you ultimately find what you
21 thought was that vehicle --

22 A. -- yeah.

23 Q. -- on that footage?

24 A. Yes, I did.

1 Q. And what did you do?

2 A. At that point, I contacted Officer Coffey, and
3 him and another detective came to the house, and we
4 reviewed footage and wrote down times at that point of
5 when we seen the vehicle pass the house.

6 Q. Okay. On your security footage that faces the
7 road that you saw the vehicle on, is it time stamped?

8 A. It is, but at that point, it was 44 minutes fast
9 to what actual time was.

10 Q. How -- how can you tell that?

11 A. Uh, whenever I was watching in real time footage,
12 it was from my phone to what real time footage was, it's
13 44 minutes fast.

14 Q. So, if it was noon --

15 A. -- it would show --

16 Q. -- the time that would come up would be what?

17 A. 12:45 -- or 12:44.

18 Q. 12:44?

19 A. Yes.

20 Q. So, your footage at the time was 44 minutes fast?

21 A. Yes, ma'am.

22 Q. And did the police download the footage that you
23 showed them --

24 A. Yes, they did.

1 Q. -- at your house?

2 A. Yes.

3 Q. And, again, the footage they download, it's time
4 stamped 44 minutes fast?

5 A. Yes, ma'am.

6 MS. MUDGE: I have nothing further. Thank
7 you, Mr. Newlin.

8 THE WITNESS: Thank you.

9 THE COURT: Ms. Thien.

10 MS. THIEN: Very briefly, your Honor.

11 CROSS-EXAMINATION

12 BY MS. THIEN:

13 Q. Um, Mr. Newlin, you stated that you were -- your
14 house is just around the corner?

15 A. Yes, ma'am.

16 Q. But you cannot see Julie's house or the house on
17 Songbird Road because of fields and trees?

18 A. Yes, ma'am.

19 Q. Do you recall what day the police came to review
20 video footage with you?

21 A. I cannot remember if it was the day of or if it
22 was the day after. I do not remember on that.

23 MS. THIEN: Thank you. I have no further
24 questions.

1 THE WITNESS: All right. Thank you.

2 THE COURT: Any redirect?

3 MS. MUDGE: No, thank you.

4 THE COURT: Sir, you may step down. Thank
5 you very much.

6 THE WITNESS: Thank you, your Honor.

7 THE COURT: The State may call their next
8 witness.

9 MS. MUDGE: The People would call Detective
10 Toby Coffey.

11 THE COURT: Sir, please come forward and
12 face my clerk to be sworn in.

13 TOBY COFFEY,
14 was called as a witness on behalf of the People, and
15 being first duly sworn, was examined and testified as
16 follows:

17 THE COURT: Please have a seat over here,
18 sir. I need you to state your full name. Please spell
19 your name for the record, and I do need you to speak
20 well enough that everybody can hear you, sir.

21 THE WITNESS: My name is Toby Coffey. Last
22 name spelled C-O-F-F-E-Y.

23 THE COURT: You may inquire.

24 MS. MUDGE: Thank you.

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DIRECT EXAMINATION

BY MS. MUDGE:

Q. Where are you employed?

A. Herrin Police Department.

Q. How long have you been employed at the Herrin Police Department?

A. Uh, full-time a little over five years.

Q. What's your current position there?

A. Investigator.

Q. How long have you been a police officer?

A. Um, roughly eight years.

Q. Were you working on December 5th of 2020?

A. I was.

Q. What was your position at that time?

A. Investigator.

Q. Were you and others from your department called to assist in this investigation from Songbird Road?

A. We were.

Q. Okay. And when were you called out to assist?

A. Uh, on that day at approximately three o'clock in the afternoon.

Q. Were multiple other agencies called out as well?

A. Yes, there were.

Q. Okay. Just briefly explain how that works when

1 you, from the Herrin Police Department, get called out
2 to a major case. Um, what do you do; how do you know
3 what to do when you get there?

4 A. Um, so, myself and another investigator are part
5 of a task force called the Major Case Squad. They call
6 us whenever there is a major crime that has been
7 committed. And when we arrive, the hosting agency --
8 which in this case would have been the Williamson County
9 Sheriff's Office -- directs us and gives us leads to
10 follow up on.

11 Q. You had multiple leads to follow up on in this
12 case, correct?

13 A. Correct.

14 Q. Okay. What was the first lead you were assigned
15 to do?

16 A. Uh, check out Carbondale Walmart security video.

17 Q. Okay. And how do you go about doing that?

18 A. Um, we -- myself and another investigator,
19 Detective Tomas, arrived to Carbondale Walmart and met
20 with their loss prevention employee, whose name is
21 Tyler, and we informed him of who we were and that we
22 requested to view the store security footage. And at
23 that time, we were gained access to it.

24 Q. How many -- well, first of all, what are you

1 looking for on that footage?

2 A. Um, at that time, I was instructed that we should
3 be looking for a 2018 gray in color Nissan Pathfinder.
4 Uh, the vehicle was supposed to enter the parking lot,
5 um, come into the middle row about middle way down, pull
6 into a stall and then immediately exit because the
7 person inside the car was -- supposedly forgot their
8 wallet, and then they were exiting the parking lot.

9 Q. So, a Pathfinder comes and parks, nobody gets
10 out, and it leaves again?

11 A. Yeah. Yes.

12 Q. Okay. And, um, did you become familiar with what
13 a 2018 Nissan Pathfinder looks like?

14 A. I did.

15 Q. How do you go about doing that?

16 A. Um, we were provided pictures from the scene, as
17 well as, I looked at various models, trims on -- I used
18 Google images.

19 Q. How many different -- well, it's Walmart so we
20 know they have more than one security camera. How many
21 different angles did you look at?

22 A. Um, I don't recall the exact number but
23 Carbondale Walmart has two entrances to their parking
24 lot. I viewed the overhead view of the parking lot,

1 which would view the entrance from Taco Bell and would
2 view vehicles coming down the middle of the row, as well
3 as, there was a view on the side near the tire and auto,
4 which would view vehicles coming in front of -- front of
5 the building, and then they would travel into the middle
6 of the parking lot.

7 Q. Did you have a specific timeframe that you were
8 looking at?

9 A. Uh, we searched the video from approximately 8:00
10 in the morning to noon.

11 Q. And you looked at, at least, two different
12 angles?

13 A. Yes.

14 Q. When you're viewing this footage, do you view it
15 while you're at Walmart?

16 A. Yes. We viewed it there.

17 Q. And do you also download it and take it back to
18 the Sheriff's Department?

19 A. I did.

20 Q. Um, did you look at this footage more than one
21 time?

22 A. I did.

23 Q. And on that footage, did you see anything
24 resembling what you just told us you were looking for?

1 A. Um, I did not observe a vehicle matching that
2 description, that color, enter the parking lot, pull
3 into a row -- the middle row -- and appear as though
4 somebody would been looking at something or looking for
5 something in their vehicle and then exit the parking
6 lot, I did not.

7 Q. Was the security footage from Walmart pretty
8 clear?

9 A. You could see.

10 Q. What was the next thing you were assigned to do?

11 A. Uh, we -- myself and Detective Tomas then
12 obtained the video footage from Carbondale Police
13 Department which is the footage from a pole camera
14 located at Reed Station Road and Route 13.

15 Q. Reed Station Road and Route 13 -- you're familiar
16 with where 11304 Songbird Road is, correct?

17 A. Mm-hmm.

18 Q. And are you familiar with the route that you
19 would take to get to the Carbondale Walmart?

20 A. Yes.

21 Q. Why specifically did you want to look at the pole
22 camera there?

23 A. Because that -- um, to travel from that residence
24 on Route 13, you would need to go through that

1 intersection if you were to travel on the most direct
2 route.

3 Q. Okay. And were you able to obtain that footage?

4 A. Yes.

5 Q. Looking for the same car?

6 A. Mm-hmm.

7 Q. What timeframes did you zone in on at that
8 footage?

9 A. The first time we viewed it, we were looking from
10 11:00 in the morning to noon, and then we decided that
11 we would obtain from 10:00 to 11:00 and we reviewed it
12 again.

13 Q. Was that footage pretty clear?

14 A. It was.

15 Q. And on that footage that you viewed, did you view
16 it more than once?

17 A. Yes.

18 Q. And did you ever see anything that you were
19 looking for; the Pathfinder going through that
20 intersection?

21 A. At that time, I could not -- or did not observe
22 one.

23 Q. I'm going to show you what I've marked as
24 People's Exhibit 393, 394 and 395.

1 MS. MUDGE: May I approach?

2 THE COURT: Yes, ma'am.

3 MS. MUDGE: Thank you.

4 By Ms. Mudge:

5 Q. Can you please look at these images, and tell me
6 if you recognize them?

7 A. Uh, yes. This would be the intersection --

8 Q. -- wait. Hold on. Look at all of them, and tell
9 me if you recognize?

10 A. Oh, I'm sorry.

11 Q. That's all right.

12 A. Yes.

13 Q. Okay. Would those images aid you in describing
14 to the jury the area of the pole camera and the overhead
15 area which you observed surveillance footage from?

16 A. Yes, they would.

17 MS. MUDGE: Your Honor, at this time, I
18 would request permission to publish those three
19 exhibits.

20 THE COURT: Ms. Thien?

21 MS. THIEN: No objection.

22 By Ms. Mudge:

23 Q. Detective, I'm showing you what's been marked as
24 Exhibit 394. Can you explain to the jury what we're

1 looking at here?

2 A. So, this is the intersection of Reed Station Road
3 and Route 13. Um, the -- or Carbondale would be towards
4 the bottom of the screen which would be traveling
5 westbound on Route 13. Back towards Carterville would
6 be the opposite direction. Blue Fish Liquors is across
7 the street. The gas station, which is a Shell Gas
8 Station, is, I believe, on the northwest corner of the
9 -- of the picture.

10 Q. The road that's running horizontally through
11 here, what is that?

12 A. That's Reed Station Road.

13 Q. And the road that's running vertically on this,
14 what is that?

15 A. Route 13.

16 Q. Route 13. And specifically pulled up on this is
17 Blue Fish Liquor and Cigars in Carbondale. Why is that
18 significant?

19 A. It's a landmark.

20 Q. Just to show you where --

21 A. -- yeah.

22 Q. -- where you are? Okay.

23 A. Yeah.

24 Q. And if one was traveling from the residence on

1 Songbird Road to the Carbondale Walmart, would this
2 intersection be something they would pass through?

3 A. To travel the most direct route, yes.

4 Q. Okay. People's Exhibit 393, what can we see
5 here?

6 A. This is facing southbound at that intersection of
7 viewing Blue Fish Liquors. The image is -- it's not the
8 same, but it is of the same view of the pole camera, so
9 it would view that intersection.

10 Q. So when you're looking at the pole camera, this
11 is -- this isn't a view from the pole camera --

12 A. -- yes.

13 Q. -- but this is where the pole camera was?

14 A. Uh, the area of it, yes. It would view this side
15 of the intersection facing that way.

16 Q. Okay. People's Exhibit 395; what is that?

17 A. The exact opposite. So, this would view the
18 other side of the intersection facing where the pole
19 camera was located.

20 Q. In preparation for this trial, did you research
21 the time and distance from 11304 Songbird Road to the
22 Walmart in Carbondale?

23 A. I did.

24 Q. How many miles is it?

1 A. Um, approximately 19 miles.

2 Q. And approximately if you're driving that during
3 the daytime in normal traffic, how long would it take
4 you to get from that residence to the Carbondale
5 Walmart?

6 A. The time I looked at was approximately eleven
7 o'clock in the morning on just a regular business day.
8 I don't recall which day of the week it was, but it took
9 -- according to Google maps, it would take approximately
10 29 minutes to get there.

11 Q. I'm going to show you what's been marked as
12 People's Exhibit 392 -- 392 for identification purposes.
13 Do you recognize this?

14 A. I do.

15 Q. And what does that map depict?

16 A. Uh, so, this map depicts the Marion area from 148
17 over east to -- it looks like Pittsburg on Route 13.

18 Q. Before I publish that, your third assignment
19 after you did Walmart and then the pole cameras, what
20 was your third assignment?

21 A. To check various businesses on Route 13 for that
22 vehicle which would be -- and our -- we were assigned --
23 Detective Tomas and I were assigned from 148 west
24 towards Carbondale.

1 Q. On Route 13?

2 A. On Route 13, yes.

3 Q. Approximately how many businesses did you check?

4 A. Uh, four. We checked four businesses; four
5 cameras. Those were the only businesses we could locate
6 that had video that would have possibly captured that
7 vehicle.

8 Q. Was the first John A. Logan College?

9 A. It was.

10 Q. Okay. And how did you go about obtaining the
11 video for that?

12 A. Uh, we arrived at John A. Logan College, the
13 other Detective and I, and met with John A. Logan Police
14 Department Officer Lloyd. We informed her of what we
15 were looking for and asked her if she would review the
16 video and see if she observed that vehicle.

17 Q. And did she?

18 A. No.

19 Q. You also checked the Pin Oak Bar?

20 A. Mm-hmm.

21 Q. What did you find there?

22 A. The video was distorted. It wasn't usable.

23 Q. And you also checked Country Blacksmith Trailers?

24 A. Mm-hmm.

1 Q. Did you get video from there?

2 A. I did not.

3 Q. You also checked WSIL TV Channel 3?

4 A. Yes, we did.

5 Q. Did they have footage?

6 A. They would have if they weren't under remodel.

7 Q. So, there were no cameras at WSIL?

8 A. Not that would record that.

9 MS. MUDGE: Your Honor, permission to
10 publish 396, please?

11 THE COURT: Ms. Thien?

12 MS. THIEN: No objection.

13 By Ms. Mudge:

14 Q. Uh, this is the image that I just showed you. If
15 you could explain for the jury what this overhead map
16 depicts, um, and if it relates to the businesses that
17 you checked on the way to Walmart?

18 A. So, on the screen, what we checked was -- it
19 would be to the left or west on Route 13 and 148
20 Intersection. So, that's what -- that's what I was
21 assigned to do.

22 Q. So, on the left when we see the line that says
23 148 --

24 A. -- yes. The yellow line would be Route 13.

1 Q. So you started at 148 and went to the right on
2 the map?

3 A. Yes.

4 Q. What was your fourth assignment?

5 A. Our fourth assignment, we went to the Newlin
6 residence --

7 MS. THIEN: I'm sorry. I couldn't hear
8 that.

9 THE WITNESS: -- I believe. I'm going to
10 have to check my notes. I believe we went to the Newlin
11 residence.

12 By Ms. Mudge:

13 Q. Um, if you could -- do you have access to your
14 reports in front of you?

15 A. I do.

16 Q. Would that refresh your recollection on
17 Assignment 4?

18 A. Yes, it would.

19 MS. MUDGE: Your Honor, I would ask that he
20 be able to refer to his report for this?

21 THE COURT: Of course.

22 THE WITNESS: Yes, we went -- okay.

23 By Ms. Mudge:

24 Q. So, Assignment 4 was where?

1 A. Aaron Newlin's residence. Sorry.

2 Q. Um, where does Aaron Newlin live?

3 A. Uh, he lives on Khoury League Road. I believe
4 it's 10906 is the residence.

5 Q. About how far away does Aaron Newlin live from
6 11304 Songbird Road?

7 A. I don't know the exact measurements. I would
8 guess approximately an eighth of a mile.

9 Q. Not far.

10 A. No.

11 Q. I'm going to show you what's been marked as
12 People's Exhibit 397. Do you recognize that photo?

13 A. Yes, I do.

14 Q. What's depicted in that overhead map?

15 A. The overhead map 11304 Songbird Road, it looks
16 like it's the pin on the map. And then also in this is
17 the intersection of Khoury League Road, Songbird, and
18 then if you travel on Khoury League Road, the -- there
19 is a residence back in the woods, and that would be the
20 Newlin residence.

21 MS. MUDGE: Your Honor, I would request
22 permission to publish Exhibit --

23 THE COURT: -- 397?

24 MS. MUDGE: -- 393.

1 THE COURT: -- 393.

2 MS. MUDGE: -- uh, 397, yes. Sorry.

3 THE COURT: Ms. Thien?

4 MS. THIEN: No objection.

5 THE COURT: Go ahead.

6 MS. MUDGE: Thank you, your Honor.

7 By Ms. Mudge:

8 Q. Uh, 397, we see the pin that you talked about on
9 Songbird Road. If you could just describe for the jury
10 -- well, we know that that's Songbird Road. But if you
11 travel to the right on Songbird Road from this map, what
12 road do you hit?

13 A. Khoury League.

14 Q. And where -- and where would Mr. Newlin's
15 residence be? You turn left or right for that?

16 A. You turn right at the intersection.

17 Q. And on this map, about where is Mr. Newlin's
18 residence?

19 A. Um, if you look at the map, the residence that
20 sits off the road near the bottom, it has a green roof,
21 that would be Mr. Newlin's residence.

22 Q. When you made contact with Mr. Newlin, did you
23 learn that he had footage at his residence?

24 A. Yes.

1 Q. And were you able to view that footage at Mr.
2 Newlin's residence?

3 A. Yes.

4 Q. I assume you're looking for the same vehicle on
5 that footage?

6 A. I'm sorry. I couldn't hear.

7 Q. You were looking for the Nissan Pathfinder on
8 that footage?

9 A. Yes.

10 Q. When you viewed that at Mr. Newlin's residence,
11 were you apprised that it was 44 minutes fast?

12 A. Yes, I was.

13 Q. Okay. And did you seize, um, or download a copy
14 of the footage from December 5th of 2020 from Mr.
15 Newlin's residence?

16 A. I did.

17 Q. And was that from 10:00 to 12:00?

18 A. I believe so, yes.

19 Q. Okay. After you observed the footage from Mr.
20 Newlin's residence, did you recognize what you believe
21 was the Nissan Pathfinder, gray drive by that residence?

22 A. Yes. It was a gray in color SUV matching the
23 shape of that vehicle -- uh, shape and color.

24 Q. Okay. I'm going to show you what's been marked

1 as People's Exhibit 29 for identification purposes.

2 Have you viewed People's Exhibit 29 in preparation for
3 trial today?

4 A. I have.

5 Q. And does it fairly and accurately depict what you
6 saw as you were viewing the surveillance footage at the
7 Newlin residence on December 5th of 2020?

8 A. It does.

9 Q. Does it depict a timestamp at the top of it?

10 A. Uh, yeah. Yes, it is.

11 Q. And that's what would be 44 minutes fast?

12 A. Yes.

13 Q. Okay.

14 MS. MUDGE: Your Honor, I would move to
15 admit and publish People's Exhibit 29.

16 THE COURT: Ms. Thien?

17 MS. THIEN: No objection.

18 THE COURT: It will be admitted, and you may
19 publish.

20 MS. MUDGE: Thank you, your Honor.

21 By Ms. Mudge:

22 Q. Before I hit the play button, I should say, um,
23 what do we see here?

24 A. Um, this is -- the road in front of the residence

1 would be Khoury League. The surveillance footage is
2 from Newlin's house, um, and towards the red SUV would
3 be westbound and then the other would be eastbound.

4 Q. The time stamp says what?

5 A. 12:18.

6 Q. So, what time in real time would this have been?

7 A. Uh, 11:36.

8 Q. And now I will play it.

9 (PEOPLE'S EXHIBIT 29 PLAYED AT THIS TIME.)

10 By Ms. Mudge:

11 Q. Did you see a vehicle cross on that road in
12 front?

13 A. I did.

14 Q. And that's Khoury League Road?

15 A. That is.

16 Q. What direction was that vehicle going at 11:36?

17 A. They would have been going westbound.

18 Q. Does that appear to you to be a gray Nissan
19 Pathfinder?

20 A. I can't say for certain. Uh, however, it is a
21 gray SUV.

22 Q. The next clip, what do we see here?

23 A. The time stamp changed. It's 12:32 so --

24 Q. -- but same view?

1 A. Yes. Yes.

2 Q. So real time, what would this have been?

3 A. Uh, 11:48.

4 Q. I am going to play that.

5 (PEOPLE'S EXHIBIT 29 WAS PLAYED AT THIS TIME.)

6 By Ms. Mudge:

7 Q. And did you observe a vehicle crossing there as
8 well?

9 A. I did.

10 Q. What direction?

11 A. It would have been going eastbound.

12 Q. If you were leaving Songbird Road and heading
13 into town, either town, what direction would you be
14 going?

15 A. Uh, westbound.

16 Q. And if you were coming back to Songbird Road,
17 what direction would you be going?

18 A. Eastbound.

19 Q. Did you also get an assignment to respond to the
20 Cracker Barrel in Marion?

21 A. Yes. Detective Tomas and myself did.

22 Q. What was the purpose of that?

23 A. To verify that Michael was at work.

24 Q. Michael Beasley?

1 A. Yes.

2 Q. And did you verify that he was at work and what
3 times?

4 A. We met with Michelle, the manager at Cracker
5 Barrel, and she advised that Michael was there at
6 approximately eight o'clock in the morning to roughly
7 12:53 in the afternoon.

8 Q. In preparation for trial, were you asked to
9 determine how long it takes to get from 11304 Songbird
10 Road to the Huck's in Marion, Illinois?

11 A. I was.

12 Q. And approximately how far away is the Huck's in
13 Marion?

14 A. Um, I don't recall the exact mileage. However, I
15 did look on Google maps, punched in to see the
16 approximate time it would take, and it takes between six
17 and seven minutes according to that depending on
18 traffic.

19 MS. MUDGE: I have no further questions,
20 your Honor. Thank you.

21 THE COURT: Ms. Thien?

22 MS. THIEN: Thank you, your Honor. Judge, I
23 have no questions for Detective Coffey. Thank you.

24 THE COURT: Very well, sir. You may step

1 down. Thank you very much.

2 THE WITNESS: Thank you, your Honor.

3 THE COURT: Are you going to need the same
4 exhibits for your next witness?

5 MR. BUTLER: I don't need it.

6 THE COURT: The State may call their next
7 witness.

8 MR. BUTLER: The People would call Nancy
9 Deason.

10 THE COURT: Ma'am, come forward. Please
11 face my clerk and raise your right hand to be sworn in.

12 NANCY DEASON,
13 was called as a witness on behalf of the People, and
14 being first duly sworn, was examined and testified as
15 follows:

16 THE COURT: Please have a seat over here. I
17 need you to state your full name. Please spell your
18 last name for the record. Please make sure you speak
19 loudly so everyone can hear you.

20 THE WITNESS: Nancy J. Deason. D-E-A-S-O-N.

21 THE COURT: You may inquire.

22 MR. BUTLER: Thank you.

23 DIRECT EXAMINATION

24 BY MR. BUTLER:

1 Q. Nancy, could you tell us where you're employed?

2 A. Huck's Convenient Store here in Marion.

3 Q. How long have you been employed there?

4 A. About 30 years.

5 Q. And is that at 701 East DeYoung Street?

6 A. Yes.

7 Q. Um, which is also Route 13; is that correct?

8 A. Yes.

9 Q. And you said you've been there about 20 years?

10 A. Yeah. Between 20 and 30, yeah.

11 Q. Um, were you asked by officers to help obtain any
12 video surveillance footage from December 5th, 2020?

13 A. Yes.

14 Q. And did you assist officers in that?

15 A. Yes.

16 Q. Um, did you view that footage on your system at
17 work?

18 A. Yes, I did.

19 Q. And the timestamp on that; is that correct?

20 A. It is not. It's a little slower; about 15
21 minutes.

22 Q. Okay. About 15 minutes slow?

23 A. Yeah.

24 Q. Um, and prior to testifying today --

1 MR. BUTLER: Your Honor, may I have
2 permission to approach?

3 THE COURT: Yes.

4 By Mr. Butler:

5 Q. Did you have a chance to view videos or -- did
6 you have a chance to view what I've handed you as
7 People's Exhibit 28?

8 A. Yes.

9 Q. And what is on that?

10 A. It is a couple of different views of my front and
11 side parking lot.

12 Q. And when you say yours, you mean Huck's?

13 A. I'm sorry. Yeah, Huck's.

14 Q. Okay. And is one of the views from the front
15 door?

16 A. Yes.

17 Q. And the other view, where is it looking?

18 A. It is looking east of -- from the store across
19 the part of the gas pumps in that area.

20 Q. Okay. Is that a true and accurate depiction of
21 the videos from Huck's on that day?

22 A. Yes, it is.

23 MR. BUTLER: Your Honor, I would move for
24 the admission of People's Exhibit 28.

1 THE COURT: Any objection?

2 MS. THIEN: No, your Honor.

3 THE COURT: It will be admitted.

4 MR. BUTLER: I will give this to the clerk.
5 I am going to publish it through another witness. I
6 would have no further questions.

7 THE COURT: Ms. Thien?

8 MS. THIEN: Very briefly.

9 CROSS-EXAMINATION

10 BY MS. THIEN:

11 Q. Ms. Deason, hi.

12 A. Hi.

13 Q. Were you working on December 5th of 2020? Do you
14 recall? That would have been a Saturday, I believe.

15 A. I believe I was, yes.

16 Q. Do you remember what day police officers came in
17 to talk to you? Was it a couple of days later?

18 A. It may have -- it may have been the day -- the
19 next day on Sunday, but I wasn't there so they may have
20 came back on Monday.

21 Q. Okay. So it would have -- the next time you
22 spoke with them and reviewed the video with them was
23 Monday, you believe, thereabouts?

24 A. I believe, yes.

1 Q. Okay. Could it have been the day after?

2 A. I don't -- I don't believe, no. I believe it was
3 on a Monday.

4 Q. Okay. Thank you.

5 THE COURT: Any redirect?

6 MR. BUTLER: No, your Honor.

7 THE COURT: Ma'am, you can step down. Thank
8 you very much. The State may call their next witness.

9 MR. BUTLER: Your Honor, at this time, we
10 have a stipulation by the parties that's People's
11 Exhibit 26. I would ask that be admitted and read.

12 THE COURT: Ms. Thien?

13 MS. THIEN: Yes, Your Honor. That is the
14 stipulation of the parties.

15 THE COURT: Very well. The parties hereby
16 stipulate to the following:

17 That on December 5th, 2020, the defendant,
18 Julia E. Bevely, was employed with Hyatt located at 1120
19 North Carbon, Suite 70, Marion, Illinois. That a search
20 warrant was prepared and granted for records from Hyatt
21 regarding Julia Bevely's employment on December 5th,
22 2020. That pursuant to that search warrant, Hyatt
23 provided documents to the investigating agency including
24 Julia Bevely's time card from December 5th, 2020, and

1 telephone calls which were made while Julia Bevely was
2 working on December 5th, 2020. That the contents of the
3 documents provided in the search warrant are records
4 kept in the ordinary course of Hyatt's business. That
5 if called to testify, Jennifer Kay, supervisor at Hyatt,
6 would testify under oath that the documents provided by
7 the search warrant were true and accurate business
8 records kept in the ordinary business -- ordinary course
9 of Hyatt's business. That on December 5th, 2020, the
10 defendant was scheduled to work from home from 7:30 a.m.
11 to 12:30 p.m. That the defendant was scheduled to have
12 a break from 9:30 a.m. to 9:45 a.m. That the defendant
13 was logged out of the work system from 9:30 to 10:15
14 a.m. That the defendant requested unapproved time off
15 on December 5th, 2020, at approximately 11:05 a.m. That
16 the defendant was granted the time off at 11:07 a.m. and
17 logged off their system.

18 MS. MUDGE: May we approach?

19 (SIDE BAR HELD OUT OF THE HEARING
20 OF THE JURY.)

21 MS. MUDGE: Our next witness is a little bit
22 long; if we could take five before that. We have a
23 power point to set up, too.

24 THE COURT: Okay. That's fine.

1 (BACK ON RECORD WITHIN THE HEARING
2 OF THE JURY.)

3 THE COURT: We're going to take about a five
4 minute recess. Until this case is submitted to you for
5 your deliberation, you must not discuss this case with
6 anyone or remain within hearing of anyone discussing it.
7 You are not to read a newspaper article concerning the
8 case, nor, watch any television reporting of it, nor,
9 listen to any radio broadcast concerning the case.
10 After this case has been submitted to you, you must
11 discuss the case only in the jury room when all the
12 members of the jury are present. You are to keep an
13 open mind, and you must not decide any issue in the case
14 until it is submitted to you for your deliberation under
15 the instructions of the Court. Please rise for the
16 jury.

17 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
18 THE PRESENCE OF THE JURY.)

19 THE COURT: The Court will be in recess.

20 (RECESS.)

21 (BACK ON RECORD.)

22 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
23 THE PRESENCE OF THE JURY.)

24 THE COURT: We're back on record in case

1 20-CF-596. Please go ahead and bring in the jury, and
2 please rise for the jury.

3 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
4 THE PRESENCE OF THE JURY.)

5 THE COURT: Be seated, please. The State
6 may call their next witness.

7 MR. BUTLER: The People would call Special
8 Agent Hanratty.

9 THE COURT: Sir, I need you to face my
10 clerk. Raise your right hand to be sworn in.

11 ZACH HANRATTY,
12 was called as a witness on behalf of the People, and
13 being first duly sworn, was examined and testified as
14 follows:

15 THE COURT: Please have a seat over here. I
16 need you to state your full name, please spell your last
17 name for the record, and make sure you speak loud enough
18 everyone can hear.

19 THE WITNESS: Special Agent Zach Hanratty.
20 H-A-N-R-A-T-T-Y --

21 THE COURT: You may inquire.

22 THE WITNESS: -- Illinois State Police.

23 MR. BUTLER: Thank you.

24 DIRECT EXAMINATION

1 BY MR. BUTLER:

2 Q. You said you work for the Illinois State Police
3 there. How long have you worked there?

4 A. Uh, 15 years.

5 Q. And do you have other law enforcement experience
6 prior to working with the State Police?

7 A. Yeah. I was with Newton Police Department before
8 that, so 16 years total.

9 Q. Sixteen years --

10 A. -- going on 16 years, yeah.

11 Q. Okay. I'm going to ask that you speak up or get
12 a little bit closer to the mic if you don't mind. Thank
13 you. Um, what do you do for the Illinois State Police?

14 A. I'm with the Intelligence Support Unit. We're a
15 technical investigations unit.

16 Q. Okay. And being with the Intelligence Support
17 Unit, what -- what are your duties?

18 A. Uh, we assist State Police investigative zones
19 and other departments throughout the State with the
20 technical side of investigations, surveillance, cell
21 phone mapping; those sorts of things.

22 Q. Okay. Um, were you involved in the investigation
23 back in December -- on December 5th, 2020, in the death
24 of a minor child Jade Beasley?

1 A. Yes.

2 Q. And how did you become involved?

3 A. Uh, we were asked to assist initially with
4 pulling surveillance video, um, by the investigative
5 zone, Zone 7.

6 Q. What zone?

7 A. Seven.

8 Q. Okay. So, let's talk about that first. You said
9 assisted in pulling what?

10 A. Surveillance video from the area.

11 Q. And, um, can you explain to the jury -- did you
12 pull any surveillance footage?

13 A. I did.

14 Q. And can you kind of go into if you were working
15 by yourself or how that went about?

16 A. Uh, we separated into multiple teams basically
17 pulling video from the route from the crime scene to
18 Carbondale; whichever houses or businesses we can find
19 that had cameras on them just to see what we can find
20 there.

21 Q. So, when you say the crime scene, do you mean
22 11304 Songbird Road --

23 A. Yes.

24 Q. -- and to Carbondale? Did you have some kind of

1 information that you should be looking for video to
2 Carbondale?

3 A. Right. We were told at the beginning that there
4 was potential that a gray Nissan Pathfinder could have
5 left that residence and traveled to Carbondale and back,
6 so we were looking for a gray Nissan Pathfinder.

7 Q. When you say "we", who do you mean?

8 A. Uh, all the teams that were pulling video. We
9 were going and just getting chunks of video from
10 residences and businesses along that route.

11 Q. Okay. Um, did you pull any video from Fietsam
12 Road?

13 A. Yes.

14 Q. And I am handing you what I have previously
15 marked as People's Exhibit 30 for identification. Do
16 you recognize that?

17 A. Yes, I do.

18 Q. How are you able to recognize that?

19 A. Um, it's a DVD containing the footage that we
20 have previously went over. It's the 2102 Fietsam Road
21 video.

22 Q. Okay. And have you previously watched that
23 video?

24 A. Yes, I have.

1 Q. And is that footage from, you said, 2102 Fietsam
2 Road?

3 A. Yes.

4 Q. Did you collect that personally?

5 A. Yes.

6 Q. And prior to testifying today, have you
7 previously watched that footage?

8 A. Yes.

9 Q. Um, when you collected that, did you view that
10 footage or any footage that day from the security system
11 at Fietsam Road?

12 A. Yes.

13 Q. Did the time -- did you notice anything about the
14 timestamp?

15 A. If I recall correctly, the time was correct on
16 that one.

17 Q. Okay. So when you collect footage, what do you
18 do? How do you do that?

19 A. Uh, we will go to the DVR or the surveillance
20 system, whatever it may be, and we'll watch the video,
21 ensure that the time is either correct or if it's off.
22 We note time differences. So, there's the real world
23 time, and then there is a time that the DVR might show.
24 Sometimes there's a difference.

1 Q. Okay. And you didn't note any differences on
2 this one; is that correct?

3 A. I don't believe so.

4 Q. Is that a true and accurate depiction of the
5 video from that day?

6 A. Correct.

7 MR. BUTLER: Your Honor, I move for the
8 admission of People's Exhibit 30.

9 THE COURT: Any objection?

10 MS. THIEN: No, your Honor.

11 THE COURT: It will be admitted.

12 MR. BUTLER: We will publish this later.

13 By Mr. Butler:

14 Q. Did you gather any other video?

15 A. Yes, I did.

16 Q. What other video did you gather?

17 A. Um, the Huck's gas station in Marion.

18 Q. Okay. And is that on Route 13?

19 A. Yes.

20 Q. And did you note anything when you gathered that
21 video about the timestamp of that video?

22 A. Yes. That one was, I believe, 15 to 16 minutes
23 difference.

24 Q. Okay. Do you recall when you got that video?

1 A. When I pulled the video?

2 Q. Yes.

3 A. I don't recall the exact time I pulled it, no.

4 Q. Okay. Uh, did you go to Huck's to get the video
5 on more than one occasion?

6 A. I did.

7 Q. Can you explain why that was?

8 A. Uh, so, the first time we had been getting just
9 certain chunks of it. When I say chunks, I mean, like,
10 an hour or two hours; whatever it may have been. I
11 don't recall the exact amount. And I got some, and
12 later on either the same day or the next day, I decided
13 to get more just on a whim --

14 Q. Okay.

15 A. -- for no reason really; just to get more.

16 Q. Did you gather any other videos during your
17 investigation?

18 A. Yes. I don't recall all of them. I do remember
19 being -- the Fietsam Road, and I believe there was a
20 church on Route 13 that we looked at. I don't remember
21 if we were able to get any, if much, and then the
22 Huck's, and there may have been more, but I don't recall
23 at this point.

24 Q. Okay. Now, was your sole job during this

1 investigation to gather videos?

2 A. In the beginning that's what we were asked to
3 assist with.

4 Q. Um, did you get asked to assist with anything
5 else later on?

6 A. Yes. So, we got cell phone records from Verizon,
7 and part of what our unit does is we assist in analyzing
8 and mapping cell phone records.

9 Q. Okay. I am handing you what I have previously
10 marked as People's Exhibit 368. Do you recognize that?

11 A. Yes, I do.

12 Q. And how are you able to recognize that?

13 A. Uh, it's a DVD containing the Verizon records for
14 the phone number 618-364-7548, Exhibit 368.

15 Q. Okay. So, I'm a little hard of hearing, and when
16 you were reading that number, I kind of lost you there
17 at the end.

18 A. Okay.

19 Q. Can you read the number?

20 A. Yes. 618-364-7548. Exhibit 368.

21 Q. Okay. And have you previously reviewed those
22 records?

23 A. I have.

24 Q. And those were from -- where did those records

1 come from?

2 A. Verizon.

3 Q. Verizon.

4 MR. BUTLER: Your Honor, at this time, I'd
5 move for the admission of People's 368.

6 THE COURT: Any objection?

7 MR. BUTLER: I do have the Certificates of
8 Authenticity --

9 MS. THIEN: -- I was going to say, can we
10 close up the foundation on that? Okay. No objection,
11 Judge.

12 MR. BUTLER: -- that I will include with
13 this.

14 THE COURT: Okay. So, for the record, 368
15 is the disc you're handing also, and authen -- a
16 certificate indicating that it is true and accurate.

17 MR. BUTLER: That is correct. There is also
18 a digital copy on that disc as well.

19 THE COURT: It's contained on the disc?

20 MR. BUTLER: It is.

21 THE COURT: Okay. Authenticity. Go ahead.

22 MR. BUTLER: All right.

23 By Mr. Butler:

24 Q. Special Agent Hanratty, um, you said you received

1 those cell phone records. When you get those records,
2 can you explain what's in them?

3 A. It's, uh, usually a zip file that when extracted
4 contains several PDF files, Excel files, Word Documents.
5 Depending on what you're getting, where you're getting
6 it from, it varies.

7 Q. Okay. And do you have any sort of training in
8 reading and analyzing these cell phone records?

9 A. Yes, I do. Um, so, the software that we use to
10 ingest and analyze these records is called Zetx.

11 Q. I'm going to ask that you spell that.

12 A. Z-E-T-X.

13 Q. Okay. And what is Zetx?

14 A. Zetx is -- it's a company out of Arizona. They
15 service law enforcement agencies nationwide with
16 assisting in basically taking all the PDF's, the text
17 files, Word Documents that come in search warrant
18 returns from carriers. And you can ingest them into
19 their system, and you can adjust time zones. Basically
20 make it look readable instead of just a bunch of numbers
21 on an Excel sheet, and it also will plot geo coordinates
22 onto a Google Earth map so you can visualize the
23 records.

24 Q. And what kind of training have you had in using

1 this Zetx software?

2 A. Uh, initially a 40-hour basic course, um, and
3 then an additional 40-hour course and then continuous
4 on-the-job training.

5 Q. So, two, 40-hour courses and continuous training?

6 A. Yes.

7 Q. Um, have you ever been qualified to testify as an
8 expert in cell phone data analysis?

9 A. The last training I went to was a subject matter
10 expert training, and, yes, I have testified to this
11 before.

12 MR. BUTLER: Your Honor, I'd move that the
13 defendant's (sic) testimony at this point be qualified
14 as an expert in cell phone data analysis.

15 THE COURT: Ms. Thien?

16 MS. THIEN: No objection.

17 THE COURT: Very well. You will be.

18 MR. BUTLER: Okay.

19 By Mr. Butler:

20 Q. So, at this point, I'm going to ask to start
21 showing my power point slide, your Honor. I am going to
22 go back here so I can view it as well. It's not giving
23 us a display to select.

24 THE COURT: Do you have it hooked up to cart

1 laptop?

2 MS. MUDGE: It's not allowing us. It says
3 no displays are available.

4 THE COURT: Try again. Hey Janie, send John
5 down to six, please? Thanks. I'm getting an input from
6 you, but I'm not getting you hooked up.

7 MS. MUDGE: Oh, the other computer is coming
8 through.

9 THE COURT: I've got a tech guy coming.

10 MS. MUDGE: Well, he might have this up now.
11 Is there a pin?

12 THE COURT: Yes. 9661. I've got you
13 connecting. It looks like you're good to go.

14 MS. MUDGE: Thank you, your Honor.

15 THE COURT: I didn't do anything.

16 By Mr. Butler:

17 Q. Okay. Sorry about that, Special Agent Hanratty.
18 Um, you mentioned there are Excel spread sheets that
19 come in the -- this packet when you get this information
20 from Verizon. Uh, what information is in that Excel
21 spread sheet?

22 A. So, depending on the type of data you're looking
23 at, it could be cell phone records, call records, text
24 records, data records, um, stuff called RTT which we can

1 get into later.

2 Q. Is there subscriber information?

3 A. There is subscriber information, correct. Yes.

4 MR. BUTLER: Okay. And at this time, your
5 Honor, I'm going to move to publish the subscriber
6 information to the jury.

7 THE COURT: Any objection?

8 MS. THIEN: No objection.

9 By Mr. Butler:

10 Q. Is that on your screen now?

11 A. Yes, it is.

12 Q. Okay. And can you tell us what we're looking at
13 there?

14 A. That is what you will get from Verizon; basically
15 just subscriber information for a phone number.

16 Q. And there's an address there; is that correct?

17 A. There is.

18 Q. What is that address?

19 A. 11304 Songbird Road, Marion, Illinois.

20 Q. And is there a name of the person who's the
21 subscriber?

22 A. Yes. Julia Bevely.

23 Q. All right. What is SMS content?

24 A. That is text messaging.

1 Q. Okay. And is that included in this return from
2 Verizon as well?

3 A. Yes. The -- not content. It's just that a text
4 message was sent or received, yes.

5 MR. BUTLER: Okay. Your Honor, I'd move to
6 publish the Excel spread sheet on this?

7 THE COURT: Ms. Thien?

8 MS. THIEN: No objection.

9 THE COURT: Go ahead.

10 THE WITNESS: Can I add? This particular
11 one was content.

12 MR. BUTLER: Okay.

13 By Mr. Butler:

14 Q. Now, Special Agent Hanratty, we see -- what do
15 you see there on the screen?

16 A. That is SMS content, um, return from Verizon.
17 Um, each line just signifies each separate transmission.

18 Q. Okay. And I'm going to ask that you look at the
19 content. There is a box on your screen; is that correct
20 --

21 A. Yes.

22 Q. -- that is highlighted right now?

23 A. Yes.

24 Q. And if you go over, does that tell you what

1 number that was sent to?

2 A. Yeah. The terminating number, yes.

3 Q. And what is that number?

4 A. It is 618-751-4942.

5 Q. And is there also a number that it was sent from?

6 A. Yes. It is 618-364-7548.

7 Q. And that's the defendant's number; is that
8 correct?

9 A. Correct.

10 Q. All right. Going down from there, was there a
11 response?

12 A. Yes.

13 Q. And was there a response to that?

14 A. Yes.

15 Q. Okay. Does that also include the times?

16 A. Yes.

17 Q. Okay. And are those the messages that I asked
18 you about?

19 A. Yes.

20 Q. Can you please read them?

21 A. At 10:39 a.m., a message from the number ending
22 in 7548 sends a message to 4942 saying, "Are you off?"
23 At 11:23, 4942 replies to 7548 saying, "No. I'm
24 scheduled till 2:00, but doubt I'll make it past 1:00."

1 And also at 11:23 just after 7548 then says to 4942,
2 "Oh, okay."

3 Q. Okay. What is cell site CDR records?

4 A. CDR is cell data records. So, it's just the
5 records, the data, reply from Verizon about any cellular
6 communications made to or from a device.

7 Q. Would these be call logs?

8 A. Yes.

9 Q. Okay.

10 MR. BUTLER: Your Honor, I move to publish
11 the call logs from the search warrant.

12 THE COURT: Ms. Thien?

13 MS. THIEN: Okay.

14 THE COURT: Go ahead.

15 By Mr. Butler:

16 Q. And Special Agent Hanratty, I'm going to
17 highlight another one for you here. Do you see that?

18 A. Yes.

19 Q. Is that indicating -- what does that indicate?

20 A. A call made to 911.

21 Q. And does it indicate the time?

22 A. It says on December 5th, 2020, at 18:24.53
23 seconds GMT.

24 Q. Are you familiar with what GMT is?

1 A. Yes. It's also sometimes called UTC. It's
2 basically just the time in the middle of the map; prime
3 meridian time. Whatever you want to refer to it as.

4 Q. Okay. Is GMT six hours ahead of us here in
5 Southern Illinois?

6 A. In December it would have been, yes.

7 Q. So at 18:00, that would be twelve o'clock?

8 A. Correct.

9 Q. Okay. And that 911 call, was that placed -- when
10 was that placed?

11 A. 12:24 and 53 seconds.

12 Q. All right. Now, you also mentioned RTT data.
13 Could you explain to the jury what RTT is?

14 A. So, RTT data is a technology that cell phone
15 carriers use. RTT is just the name that Verizon gives
16 it. So, basically a carrier is constantly pinging their
17 phones trying to just find out what their phones are
18 doing, where their phones are at, that their phones
19 still exist, if their phones are on, if their phones are
20 off. Um, this is a calculation made by the carrier
21 basically the amount of time it takes for RF energy to
22 go from a tower to a device and back. It calculates an
23 estimate of the distance from a tower and sector that a
24 device is --

1 Q. -- all right.

2 A. -- in a nutshell.

3 MR. BUTLER: And, your Honor, I would move
4 to publish this data from the search warrant.

5 THE COURT: Any objection?

6 MS. THIEN: No, sir.

7 THE COURT: Go ahead.

8 By Mr. Butler:

9 Q. All right. Special Agent Hanratty, what are we
10 looking at here?

11 A. This is what RTT data looks like from Verizon in
12 the Excel form.

13 Q. Okay. And a lot of letters and numbers; is that
14 correct?

15 A. That is correct.

16 Q. And how far over does this go?

17 A. Quite a ways.

18 Q. Just looking at that like that, would someone be
19 able to tell you anything about that?

20 A. Not likely.

21 Q. And we're still going over; is that correct?

22 A. You're probably about to the end now.

23 Q. Okay. How far down does this go?

24 A. Oh, it goes down a ways as well; to the hundreds,

1 if not, thousands.

2 Q. Okay. Um, so when you get this data, can you
3 explain what you do with it with the Zetx program?

4 A. Yes. So, Zetx has developed algorithms that
5 basically every carrier has a set format for their Excel
6 files or their text documents; however it is. Verizon,
7 in particular, it's going to be an Excel format like we
8 just seen. So, they know each column, each row. It's
9 all set. It's all uniform. Every time you get
10 something back from Verizon, they will pick out the
11 information.

12 So, some of those numbers that you've seen
13 on there are basically numbers referring to a cell phone
14 tower. Each tower has a number, and each sector has a
15 number, and there is things like azimuth, and it's all
16 to do with RF energy. How RF energy flows to/from a
17 cell phone tower.

18 Um, so through Zetx, we're able to ingest
19 these files, and what it will do is it will take -- and
20 also in the Excel file it gives that whole estimate from
21 tower -- estimated distance from tower. Um, and when
22 you put RTT data through Zetx, it will take this data
23 and map it so that it shows basically the tower as your
24 starting point, where it started from, this

1 transmission, and then estimates that equation I talked
2 about earlier where it will estimate the distance of the
3 device because of the time it takes for the RF energy to
4 leave the tower to the device and then back from the
5 device to the tower, and then it will map it. Um, they
6 just use Goggle Earth. It's an easy-to-use format where
7 it will show the straight line coming out from the
8 sector of the cell phone tower. That straight line
9 indicates basically the middle of a sector. And each
10 cell phone tower has three sectors. So you can imagine
11 if you're looking at it from a top-down view, that a
12 cell phone tower is going to have a circle of RF energy
13 coming out of it. Um, each circle you can imagine is a
14 pie graph with three quadrants. So each sector is
15 basically a different slice of the pie. So this RTT
16 data, a straight line would be coming out from a tower,
17 and then from that straight line, it will go out to the
18 estimated distance that it calculated from the time it
19 took to get to and from the device. It will make a bow
20 shape that is basically the outer perimeter of that
21 sector. So, you will see probably later that it's going
22 to be a straight line with a curved backwards C on the
23 end of it.

24 Q. Okay. And you mentioned you probably see some of

1 those lines later. Did you prepare anything with this
2 data prior to testifying?

3 A. Yes. So, I mapped it through Zetx, and I
4 examined it, and there was several of these RTT data
5 mappings that popped up for the device.

6 Q. Did you place those in some kind of report or
7 memorialized that in any way?

8 A. Yeah. I made a power point.

9 Q. A power point?

10 A. A power point, correct.

11 Q. Okay. I am handing you what I have previously
12 marked as People's Exhibit 369. Do you recognize that?

13 A. I do.

14 Q. And how are you able to recognize that?

15 A. It's a DVD containing a power point through
16 Verizon RTT data. It's labeled prepared by Special
17 Agent Zach Hanratty, Exhibit 369.

18 Q. Have you previously reviewed that?

19 A. Yes, I have.

20 Q. Okay. Is that the power point presentation you
21 prepared?

22 A. Correct.

23 MR. BUTLER: Your Honor, I move for the
24 admission of People's 369.

1 THE COURT: Any objection?

2 MS. THIEN: Judge, I will object to the
3 admission at this point. I believe that it may be some
4 demonstrative evidence to use in testimony, but as to
5 the actual document itself, I will object to that.

6 MR. BUTLER: Judge, I will use it as
7 demonstrative. That's fine.

8 THE COURT: I assume the objection is
9 hearsay.

10 MS. THIEN: We'll go with that, Judge, yes.

11 MR. BUTLER: Your Honor, I'll just use this
12 as demonstrative evidence.

13 THE COURT: Very well.

14 MR. BUTLER: Your Honor, at this time, I
15 would move to publish -- begin publishing that.

16 THE COURT: Any objection?

17 MS. THIEN: No, sir.

18 THE COURT: You may.

19 By Mr. Butler:

20 Q. Special Agent Hanratty, the next 17 slides after
21 this one are your power point presentation that you
22 prepared; is that correct?

23 A. Correct.

24 Q. Your slides are different colors; is that fair to

1 say?

2 A. In what way? What do you mean?

3 Q. Than the one that's on the screen now?

4 A. Oh, yes. Yes.

5 Q. Okay. All right. Can you walk us through these
6 slides, please --

7 A. -- I sure will.

8 Q. -- and tell us what we see?

9 A. Yes.

10 Q. And this first slide?

11 A. The heading Williamson County case 20-2020-8
12 Verizon records and surveillance footage timeline.

13 Q. Okay. Next slide?

14 A. Yeah. This is just a disclaimer showing that the
15 data, um -- do you want me to read this verbatim or just
16 explain it?

17 Q. You can explain it.

18 A. Okay. So, basically it's just saying that the
19 data that you're seeing in these slides is a
20 presentation. It's a graphical depiction of the
21 original data that you have seen in the Excel files.
22 That basically this is the date that was sent to the
23 affiant which was originally in spread sheet form, and
24 these maps you're going to see are just a graphical

1 representation of the Excel data.

2 Q. So, this is a representation of the --

3 A. -- this is a graphical representation --

4 Q. -- Excel data sheet we've already seen?

5 A. -- exactly.

6 Q. -- the map.

7 A. Yes.

8 Q. Okay. And the next slide?

9 A. Uh, this is just a wide view of the area just to
10 kind of show where the residence is in question in
11 accordance to Marion and the surrounding area.

12 Q. And, um, is there anything indicating where that
13 residence is on this map?

14 A. Yeah. Yes. The yellow push pin.

15 Q. Okay. And the next slide?

16 A. This is the same thing; just zoomed in indicating
17 with a yellow push pin the residence.

18 Q. Okay. So, this is just a zoomed in --

19 A. -- yes.

20 Q. -- photo from Google Earth?

21 A. Correct.

22 Q. All right. And the next slide?

23 A. This is zoomed out a little bit further, but it's
24 just showing, again, um, the residence with the yellow

1 push pin. But this is what I was talking about with the
2 RTT data. That is what it looks like when it's mapped
3 that the dot -- it's labeled 407, and that just refers
4 to the line on that Excel document. That was line 407
5 for this particular point of data. That line straight
6 coming out -- coming out straight from the tower is just
7 basically the middle of this sector that the Excel file
8 would have had the data for, and that bow on the end is
9 basically the perimeter of the sector but only out as
10 far as the estimated distance that's provided by
11 Verizon.

12 Q. Okay. Is there also some kind of time slider on
13 that?

14 A. Yes. So, in the top left -- it's difficult to
15 see at this point -- but it's showing a timeline slider
16 is what we call it. It's showing on this one 707 and 29
17 seconds. Um, that basically is just showing the -- I
18 won't get more into it -- but the furthest, um, in time
19 that the map was showing. At this point, it looks like
20 that's just one single moment in time. That's 707 that
21 it's showing.

22 Q. Okay. And this is -- well, what is this
23 following? Is this following a person, or what is this
24 following?

1 A. It's following a device.

2 Q. Okay. The next slide?

3 A. This is a zoomed-in view of that same bow shape
4 you've seen. That's just zoomed in towards the
5 residence, and so with this RTT data, the bow shape, you
6 can basically say that because of the estimate of
7 distance that Verizon calculates and the sector that
8 it's on, that a device will be somewhere, give or take,
9 within the area of that bow. It could be anywhere on
10 that bow. Um, this just shows that that bow nearly
11 intersects the residence.

12 Q. Okay. The next slide, what's the significance of
13 this?

14 A. Yeah. So, the reason you're seeing multiple bows
15 on here is because it's utilizing two different cell
16 phone towers. Um, this first one that's labeled 407
17 with some other ones -- other numbers is that same
18 tower. The reason there's two bows is because RF energy
19 is not constant. RF energy fluctuates. It could be due
20 to weather, distance. It fluctuates. So, someone can
21 be sitting still, a device can be in one spot, and that
22 bow -- the estimated distance is all you're seeing here
23 on the one on the left, it can fluctuate. Um, if a
24 device is still, it can fluctuate back and forth. It's

1 just gonna basically show that someone is along that
2 line.

3 So, the second thing we see over on the
4 right, that's just the device is utilizing a separate
5 tower. A device can use separate towers without moving.
6 Again, because RF energy sometimes it might be more
7 powerful for one tower; sometimes it might be more
8 powerful for another. Uh, this particular slide is
9 showing that the device was still near the residence.
10 And the reason I can tell that is because when you have
11 a short amount of time and a device hits on two separate
12 towers, you can deduce that where those bow shapes
13 intersect is where the device is going to be because it
14 has to be along the bow shape of one tower and then also
15 along the bow shape of another tower. So, it has to be
16 where the bows intersect in that area. That's where a
17 device typically will be. And this particular slide is
18 just showing that those bows are intersecting right
19 there by the residence.

20 Q. Okay. And what time was this that you were
21 looking at that?

22 A. Uh, this one looks to be 11:32 a.m. on December
23 5th.

24 Q. And is that up to 11:32 a.m.?

1 A. Up to 11:32 a.m.

2 Q. All right. We're going to go on to the next
3 slide, and what are we seeing here?

4 A. So, this is showing -- so, the last slide I
5 believe was 11:32. This one is showing 11:36. You can
6 see that -- so, in the previous slide, this bow was in
7 accordance to the map to the left of the house or to the
8 west of the residence. You can see now that the bow
9 shape has moved further to the -- I will say to the
10 right of the residence -- which would indicate possible
11 movement. Um, usually that bow will not fluctuate so
12 much that it will go from -- because before it was west
13 of the house; to the left of the house multiple times.
14 Now it's further to the east or to the right of the
15 house, so it indicates movement usually in my opinion.

16 Q. Okay. Well, was there anything further on in
17 your investigation that would lead you to conclude that
18 the device was moving at that time?

19 A. There is surveillance footage that proves that.

20 Q. All right. We will go to the next slide. Can
21 you explain to the jury what the significance of this is
22 with the blue circles?

23 A. Yes. So, again, same kind of reasoning here.
24 So, that this is the same tower; it's the same bow.

1 However, the distance is now stretched further to the
2 east or to the right of the residence on this map. Um,
3 so this, again, would just make me believe even more
4 that the device is moving. Um, so at this point if you
5 assume that the device is traveling in a vehicle, it
6 would have to intersect with a road. So, where this bow
7 shape intersects with roads, I've basically marked with
8 a blue circle. Um, those are just possible locations of
9 the device at this time if the device were traveling in
10 a vehicle on a road. Those are the two spots right
11 there where the red RTT bow intersects with the road.

12 Q. And this was the data that you received for 11:36
13 and 15 milliseconds?

14 A. Seconds.

15 Q. Seconds. Okay.

16 A. 11:36 and 15 seconds.

17 Q. Thank you. The next slide, is that three seconds
18 later?

19 A. I believe so.

20 Q. Okay.

21 A. So, this is kind of reiterating the point I was
22 making earlier about changing towers. So, just three
23 seconds later from the last one, we're now hitting off
24 the other tower. You can tell by the angle of this

1 tower. It's the one that was to the north and east that
2 we seen a few slides earlier. It's now utilizing that
3 tower, and the fact that it's intersecting right there
4 at the intersection of, I believe, it's Khoury League
5 and Songbird, I put a blue circle there because I would
6 almost guarantee the device is right there within that
7 circle at that time at 11:36 and 18 seconds.

8 Q. All right. How often do these towers communicate
9 back and forth with phones?

10 A. There is no set time that I'm aware of. It's
11 arbitrary. Sometimes constant; sometimes minutes apart.

12 Q. Okay. The next slide that we have there
13 11:36.39, can you tell us what that is?

14 A. Yeah. This is just a furtherance of the same
15 sort of things in action, the bows moving. It just
16 shows now that 11:36 and 39 seconds that the bow has
17 moved south just barely from that intersection. I just
18 marked it with a blue circle. The device could be
19 within that blue circle at that time.

20 Q. All right. The next slide?

21 A. Just continuing on with the same theory here.
22 So, the bow, it's moved back over to the other tower
23 that was to the west. Um, you can tell by the shape of
24 the bow. So, if it was at the intersection of Songbird

1 and Khoury League, again, assuming a device is in a
2 vehicle traveling on a road, the next possible location
3 it could be is that blue circle that is further north.
4 But depending on the speed it was going, it could have
5 also made it kind of around that curve down to where the
6 second blue circle is below that.

7 Q. All right. The next slide?

8 A. The same thing. There -- we were -- it's hard
9 for me to point cause you're just seeing my screen.
10 But, um, you can kind of see where that curve was that
11 we were just looking at straight to the north of where
12 the blue circle is. This is just saying that if the
13 vehicle was traveling at a normal rate of speed, that it
14 would have traveled south, and I know that because
15 that's where the bow is intersecting. It intersects
16 back where it was that corner -- that intersection of
17 Songbird and Khoury League again, but from the way the
18 bows were looking earlier, I can assume that the device
19 is traveling south. Um, and if you go south right at
20 that corner, it's Fietsam and, I believe, that's Khoury
21 League -- the north/south road -- the device is likely
22 within that blue circle at 11:37 and 50 seconds.

23 Q. All right. Our next slide?

24 A. So, this is going to be surveillance footage --

1 could you go back to the last slide?

2 Q. I will try.

3 A. If it's going to make everything explode, don't
4 worry about it. Okay. So, Fietsam Road -- or however
5 you say that -- is that east/west road just to the left
6 on the map of the blue circle. There is only one way
7 you can go. If you're traveling south toward the blue
8 circle, you basically have to turn down Fietsam Road at
9 this point. And then the next slide is a residence that
10 is positioned on Fietsam Road at 2102 Fietsam, and this
11 is from 11:38. This is surveillance footage that I just
12 happened to gather before we had had the Verizon
13 records, so we already had this surveillance footage
14 from this residence.

15 Q. Did you know what kind of vehicle you were
16 looking for as well?

17 A. Yes, a gray Nissan Pathfinder.

18 Q. Your Honor -- and, well, this video, is that what
19 you previously testified to and been admitted as
20 People's Exhibit 30?

21 A. Yes.

22 Q. And there is two videos on that disc; is that
23 correct?

24 A. Yes.

1 Q. One where the gray Nissan is going westbound and
2 one going eastbound?

3 A. Yes.

4 Q. All right. This first video, would that be the
5 video of the vehicle going westbound?

6 A. Yes.

7 MR. BUTLER: Your Honor, I'd move to publish
8 the video.

9 THE COURT: Ms. Thien?

10 MS. THIEN: No objection.

11 THE COURT: You may.

12 By Mr. Butler:

13 Q. All right. Is that the video that you recovered?

14 A. Yes.

15 Q. Okay. The next slide, what -- what are we
16 looking at here?

17 A. It's a continuation of the movement of the device
18 utilizing the RTT data. So, this bow shape is changing
19 kind of orientation. It's now a bow kind of going south
20 and bowing up. That's because it's likely on a
21 different sector now. I don't recall if this is the
22 same tower. I'm just going to assume it's in an area of
23 that tower so it probably is, but I'm not going to hold
24 myself to that. So, it's going off the sector that's

1 facing south. Um, like I said, you can imagine the pie
2 chart. This is the bottom cut of pie from that pie
3 chart. So, the bow you're seeing there is, again, the
4 estimate that Verizon does because of the time distance
5 calculation that somewhere within or along this curved
6 line -- so, those blue circles, again, indicates
7 possible locations that the device could be at now
8 because that's where this bowed line intersects with the
9 roads.

10 Q. Okay. And what time was that?

11 A. 11:41 exactly, a.m.

12 Q. Your next slide, I see a circle.

13 A. Yes.

14 Q. Can you explain what the significance of the
15 circle is?

16 A. So, there are times when Verizon is able to
17 really minimize the estimated location of a device.
18 They can get down to within a few blocks. Sometimes
19 they get down to just several meters. Whenever they are
20 able to do that, because of the way it communicates back
21 and forth from the tower, they can generate a circle
22 instead of saying it's somewhere on the dotted line.
23 They'll be, like, it's within that circle. It's a
24 circle; not the bowed line. So, you can basically say

1 at 11:42 a.m. that the device was somewhere within or
2 near this circle that's on the map.

3 Q. Okay. And that road there in yellow, is that
4 Route 13?

5 A. Yes, it is.

6 Q. And I see a yellow pin there. What does that pin
7 do?

8 A. That's a pin just indicating the location of the
9 Huck's gas station.

10 Q. Okay. Our next slide, what is included on that?

11 A. So, this will be the surveillance footage that
12 was pulled from the Huck's that was indicated on that
13 last map with the push pin at 11:42 a.m. And this
14 indicates the time difference, I think we talked about
15 earlier, with the Huck's cameras. That was noted when
16 we pulled it.

17 Q. And this is the -- is this the video that has
18 previously been admitted as People's Exhibit 28?

19 A. Yes.

20 Q. And there were two videos on that disc as well;
21 is that correct?

22 A. Yes.

23 Q. One of them being -- well, what are the two
24 videos?

1 A. I believe it's just different cameras of the
2 parking lot.

3 MR. BUTLER: Okay. Your Honor, I'd move to
4 publish People's Exhibit 28.

5 THE COURT: Ms. Thien?

6 MS. THIEN: No objection.

7 THE COURT: You may.

8 MR. BUTLER: And, your Honor, I am going to
9 publish that on a full screen as opposed to a little
10 window box in his power point.

11 THE COURT: Okay.

12 By Mr. Butler:

13 Q. Special Agent Hanratty, you viewed this video and
14 the one you put in your power point; is that correct?

15 A. Correct.

16 Q. Are they the same?

17 A. Correct.

18 (People's Exhibit 28 was played at this time.)

19 Q. Is that video concluded?

20 A. Yes.

21 Q. And now going on, is this the other video that's
22 included on People's 28?

23 A. Yeah. Same time; just different angle.

24 (VIDEO PLAYED AT THIS TIME.)

1 Q. And now is that video completed?

2 A. Yes.

3 Q. The next slides are back to yours. That is your
4 power point; is that correct?

5 A. Yes.

6 Q. Okay. All right. Um, so can you tell us what
7 we're looking at now?

8 A. So, this is a continuation of where the RTT data
9 was tracking. This appears that -- so this bow is
10 coming -- if you imagine where the line would of --
11 would be, it's from the south and east of it. So, this
12 bow shape you're seeing would indicate that the device
13 -- if you look at the push pin, that would be the
14 Huck's. It has now traveled back to the west. By the
15 time that we're showing here, at 11:46, that if you
16 calculate the time it would have taken for someone --
17 for a device to travel if it were in a vehicle from the
18 Huck's gas station, if this device were traveling back
19 to the residence that it came from, this is about the
20 area that the device could have been at 11:46 and 34
21 seconds, again, indicated by a blue circle.

22 Q. Okay. Did you locate anything in your
23 investigation that would lead you to conclude that the
24 device was heading that direction?

1 A. So, we're able to basically prove this point
2 because that Fietsam Road surveillance footage that we
3 have -- I believe, in the next slide we'll see that --
4 it's coming back in the opposite direction.

5 Q. Okay. And is this the -- you testified People's
6 Exhibit 30 had two videos; one with the vehicle heading
7 westbound. Does this next slide contain the video of
8 the vehicle heading back eastbound?

9 A. Correct.

10 MR. BUTLER: I'd move to publish, your
11 Honor.

12 THE COURT: Ms. Thien?

13 MS. THIEN: No objection.

14 THE COURT: You may.

15 (VIDEO PLAYED AT THIS TIME.)

16 By Mr. Butler:

17 Q. All right. And Special Agent Hanratty, the next
18 slide, is that our next hit?

19 A. Correct. It's just showing that the device is
20 now -- if you do the time calculation, where it could
21 possibly be along the RTT bow, then that blue circle
22 would basically show the estimated location, and this is
23 discussing that there was footage at the Newlin
24 residence at this time, I believe.

1 Q. Okay. And you were made aware of --

2 A. -- I was made aware of this, but I did not have
3 this footage when I did my power point.

4 Q. Okay. And you're talking about Aaron Newlin's
5 residence on Khoury League Road?

6 A. Correct.

7 Q. Okay. Our next slide, can you explain what the
8 significance is there?

9 A. This is just showing the RTT continuation. It
10 shows it being back at the residence around 11:53 and 35
11 seconds.

12 Q. And your last slide?

13 A. This is basically reiterating the point about how
14 the RTT bows, where they intersect, is basically an X
15 marks the spot situation. So, you're seeing the same
16 thing you seen before the device left. You're seeing it
17 again now that the device is home. We'll call it back
18 at the residence. Um, you have the two towers that it's
19 utilizing, and the bows, and the bows are intersecting.
20 And the reason there is multiple bows is because of the
21 RF energy fluctuating back and forth. Multiple hits
22 with that tower to the north and the east, and multiple
23 hits to the -- from the tower to the west.

24 Q. And what time period was this through?

1 A. So, this with the Google Earth mapping, you can
2 show more than just one singular point in time. You can
3 show a block of time. So, this is just showing the RTT
4 data collectively from 11:50 a.m. until 12:30 p.m. on
5 December 5th, I believe, it was.

6 Q. All right.

7 A. This also indicates that a call was made to 911
8 at 12:24 and 53 seconds as well.

9 Q. Okay. The data that you retrieved from Verizon,
10 did any of that plot to the device heading to
11 Carbondale; specifically around Carbondale Walmart area?

12 A. It did not.

13 Q. Um, how -- did any of it plot further than the
14 circle around Huck's in your one slide?

15 A. It did not.

16 Q. And when I say further, I guess I mean further to
17 the west --

18 A. -- further to the west, no.

19 MR. BUTLER: I would tender the witness,
20 your Honor.

21 THE COURT: Ms. Thien?

22 MS. THIEN: Phil, I'm going to ask you, if
23 you wouldn't mind assisting me on this --

24 MR. BUTLER: Yeah.

1 MS. THIEN: -- pulling up the text message?

2 MR. BUTLER: Yep.

3 MS. THIEN: I had a couple of questions
4 about that. There we go.

5 CROSS-EXAMINATION

6 BY MS. THIEN:

7 Q. I'm going to stay in front of my device here for
8 a minute, agent, if that's okay?

9 A. Yep.

10 Q. Um, and I am going to try to get close enough to
11 it to actually see. So, um, this is actually showing
12 texts that were received by Julie's phone, correct?

13 A. Received probably wouldn't be the right word.
14 It's transmissions to or from.

15 Q. Very good. Um, but it also shows texts or
16 transmissions to her from an identifiable number; is
17 that correct?

18 A. Correct.

19 Q. Was there a text -- I am trying to line this up
20 as to the time and date as well. Here we go. Was there
21 a text sent to 618-364-7548 from 751-4942 at Line 11?
22 Yeah. There we go. Let's start there. Can you tell me
23 a date and time that that was sent?

24 A. You will have to scroll over to the left, if we

1 could.

2 Q. No. I went one up too far. That was actually
3 the evening before, correct, on 12-4?

4 A. Are you asking me that?

5 Q. Yeah.

6 A. It looks like it's 12-4, and this will probably
7 be in -- so, Verizon text content would typically be on
8 market time, which in this case is likely going to be
9 eastern time zone. When this is processed through Zetx,
10 it re-adjusts to central time so our slides -- if we
11 have these in our slides -- would have showed 21:49
12 would be actual time, central time.

13 Q. Let's go down to the one under that, 12-5. And
14 that would have been sometime -- if it's eastern
15 standard time -- somewhere around 10:19?

16 A. Correct.

17 Q. All right. And can you tell me if that was a
18 text sent from the 751 number to Julie's number?

19 A. That is a text from 4942 to the number ending in
20 7548.

21 Q. Okay. And 7548 is the subject matter of this
22 subpoena return?

23 A. Correct.

24 Q. I think you testified before that that would be

1 Julie's phone?

2 A. Correct.

3 Q. All right. Um, and that was about 10:19, I think
4 we just said --

5 A. Correct.

6 Q. -- in the morning? And did that show that it was
7 some kind of content?

8 A. Yes. Right there.

9 Q. Um, I'm seeing all of the -- not just the words,
10 you know, but several lines showing -- that would show
11 data, some type of maybe photograph, meme, clip;
12 something of that nature?

13 A. It could be that; emojis.

14 Q. We don't know, but we know something was said?

15 A. That's the way that would show up, yes.

16 Q. All right. And then that begins the conversation
17 -- one more line down, please? "Wow." Next one, "Are
18 you off?" Response, "No. I'm scheduled till 2:00 but
19 doubt if I'll make it past 1:00." Is that accurate?

20 A. Yeah. I'm -- I'm not sure what you're asking, I
21 guess.

22 Q. Just basically that was -- that was the total
23 texting between these two numbers over that time period,
24 right?

1 A. From what Verizon supplied to us.

2 Q. Okay. Now, if I have this correct, um, when we
3 carry a device -- a phone -- I'm just going to call it
4 my phone, okay? Um, it is pinging by my provider; in
5 this case Verizon?

6 A. Correct.

7 Q. Is it picked up by any other providers?

8 A. Uh, the device operates on the carrier's tower.

9 Q. Okay. And do more than one carrier operate from
10 the same tower?

11 A. Uh, it could happen. It's not typical usually.
12 AT&T has their own towers. Verizon has their towers.
13 T-Mobile has their towers.

14 Q. We saw that there were some blue circles used to
15 illustrate where the device could have been at that time
16 period?

17 A. Mm-hmm.

18 Q. Um, blue circles seem to cover, when we're
19 looking at the maps, a little bit of distance, doesn't
20 it?

21 A. In what aspect, I guess?

22 Q. Well, we've got an entire intersection of
23 Songbird and Khoury League Road in all four directions.
24 What is that distance from -- from side to side?

1 A. So, the blue circles that I made on the map --

2 Q. -- mm-hmm.

3 A. -- those distances are arbitrary. That's just me
4 being able to show -- basically I highlighted where the
5 intersection of that red bow and a road are. That's all
6 that is.

7 Q. Okay. I'm sorry. I do have one more. You said
8 you went back to Huck's to collect some additional
9 video; is that correct?

10 A. Correct.

11 Q. Um, do you recall when that was?

12 A. I don't recall when that was. It was prior to
13 the cell phone records coming in. Um, I can't even
14 explain to you why I went back and got more other than I
15 felt like we probably needed more because I knew there
16 was more that was there, and we just got kind of a
17 predetermined chunk of when -- from the story we had in
18 the beginning when she might have been crossing through.
19 I thought, well -- we didn't really know when the device
20 could have left, so I just wanted to make sure we
21 covered it.

22 Q. Were you directed by anyone to go and obtain --

23 A. -- no. It was a decision --

24 Q. -- any additional -- it would have been a couple

1 of days -- at least a couple of days after the events in
2 this case?

3 A. Honestly, it could have been the first day or the
4 second day. I don't remember. It was all one big day
5 to me honestly --

6 Q. -- okay.

7 A. -- so --

8 MS. THIEN: Thank you, sir. I have no
9 further questions.

10 THE COURT: Any redirect?

11 MR. BUTLER: No, your Honor.

12 THE COURT: Sir, you may step down. The
13 State may call their next witness.

14 MS. MUDGE: The People would call Michael
15 Beasley.

16 THE COURT: Mr. Beasley, please come
17 forward. I need you to face my clerk. Please raise
18 your right hand.

19 MICHAEL BEASLEY,
20 was called as a witness on behalf of the People, and
21 being first duly sworn, was examined and testified as
22 follows:

23 THE COURT: I need you to have a seat over
24 here, sir, and I need you to state your full name, spell

1 your last name, and when you speak, please do so loud
2 enough that everybody can hear you.

3 THE WITNESS: Okay. My name is Gregory
4 Michael Beasley.

5 MS. MUDGE: Spell your last name.

6 THE WITNESS: B-E-A-S-L-E-Y.

7 DIRECT EXAMINATION

8 BY MS. MUDGE:

9 Q. And, um, you said Gregory Michael. What do you
10 go by?

11 A. Michael.

12 Q. Okay. How old are you, Michael?

13 A. Thirty-four.

14 Q. What town do you live in?

15 A. Herrin.

16 Q. Do you work?

17 A. Yes.

18 Q. Where do you work?

19 A. Marion, Illinois, Walmart.

20 Q. How many children do you currently have?

21 A. Three.

22 Q. How old are they, and what are their names?

23 A. Uh, five, three and one. Myla Rene Beasley,
24 Judith Rayne Beasley and Thomas Michael Lee Beasley.

1 Q. Is the defendant the mother of all three of those
2 children?

3 A. Yes.

4 Q. You also use to have another child, correct?

5 A. Yes.

6 Q. And what was her name?

7 A. Jade Marie Beasley.

8 Q. When was she born?

9 A. August 3rd, 2009.

10 Q. Where?

11 A. Marion, Illinois.

12 Q. And who is Jade's -- who was Jade's mother?

13 A. Jessica Bradley.

14 Q. Okay. When Jade was born, were you married to
15 Jessica?

16 A. Yes.

17 Q. And at some point, did you and Jessica split up?

18 A. Yes.

19 Q. How old was Jade when that happened?

20 A. Uh, she was about eight months old.

21 Q. What was the custody arrangement like with you
22 and Jessica and Jade? Jade was your only child with
23 Jessica, correct?

24 A. Yes.

1 Q. Okay. What was the custody arrangement like?

2 A. We -- she would spend every other week with me,
3 and so she would stay with me one week and then go with
4 her mother for a week.

5 Q. What day would she go?

6 A. On Mondays usually.

7 Q. On Mondays?

8 A. Mm-hmm.

9 Q. Did you have a Court order, or did you guys just
10 agree to that?

11 A. Uh, we -- we did -- I think -- I don't remember
12 exactly if we had a Court order, but we agreed to that.

13 Q. And were there any issues with that?

14 A. No.

15 Q. Michael, what kind of kid was Jade?

16 A. She was a good -- she was a very good kid. She
17 was kind and loving.

18 Q. What kinds of things did she like to do?

19 A. She liked art. She liked animals, church and
20 video games.

21 Q. Was she a good student in school?

22 A. Yes.

23 Q. Did you have a good relationship with your
24 daughter Jade?

1 A. Yes.

2 Q. Did you have a good relationship with Jade's
3 mother Jessica?

4 A. Yes.

5 Q. And did Jade have a good relationship with her
6 mother Jessica?

7 A. Yes.

8 Q. When did you meet Julia, the defendant in this
9 case?

10 A. It was 2013.

11 Q. How did you meet her?

12 A. We worked together.

13 Q. And when did you start a relationship with her?

14 A. I don't remember the exact date.

15 Q. Sometime in 2013?

16 A. Yes.

17 Q. And did you move in together?

18 A. Yes.

19 Q. Pretty quickly?

20 A. Yeah. Within a year.

21 Q. Were you ever married to the defendant?

22 A. No.

23 Q. Um, the house at 11304 Songbird Road, did you
24 always live there with the defendant?

1 A. Uh, no.

2 Q. When did you move there with the defendant?

3 A. It was in 2018.

4 Q. Michael, I'm going to take you to December 5th,
5 2020. Let's go through that day, okay?

6 A. Okay.

7 Q. Um, what were you doing that day? What time did
8 you get up?

9 A. I got up around 7:00.

10 Q. Were you going to work?

11 A. Yes.

12 Q. What time were you supposed to be at work?

13 A. Eight o'clock.

14 Q. How long does it take you to get to work?

15 A. About ten to 15 minutes.

16 Q. Did you see Jade before you left for work?

17 A. Yes.

18 Q. What was she doing?

19 A. She was in the kitchen, and looked like she was
20 getting some food -- making some breakfast -- out the
21 pantry.

22 Q. And did you see the defendant before you left for
23 work?

24 A. Yes.

1 Q. What was she doing?

2 A. She was sitting at her computer -- her work
3 computer in the office.

4 Q. Did you tell your daughter good-bye?

5 A. Yes.

6 Q. Did she tell you good-bye?

7 A. Mm-hmm.

8 Q. Did you see her go back to her room?

9 A. Uh, yes.

10 Q. Did Jade say anything to you about what was
11 happening that day?

12 A. She had -- she had said to me, "Mom's going to
13 pick me up around one o'clock today for a birthday
14 party."

15 Q. What time were you supposed to get off -- where
16 did you work then?

17 A. At Cracker Barrel.

18 Q. What time were you supposed to get off that day?

19 A. One o'clock or -- it was either one or two
20 o'clock I was scheduled. I don't remember exactly my
21 out time that day.

22 Q. Did you get off early?

23 A. Uh, I got off before one o'clock.

24 Q. Do you remember what time you clocked out that

1 day?

2 A. It was 12:50.

3 Q. Twelve fifty?

4 A. Mm-hmm.

5 Q. You had -- we just heard from a witness that you
6 had had communications via text with the defendant on
7 that day. Do you remember that?

8 A. Yes.

9 Q. Okay. And do you remember telling her that you
10 were probably going to get off early?

11 A. Mm-hmm. Yes.

12 Q. You have to say yes or no.

13 A. I'm sorry. Yes.

14 Q. Okay. All right. Um, this is Cracker Barrel in
15 December of 2020, so you would get off early a little
16 bit?

17 A. Yeah. Covid had effected business still so we
18 were slower.

19 Q. You had been with the defendant at this time for
20 about seven years and had two children with her; am I
21 right?

22 A. Yes.

23 Q. Did you know she was pregnant at the time?

24 A. No.

1 Q. Okay. In the normal course of your relationship,
2 if the defendant were to be going to Carbondale for
3 something, would she have told you that?

4 MS. THIEN: I'm going to object as to
5 speculation the way it's been asked.

6 THE COURT: Sustained.

7 By Ms. Mudge:

8 Q. Did the defendant tell you that day that she was
9 going to Carbondale?

10 A. No.

11 Q. Did the defendant tell you that she was getting
12 off of work early that day?

13 A. No.

14 Q. Had she ever in the past told you she was getting
15 -- if she was getting off early?

16 A. Yes.

17 Q. When you clocked out at 12:50 that day, had you
18 heard anything about what had happened at your home?

19 A. No.

20 Q. Who is the first person that called you when you
21 left work?

22 A. It was Cracker Barrel.

23 Q. Cracker Barrel called you?

24 A. Mm-hmm.

1 Q. Um, did you -- did you have a conversation with
2 Jessica at some point that day?

3 A. Yes.

4 Q. Did you try to get a hold of Jade at some point
5 that day?

6 A. Yes.

7 Q. How long did it take you to get home from work?

8 A. It was about 10 or 15 minutes.

9 Q. And when you got to your house, what did you see?

10 A. Um, I saw a lot of cop cars, an ambulance, you
11 know, emergency services all parked along the road at my
12 house and at my driveway.

13 Q. And did you see the defendant at your house that
14 day?

15 A. Yes.

16 Q. Where was she?

17 A. On the front deck.

18 Q. Did she say anything to you?

19 A. No.

20 Q. Did she look at you?

21 A. I can't remember.

22 Q. You learned pretty quickly that Jade was dead?

23 A. Yes.

24 Q. And the police took you to the police station?

1 A. Yes.

2 Q. And you spoke to them that day?

3 A. Yes.

4 Q. After you spoke to the police, where did you go?

5 A. To my mom and dad's house.

6 Q. I want to talk a little bit about the house that
7 you lived in with the defendant. Jade came every other
8 week, and Myla and Rayne stayed with you both. Am I
9 right about that?

10 A. Yes.

11 Q. What about the defendant's son Jayden?

12 A. He lived there as well.

13 Q. How many bedrooms were in the home?

14 A. Four.

15 Q. And did anyone else live in that home except for
16 you, the defendant and the children?

17 A. No.

18 Q. On that day, where was Jayden?

19 A. He was with his father.

20 Q. And on that day, where were Myla and Rayne?

21 A. They were with my mother.

22 Q. How long had they been with your mother?

23 A. About two days.

24 Q. Nobody else lived in the home that's humans. Did

1 you have dogs in the home?

2 A. Yes.

3 Q. How many?

4 A. Two dogs.

5 Q. What are their names?

6 A. Smokey and Rocky.

7 Q. What was the routine with Smokey and Rocky at
8 night? Did they stay in the home?

9 A. Yeah.

10 Q. They were inside dogs?

11 A. Yes.

12 Q. When did they go outside?

13 A. Usually just to use the bathroom or to run
14 around.

15 Q. Was it usual to leave them outside for an
16 extended period of time?

17 A. No.

18 Q. What about if the kids were -- when I said kids,
19 I mean Jade or Jayden -- home alone, would the dogs be
20 left outside?

21 A. No.

22 Q. Were the dogs good with the children?

23 A. Yes.

24 Q. If you, when you were living in that home, if you

1 would leave the house, what would be the normal routine
2 with locking the doors?

3 A. Yeah. The dogs would be inside of the home, and
4 the door was to be dead bolted and locked fully.

5 Q. It wasn't the kind of place where you guys left
6 the door unlocked all the time?

7 A. No.

8 Q. Okay. Let's talk about your relationship with
9 the defendant. Did you have a good relationship?

10 A. Yes.

11 Q. Were there fights?

12 A. Small ones.

13 Q. Nothing where the police had to be called?

14 A. No. Nothing like that.

15 Q. Did you ever fight in front of the children?

16 A. No. Rarely.

17 Q. What was the defendant's relationship like with
18 Jade?

19 A. Um, seemed normal. Maybe a little dismissive of
20 her.

21 Q. Who was dismissive of who?

22 A. Julie would be, like, a little dismissive of Jade
23 in my opinion.

24 Q. But other than that, they got along?

1 A. Yeah.

2 Q. No fights?

3 A. No.

4 Q. Did you ever see them argue?

5 A. No.

6 Q. After you spoke to the police the first time, you
7 said you went to your mom's. Who went with you to your
8 mom's?

9 A. Um, the kids.

10 Q. The little two girls?

11 A. Yes.

12 Q. Okay. Did the police ask you to come speak to
13 them a second time?

14 A. Yes.

15 Q. Okay. And you went and talked to them as well?

16 A. Yes.

17 Q. And at that point, the defendant had not been
18 arrested yet, right?

19 A. Right.

20 Q. In between the time that Jade was murdered and
21 your second interview with the police, the defendant did
22 not come home with you, correct?

23 A. Correct.

24 Q. Where did she go?

1 A. She went to her grandmother's house.

2 Q. Who's that? What's her name?

3 A. Um, her grandmother's name? Terry.

4 Q. Okay. The defendant went to her grandmother's
5 house?

6 A. Uh-huh.

7 Q. Okay. So, you two were not together?

8 A. No.

9 Q. Did you have an -- did she try to talk to you?
10 Did she come see you?

11 A. Yes.

12 Q. And where were you?

13 A. At my mom and dad's house.

14 Q. Did you speak with her?

15 A. Yes.

16 Q. Where?

17 A. In the driveway.

18 Q. What did she say to you?

19 A. Um, she said that she had went to Carbondale, and
20 that whenever she came back, somebody attacked her and
21 she found Jade.

22 Q. Did you have any questions for her?

23 A. Well, I asked her why the dogs weren't in the
24 house and --

1 Q. -- what did she say?

2 A. She thought that she had brought them in.

3 Q. Okay. Any other questions for her?

4 A. If the door was dead bolted and locked.

5 Q. What'd she say?

6 A. "I thought I did."

7 Q. What was her demeanor like when you saw her
8 there?

9 A. Uh, anxious.

10 Q. Did you ever go back to the home on Songbird Road
11 to collect your property?

12 A. Eventually, yes.

13 Q. Was anything missing from your home?

14 A. No.

15 Q. Did you have electronics in the home?

16 A. Yeah.

17 Q. And guns?

18 A. Yes.

19 Q. And nothing was missing that you saw?

20 A. No.

21 Q. Had you ever seen the defendant cut herself?

22 A. No.

23 Q. Had you ever seen her bite herself?

24 A. No.

1 Q. Had you ever seen a bite mark on her body?

2 A. No.

3 Q. At some point, you realized that after the
4 defendant -- after Jade's murder, she was pregnant with
5 your child?

6 A. Yes.

7 Q. And when was that child born?

8 A. July 28th, 2021.

9 Q. Was it a boy?

10 A. Yes.

11 Q. You're raising him now?

12 A. Yes.

13 MS. MUDGE: Thank you, Michael. I have no
14 further questions.

15 THE COURT: Cross?

16 MS. THIEN: Thank you, your Honor.

17 CROSS-EXAMINATION

18 BY MS. THIEN:

19 Q. Hi, Mr. Beasley?

20 A. Hi.

21 Q. I understand you and Julie worked in the same
22 place in 2013; is that right?

23 A. Yes.

24 Q. Where was that?

1 A. Benny's Italian Foods.

2 Q. Is that where you first met?

3 A. Yes.

4 Q. Um, started dating at that time --

5 A. Mm-hmm. Yes.

6 Q. -- or soon thereafter?

7 A. Mm-hmm. Yes.

8 Q. But it was about a year before you moved in
9 together?

10 A. Mm-hmm.

11 Q. Where did you first live?

12 A. Um, 600 East Reeves Street, Marion, Illinois.

13 Q. Here in Marion?

14 A. Mm-hmm.

15 Q. Okay. And, um, was Jayden -- Julie's son --
16 living with you at that time?

17 A. Yes.

18 Q. Okay. And Jade was there every other week as
19 well?

20 A. Yes.

21 Q. During the course of your relationship, was there
22 ever any interference by Julie in how you and Jessica
23 raised Jade?

24 A. No.

1 Q. Did she ever make any demands as far as
2 scheduling?

3 A. No.

4 Q. Was -- did she give you and Jessica the room to
5 be primary co-parents?

6 A. Yes.

7 Q. You described their relationship as pretty
8 normal?

9 A. Yes.

10 Q. What were some of the things the family liked to
11 do together?

12 A. Uh, play outside, swim, watch shows.

13 Q. Video games; everything with everybody?

14 A. Mm-hmm. Yes.

15 Q. With Jade and Jayden and you --

16 A. -- yes.

17 Q. Did you ever play together?

18 A. Yes.

19 Q. Okay. Did Julie ever take part in the video
20 games?

21 A. Yes.

22 Q. Watch movies together?

23 A. Yes.

24 Q. How would you describe Julie as a person? Um, is

1 she -- is she quiet?

2 A. Yes. Mostly quiet.

3 Q. Did she ever even when you guys would argue, did
4 she ever act violently in any way?

5 A. No.

6 Q. Never -- not a thrower?

7 A. No.

8 Q. Not a screamer?

9 A. No.

10 Q. And neither were you, right?

11 A. No.

12 Q. Okay. Um, you said there were some fights.

13 Would that more be like -- or would that actually be
14 more like arguments? Disagreements?

15 A. Yes.

16 Q. Now, going back to December 5th, how long had you
17 been working at Cracker Barrel at that point?

18 A. Um, I don't remember exactly. I would say four
19 or five years.

20 Q. Were you -- what was your -- what was your job
21 there?

22 A. A cook.

23 Q. A cook. Were you always a morning, day --

24 A. Yes.

1 Q. -- guy?

2 A. Yes.

3 Q. Okay. Um, we unfortunately remember also that
4 that was the first big Covid winter here when it was
5 actually here. Did that interfere with business?

6 A. Yes.

7 Q. Were there times that you were, um, let home --
8 or let off early because business was that slow and even
9 the prep for later was done?

10 A. Yes.

11 Q. Any times when maybe your shift was cancelled all
12 together?

13 A. Yes.

14 Q. Were there ever any closings there?

15 A. Yes.

16 Q. Do you recall sending a text to Julie with some
17 type of meme or funny video somewhere mid-morning, say,
18 like, 10:19; something like that?

19 A. Yes.

20 Q. And she replied back to you?

21 A. Yes.

22 Q. Is that when she asked -- or during that text
23 string -- if you were getting off work?

24 A. Yes.

1 Q. Did it seem like it was a reply to the whole
2 conversation that you had started?

3 A. No.

4 Q. Um, but you did get off early that day, right?

5 A. A little, yes.

6 Q. And it wasn't terribly unusual, correct?

7 A. At that time, no.

8 Q. Okay. All right. Mr. Beasley, do you know
9 anyone in your past who has self-harmed?

10 MS. MUDGE: Objection. Relevance. Beyond
11 the scope.

12 THE COURT: I'm going to allow it.

13 THE WITNESS: No.

14 By Ms. Thien:

15 Q. A cutting, a biting; anything like that?

16 A. No.

17 Q. Okay. When this happened, Jade was 11 years old,
18 right?

19 A. Yes.

20 Q. Right in that awkward time between, you know,
21 little girl and teen-ager?

22 A. Yes.

23 Q. At that point in time, she was actually taller
24 than Julie, wasn't she, by a couple of inches?

1 A. Yeah. I believe so.

2 Q. Yeah. Um, maybe weighed a little bit more, too?

3 A. Yeah.

4 Q. Myla and Rayne had been spending a couple of days
5 with your mom; is that correct?

6 A. Yes.

7 Q. Was that anything unusual?

8 A. No.

9 Q. Okay. Would you describe this as a pretty
10 close-knit, blended family?

11 A. Yes.

12 Q. And every one really worked hard to get along?

13 A. Yes.

14 Q. I had asked you before if Julie in any way tried
15 to interfere with how you and Jessica were raising Jade.
16 I'm going to ask you. Did you in any way interfere with
17 how Julie and Stewart were raising Jayden?

18 A. No.

19 Q. How was your relationship with Jayden?

20 A. My relationship with Jayden was good.

21 Q. Okay. Now, while it may not have been common, it
22 wasn't unheard of for you or Julie -- not when the
23 littles were around -- but for Jade and Jayden, to let
24 them stay home if you were running to town; isn't that

1 right?

2 A. No. That rarely ever happened. It was only a
3 few times that I can recall that ever occurred.

4 Q. Okay. Um, wasn't there one just close to
5 Thanksgiving of that same year when you went to get
6 tires put on the car in Marion?

7 A. No.

8 Q. No? Don't remember that?

9 A. Not that year, nope.

10 Q. Now, sir, there was never any hint of violence in
11 your house, was there?

12 A. Correct.

13 Q. Okay.

14 MS. THIEN: I have no further questions,
15 your Honor. Thank you.

16 THE COURT: Redirect?

17 MS. MUDGE: No, thank you, your Honor.

18 THE COURT: Sir, you may step down.

19 THE WITNESS: Thank you.

20 THE COURT: Thank you very much. The State
21 may call their next witness.

22 MR. BUTLER: The People would call Lee
23 Stewart.

24 THE COURT: Sir, come forward please. Face

1 my clerk. Raise your right hand to be sworn.

2 LEE STEWART,

3 was called as a witness on behalf of the People, and
4 being first duly sworn, was examined and testified as
5 follows:

6 THE COURT: Please have a seat over here. I
7 need you to state your full name. Please spell your
8 last name, and when you speak, make sure everybody can
9 hear you.

10 THE WITNESS: Lee Stewart. L-E-E.
11 S-T-E-W-A-R-T.

12 THE COURT: You may inquire.

13 MR. BUTLER: Thank you.

14 DIRECT EXAMINATION

15 BY MR. BUTLER:

16 Q. Mr. Stewart, can you please tell us where you're
17 employed?

18 A. I'm a Special Agent with the Illinois State
19 Police.

20 Q. How long have you worked for the State police?

21 A. Since 2020.

22 Q. Do you have prior enforcement experience before
23 that?

24 A. Yes.

1 Q. Where?

2 A. With the City of Carbondale Police.

3 Q. And how long?

4 A. I began there in 2012.

5 Q. Okay. So, approximately going on 11 years as a
6 police officer?

7 A. Yes.

8 Q. Um, were you involved in any way into the
9 investigation into the death of a minor child Jade
10 Beasley back in December of 2020?

11 A. Yes.

12 Q. How did you become involved?

13 A. We were -- we were requested by the Williamson
14 County Sheriff's Office to assist in the investigation.

15 Q. And in what ways did you assist?

16 A. I assisted with going through technical data and,
17 um, preparing a search warrant.

18 Q. Okay. What technical data did you go through?

19 A. I assisted in going through some phone data and
20 some video data that other officers were also going
21 through, and then I assisted with a -- by writing a
22 search warrant.

23 Q. Okay. And what was the search warrant for?

24 A. It was for the excavation of a portion of the

1 Southern Illinois Landfill.

2 Q. What was the reason that you were wanting to
3 excavate a portion of that landfill?

4 A. Investigators used phone records through Ms.
5 Bevely's Verizon cell phone, and combined that data with
6 various surveillance video footage to see that a vehicle
7 matching the description of her vehicle drove to a
8 Huck's in Marion. When the vehicle pulled up into the
9 Huck's parking lot, it pulled up next to a pump, and the
10 driver of the vehicle pulled an object out of the
11 vehicle and put it into a trash can at the gas station.

12 Q. Okay. So, you were searching for trash?

13 A. We were searching for trash that could be
14 involved in the commission of this crime.

15 Q. Okay. And, um, when you saw the video, what did
16 you do after you observed the video?

17 A. Well, we sent agents to the Huck's and found that
18 the trash had already been dumped by the -- by the trash
19 service. And we were able to contact the trash service
20 and find out what particular truck that trash was dumped
21 into. It was taken to a transfer station in Marion, and
22 we were able to locate what truck that transfer station
23 trash was dumped into. And then we were able to track
24 that with the landfill to find the coordinates and

1 approximate depth of the trash that would have been from
2 that trash station from the gas station and the truck
3 that it was dumped into.

4 Q. Okay. So, I kind of want to unpack a few things
5 there. So, if I understand you correctly, from the
6 Huck's, the trash gets put on a truck and sent to a
7 first, kind of like, business or what?

8 A. So -- so the trash from Huck's gets taken from
9 there and brought to a transfer station. So, the
10 transfer station -- think of it as a bunch of trash from
11 the trash trucks you see out on the road getting dumped
12 into a big pile, compacted and then put into semi-trucks
13 that hold more trash. They get driven to the landfill
14 and dumped there at the landfill.

15 Q. Okay.

16 A. Now, what -- what the trash service does, is they
17 have GPS coordinates for where all this trash is dumped,
18 so they track the trucks and the cars on the trucks
19 basically track -- they know where every bit of load of
20 trash is at, and they track all of that through their
21 business data.

22 Q. Okay. Um, you said the first place the trash is
23 dumped and compacted with other trash?

24 A. Yes.

1 Q. Is it compacted with anything else?

2 A. Uh, it's compacted with other trash and put into,
3 like I said, a semi truck, and then that's -- that's
4 taken over to the landfill.

5 Q. Is there any soil at any point that gets
6 compacted with it?

7 A. That happens at the landfill.

8 Q. That happens at the landfill. Okay. So, once
9 it's compacted at the transfer station and taken to the
10 landfill, then what happens?

11 A. It gets taken to the landfill, and, um, the trash
12 at the landfill is -- basically each day the landfill
13 kind of grids it out, and they have to cover up all the
14 trash that they compact in a day per the EPA and the
15 regulations that they have to do. So, if you imagine
16 the landfill, you've got an area for that day that they
17 are going to compact trash. So, truck after truck after
18 truck comes in, a large compacter and bulldozers are
19 going over on top of that trash. They are rolling over
20 the top of it with compactors, and then they are
21 crunching it in. And they just do that all day until
22 they have all their trash for the day. Along with at
23 the time that we were doing this, there was contaminated
24 soil that was getting brought in at the same time and

1 dumped into this area and compacted into it, and then
2 that was covered up as well.

3 Q. Okay. You said you wrote a search warrant to
4 search the landfill. Was it just you that searched the
5 landfill?

6 A. No. There were at least two dozen of us, I
7 believe. I'd have to look at my report. I had it on my
8 report how many people were there. But uh --

9 Q. Approximately how many?

10 A. I'd say two dozen or more of us along with
11 individuals that were operating the large excavating
12 equipment that we were having to use.

13 Q. Okay. And, um, how long were you out there at
14 the landfill searching?

15 A. About two days.

16 Q. Okay. And was it about two dozen people each
17 day?

18 A. Yeah. It was a large group each day.

19 Q. Were there photographs of this landfill taken?

20 A. Yes.

21 Q. And what tools were you using during this search?

22 A. So, the basic process we were using is we would
23 -- we had an excavator that was digging a large hole
24 down into the landfill to try to pull out trash and a

1 front-end loader that was taking the trash to us along
2 with -- I think it was a backhoe that was there as well.
3 It was taking bucket full upon bucket full out to the
4 agents who were on the scene, and then the operator
5 would dump the trash out in a long line and try to
6 spread it out in a fairly thin layer so that we could
7 take rakes and shovels and picks and try to pick it
8 apart to see if we saw anything that might be related to
9 this incident.

10 Q. What all kind of waste were you going through?

11 A. Anything that you can think of from household
12 waste to waste from restaurants and businesses, to
13 medical waste, to polluted soil to just about anything
14 all smashed up in a big pile.

15 Q. Well, okay, you mentioned all smashed up in a big
16 pile. What would happen to this pile when they would
17 start taking some of the waste out?

18 A. So, the trash is compacted down to, I believe,
19 it's a seven to one ratio. So, the best way I can
20 describe it is with -- I used some spray foam recently.
21 So, if you have a space with spray foam, and you've got
22 this foam in a can, well every time you open up the
23 pressure on that can and allow that spray foam to come
24 out, it just fills the void. And that's what was

1 happening every time that we would dig down into this
2 trash. It would just keep filling the void. The trash
3 kept expanding when we released that pressure. We would
4 dig down, it would expand. We would dig down, it would
5 expand. We'd just keep going down as far as we could,
6 but it just -- basically the trash kept expanding
7 because of how compacted it was when it was put into
8 there.

9 Q. And you said you had an estimated depth of how
10 deep this trash could possibly be?

11 A. So, the -- I believe the coordinates were 490
12 foot height from ground level, and the depth from the
13 top of where the landfill was at was about 15 foot down.

14 Q. Okay. Now with the compaction ratio seven to one
15 and the expansion, do you know if you actually went down
16 15 feet?

17 A. We -- we got as far down as we could. I mean, it
18 wasn't a safe way to measure the depth of the hole or
19 anything like that, but we dug into there as best we
20 could on those days that we were able to do that. So,
21 we were also having to deal with the EPA and plenty of
22 other regulations because they don't like the trash and
23 the pollutants and everything being open for any longer
24 than they have to be. So, we were trying to coordinate

1 with everything we were doing and then still dealing
2 with the fact that this trash just kept expanding every
3 time we would dig.

4 Q. Okay.

5 MR. BUTLER: Your Honor, may I have
6 permission to approach?

7 THE COURT: The witness, yes.

8 By Mr. Butler:

9 Q. I am handing you what I previously marked as
10 People's Exhibit 362 through 367. Could you look at
11 those for a second, and tell me if you recognize those?

12 A. Yes.

13 Q. How are you able to recognize those?

14 A. I was there when these photos were taken and
15 appear to be a clear and accurate depiction of the
16 things that we were dealing with that day at the
17 landfill.

18 Q. Okay. Did you take those photographs?

19 A. No, I did not.

20 Q. Was that -- were those taken by another agent
21 with the Illinois State Police?

22 A. Yeah. They would have been taken by our crime
23 scene services.

24 Q. Okay.

1 MR. BUTLER: Your Honor, I move for the
2 admission of People's 362 through 367.

3 THE COURT: Ms. Thien?

4 MS. THIEN: No objection.

5 THE COURT: They will be admitted.

6 MR. BUTLER: At this time, I move to
7 publish.

8 THE COURT: You may.

9 By Mr. Butler:

10 Q. All right. Special Agent Stewart, on your screen
11 is Exhibit 362. Can you tell us what we're looking at
12 there?

13 A. Yes. It's an aerial view of our efforts at the
14 Southern Illinois Regional Landfill.

15 Q. And does this depict your full efforts?

16 A. So, this would have been right after two loads of
17 trash were -- were dumped on the ground so that we could
18 go through them, and then we would have moved down
19 through those loads of trash and search through
20 everything. And then that trash would have been brought
21 back over to the left side of the screen which was the
22 active compaction for that day and would have been
23 compacted back into that day's trash on the landfill so
24 that we could keep digging down further into the area

1 that we were exhuming.

2 Q. So, you would have went through more trash than
3 what's in that picture?

4 A. That's just one load.

5 Q. Okay. And People's Exhibit 363, what are we
6 looking at there?

7 A. So, this -- this is what it looks like -- it's
8 another aerial image, and what you're seeing here is --
9 kind of hard to see on my screen. But on the left-hand
10 side of the screen, you're seeing a day's worth of trash
11 getting compacted. Uh, and then you're seeing on the
12 right-hand side of the screen there is a backhoe style
13 excavator there, and they are starting to dig down into
14 the landfill into the area that they're trying to get
15 after. But on the left-hand side, that's a depiction
16 of, you know, part of the day's trash, and the large
17 piece of equipment there is actually that compactor that
18 I was talking about that just keeps -- it runs the whole
19 day on top of that trash.

20 Q. Okay. People's 364, what is this depicting?

21 A. This is how we were lining out the trash on the
22 ground and going through the trash. We had it lined
23 out, and then we'd go down through -- work our way down
24 through all that trash and spread it out on the ground

1 so that we could see if we can find anything.

2 Q. Okay. And there are -- appeared to be some
3 people in the background there. Are those workers that
4 helped look through the trash?

5 A. Yes.

6 Q. Okay. Were there any items of evidence collected
7 through the trash?

8 A. Yes.

9 Q. What were they?

10 A. So, there were two broken knife blades. One with
11 serration on one side, and one with serration on both
12 sides, um, and then a curtain. A multicolored curtain.

13 Q. Okay. And these items were, as you previously
14 testified to, were they compacted with medical waste and
15 contaminated soil like the process that you previously
16 testified to?

17 A. Yes.

18 Q. All right. Looking at People's Exhibit 365, is
19 that the curtain you described?

20 A. Yes.

21 Q. And 366, what is that?

22 A. It's a knife blade with some serration.

23 Q. And 367?

24 A. The other one is a knife blade with serration on

1 the bottom side there.

2 Q. Okay. Those items would have been collected and
3 turned over to the investigating agency; is that
4 correct?

5 A. Yes.

6 Q. And, um, in the photographs of the knives, I
7 notice some -- well, did you notice anything in the
8 photograph of the knives on the knife blades?

9 A. Some discoloration in this area here down here on
10 that one and it's broken off.

11 Q. They also have some soil on them?

12 A. Yes. Right there.

13 MR. BUTLER: Nothing further, your Honor.

14 THE COURT: Ms. Thien?

15 MS. THIEN: Thank you, your Honor.

16 CROSS-EXAMINATION

17 BY MS. THIEN:

18 Q. Special Agent Stewart, I am truly at a loss for
19 words at what you went through out at the landfill. I
20 never heard it quite described as an ever growing mound.
21 Um, you were out there over the course of two days; is
22 that correct?

23 A. Yes, ma'am.

24 Q. And were these the only few items that struck you

1 and your officers as being of any value for further
2 investigation?

3 A. It's the only thing close to it -- to the items
4 that were described within the search warrant.

5 Q. And, um, was there any description from -- a
6 missing shower curtain from the scene that was given in
7 any way?

8 A. I don't recall.

9 Q. You don't recall. And do you know -- or would
10 that information have ever been given to you -- as to
11 whether or not any of these items had been subjected to
12 any type of forensic testing?

13 A. I don't believe they were, but that was left to
14 the investigating agency.

15 Q. Right. And from your role in this, there is no
16 evidence linking any of these items, not just to Julie,
17 but even to the household on Songbird Lane; is that
18 correct?

19 A. There is nothing that links -- directly links
20 those items, no, ma'am.

21 Q. In fact, there's nothing about these items that
22 we can even link to Huck's or even the City of Marion
23 specifically?

24 A. No, ma'am.

1 Q. Okay. Thank you, sir. I have no further
2 questions.

3 A. Thank you.

4 THE COURT: Any redirect?

5 MR. BUTLER: No, your Honor.

6 THE COURT: Sir, you may step down. Thank
7 you very much. Mr. Butler?

8 MR. BUTLER: Yes.

9 THE COURT: You're going to have to clear
10 the annotator.

11 MR. BUTLER: I have to what?

12 THE COURT: You're going to have to pull up
13 the menu and clear it. Do you know how?

14 MR. BUTLER: No.

15 THE COURT: Do you?

16 MR. BUTLER: I mean, there is nothing even
17 on the screen right now.

18 THE COURT: Okay. It's a quarter till. Why
19 don't we go ahead and break for lunch. Ladies and
20 gentlemen of the jury, again, I will remind you until
21 this case is submitted to you for deliberation, you must
22 not discuss the case with anyone or remain within
23 hearing of anyone discussing it. You're not to read any
24 newspaper article or see any TV article relating to the

1 case, listen to any radio broadcast concerning the case.
2 After the case has been submitted to you, you must
3 discuss the case only in the jury room when all the
4 members of the jury are present. You are to keep an
5 open mind, and you must not decide any issue in the case
6 till it's submitted to you for deliberation under the
7 instructions of the Court. Please rise for the jury.

8 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
9 THE PRESENCE OF THE JURY.)

10 THE COURT: The Court will be in recess
11 until 1:15.

12 (NOON RECESS.)

13 (BACK ON RECORD.)

14 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
15 THE PRESENCE OF THE JURY.)

16 THE COURT: The Court re-calls 20-CF-596,
17 People versus Julia Bevely. All parties are present.
18 We're out of the presence of the jury presently. You
19 guys good to go?

20 MS. MUDGE: If we can have one moment, your
21 Honor?

22 MR. BUTLER: We're looking for items of
23 evidence.

24 (PAUSE IN PROCEEDINGS.)

1 THE COURT: You're good?

2 MS. MUDGE: Yes.

3 THE COURT: Please rise for the jury.

4 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
5 THE PRESENCE OF THE JURY.)

6 THE COURT: Please be seated. The State may
7 call their next witness.

8 MS. MUDGE: The People would call Dewayne
9 Morris.

10 THE COURT: Sir, please come forward, face
11 my clerk to be sworn. Raise your right hand.

12 DEWAYNE MORRIS,
13 was called as a witness on behalf of the People, and
14 being first duly sworn, was examined and testified as
15 follows:

16 THE COURT: I need you to have a seat here.
17 I need you to state your full name, spell your last
18 name, make sure you speak loud enough that everybody can
19 hear you.

20 THE WITNESS: Okay. My name is Dewayne
21 Morris. Last name M-O-R-R-I-S.

22 THE COURT: You may inquire.

23 MS. MUDGE: Thank you, your Honor. May I
24 approach the witness?

1 THE COURT: Of course.

2 DIRECT EXAMINATION

3 BY MS. MUDGE:

4 Q. Sir, where are you employed?

5 A. I'm not.

6 Q. You aren't. Since when?

7 A. I retired from the Illinois State Police January
8 1st of this year.

9 Q. Before January 1st, what was your position with
10 the Illinois State Police?

11 A. I was the Region 4 Field Supervisor; acting
12 Master Sergeant.

13 Q. And when did your career start?

14 A. I joined the State Police in 1997; March 1st,
15 1997.

16 Q. As what?

17 A. A trooper.

18 Q. Okay. And as you went through the Illinois State
19 Police, what positions did you hold throughout your
20 career?

21 A. Um, the first six years of my career I was in
22 District 19 which was in Carmi, Illinois. I was a
23 patrol trooper. I worked the interstate. I was a
24 canine handler and a field training officer.

1 Q. Then what did you do?

2 A. After that, I transferred to the Division of
3 Forensic Services where I received training and became a
4 crime scene investigator.

5 Q. How long were you a crime scene investigator?

6 A. The remainder of my career. All the way.

7 Q. In addition to being a crime scene investigator,
8 at some point did you become a blood spatter analysis --
9 analyst?

10 A. Yes, I did.

11 Q. When was that?

12 A. In 2003, I began training as a bloodstain pattern
13 analyst. In 2009, I began taking on case work in
14 bloodstain pattern analysis.

15 Q. And were you still actively participating as a
16 crime scene investigator and bloodstain pattern analyst
17 until you retired?

18 A. Yes.

19 Q. Were you in that role on December 5th of 2020?

20 A. Yes, I was.

21 Q. I am going to hand you what's marked as People's
22 Exhibit 37. Do you recognize that?

23 A. I do.

24 Q. What is that?

1 A. This is my curriculum vitae.

2 Q. And is it up-to-date?

3 A. It is.

4 Q. What is your educational background?

5 A. Um, I have an Associate's Degree in Applied
6 Science from Olney Central College, and I have a
7 Bachelor's Degree from Eastern Illinois University.

8 Q. What kind of training have you had specifically
9 in bloodstain pattern analysis?

10 A. Um, I've had many countless hours. I've had 709
11 hours of training in bloodstain pattern analysis from
12 various experts across the United States and Europe.

13 Q. And do you teach in the area of bloodstain
14 pattern analysis?

15 A. I do.

16 Q. Um, where and how many times have you taught?

17 A. I have taught in every time zone in the United
18 States, and I've taught in Scotland. Um, I have taught
19 approximately 280 hours. As an adjunct professor, I
20 have taught at Vincennes University where I taught
21 criminal justice, as well as, crime scene
22 investigation, bloodstain pattern analysis. I also held
23 curriculum for Lakeland College for crime scene
24 investigation including bloodstain pattern analysis.

1 Q. And up until your retirement, again, do you
2 conduct -- did you conduct research in the area of
3 bloodstain pattern analysis?

4 A. Yes.

5 Q. And you teach based on the research that you do
6 as well?

7 A. Yes.

8 Q. Okay. Are you a member of any professional
9 organizations?

10 A. I am.

11 Q. How many?

12 A. I'm a member of the Illinois Division of the
13 International Association for Identification. I am a
14 past president of that organization. Um, I am a member
15 of the parent body which is the International
16 Association for Identification which is the oldest and
17 largest forensic science body in the world. I'm a
18 member of the Association for Crime Scene
19 Reconstruction, which I am a past president of. I'm
20 also a member of the International Association of
21 Bloodstain Pattern Analyst. It's a world-wide
22 organization that I'm a past vice president of.

23 Q. Have you testified as a bloodstain pattern
24 analyst before as an expert?

1 A. Yes.

2 Q. How many times approximately?

3 A. Fifteen times; both in State and Federal Court.

4 Q. Have you ever testified in the area of bloodstain
5 pattern analysis and not been qualified as an expert?

6 A. No.

7 Q. Approximately how many crime scenes have you been
8 the primary bloodstain pattern analyst on?

9 A. Fifty-four.

10 Q. And are the majority of those scenes death
11 investigations?

12 A. Yes.

13 Q. When you work as a bloodstain pattern analyst,
14 are your cases peer reviewed?

15 A. Yes, they are 100 percent.

16 Q. Explain that process?

17 A. The State Police, we have 100 percent peer review
18 process which means when I'm called as a bloodstain
19 analyst to examine a scene, I will do a work-up of that
20 scene. Once my work is completed, it's passed to
21 another analyst. I was the senior bloodstain pattern
22 analyst for the State of Illinois up to my retirement
23 from 2011 to my retirement. So, there were two other
24 bloodstain analysts. Their reports would come to me for

1 peer review, but I couldn't peer review my own report,
2 so I would send mine to one of the other two. They
3 would review the work that I had done, as well as, the
4 information received. If there was a differing opinion
5 on any of the outcome, then there would be a meeting and
6 a discussion as to how to resolve a dispute, so to
7 speak.

8 MS. MUDGE: Your Honor, at this time, I
9 would tender this expert as an expert in the area of the
10 bloodstain pattern analysis.

11 THE COURT: Ms. Thien?

12 MS. THIEN: Accepted, your Honor.

13 THE COURT: So qualified.

14 MS. MUDGE: Thank you.

15 By Ms. Mudge:

16 Q. Explain what is encompassed in the field of
17 bloodstain pattern analysis?

18 A. Bloodstain pattern analysis is the study of the
19 static aftermath of liquid blood in motion. It's blood
20 drying on various surfaces. Um, we can tell a lot about
21 blood. It reacts very specifically to energy, and the
22 result in bloodstains we can classify based on that.
23 Um, whenever I say blood reacts very specifically to
24 energy, um, the greater the energy you apply to liquid

1 blood, the smaller blood becomes. Meaning, if I have
2 blood in my hand and I struck it, that would leave
3 rather large blood drops on the wall. Now, if I struck
4 it very hard, it would leave smaller blood drops on that
5 wall. So, the greater the energy, the smaller the stain
6 and also the less distance it can travel. If you can
7 imagine taking a baseball and throwing it as hard as you
8 can, and then take a grain of sand and throw it as hard
9 as you can, the baseball would go farther because it has
10 more mass. Physics allows it to travel farther with
11 energy. Well, blood reacts similarly. Um, but we look
12 at the static aftermath of the blood. We look at the
13 size, the shape, the distribution, the appearance and
14 the location and we classify what we see.

15 Q. Because the jury is going to be hearing your
16 testimony, explain what is an impact spatter?

17 A. Okay. An impact pattern is when an object
18 strikes liquid blood. First there has to be a liquid
19 blood source. Meaning, our bodies -- our circulatory
20 system is closed. We shouldn't be bleeding normally.
21 But if you receive an injury and you have a liquid blood
22 source exposed and you apply energy to that, that would
23 create an impact stain. An impact stain usually has a
24 conical distribution, a V-shaped, with the energy

1 causing the stain to have the individual drops to go
2 upward and outward.

3 Q. And how is that different from a cast-off
4 pattern?

5 A. Okay. A cast-off pattern is also spatter. First
6 of all, spatter is when blood travels through the air,
7 okay. When energy's enacted upon blood that cause it to
8 travel through the air, that's spatter. Non-spatter is
9 when blood does not travel through the air, and I can
10 talk about that shortly, but, um, cast-off is when blood
11 is released from an object due to its motion. If I had
12 blood on my hands and I swing my arm, the blood would
13 come off my hand. And that would create little drops,
14 and those drops would be released on to whatever surface
15 that they could reach.

16 Q. And what is a drip trail?

17 A. Okay. A drip trail -- first, a drip stain is one
18 individual drop of blood that was created due to
19 gravity. Meaning, if I'm bleeding and standing still
20 and enough volume accumulates to break surface tension,
21 it would create a drop, and that drop would fall down
22 based on gravity. That's -- that's -- that's a drip
23 stain.

24 A drip pattern is when blood drips into a

1 blood or another liquid. A drip trail is when you have
2 a series of drip stains between two points; meaning
3 someone's moving. An object, a liquid blood source is
4 moving.

5 Q. What is a transfer pattern?

6 A. A transfer pattern is not spatter. It's the
7 opposite. It's when blood did not go through the air.
8 It's when a bloody object touches another object. So,
9 if I had blood on my hand and I touched this desk, that
10 would create a transfer pattern. Forms of transfer,
11 there are -- we can classify further -- if we see that
12 there's motion. Meaning, if I have blood on my hand and
13 I touched it on the wall and moved my hand down the wall
14 where you can see it went down, that would be a wipe.
15 That's the classifications of wipe.

16 Now's, let's say my hand were clean, there
17 was no blood on my hand but there is blood on the wall,
18 and I run my hand through that blood, that would be
19 called a swipe. Both of them are transfers, but it has
20 to do with relative motion and where the blood was
21 located to begin with.

22 Q. And in this case, the jury will hear that the
23 work that you did classified bloodstains into two
24 different pattern styles; is that correct?

1 A. Spatter and non-spatter, yes.

2 Q. Spatter and non-spatter. Okay. On December 5th,
3 were you called to assist at 11304 Songbird Road in
4 Marion?

5 A. I was.

6 Q. Who called you up?

7 A. I was called by the field supervisor at that
8 time. It was my field supervisor Master Sergeant
9 Abigail Henn.

10 Q. Okay. And do you know approximately what time of
11 the evening you responded?

12 A. Um, I don't recall exactly when I got the call.
13 I arrived at the scene at 10:30.

14 Q. 10:30 p.m.?

15 A. Yes.

16 Q. Okay. Um, in this case, what's the first thing
17 you do in your role?

18 A. We do an initial walk-thru. Um, in this case, I
19 met with CSI Deschamps. Matt Deschamps was at the
20 scene. Um, I met with him. He gave me some brief case
21 information. He said that there had been a stabbing at
22 this location, and that there was a victim that had been
23 removed from the scene, and he was asking for assistance
24 with the bloodstain pattern analysis.

1 Q. And the jury has heard from him, and he did a
2 sketch of the home in his scene. Do you do your own
3 sketch? You create your own sketch and layout of the
4 home?

5 A. Yes, I did.

6 Q. In this case, did you do that?

7 A. Yes, I did.

8 Q. I'm going to show you what's been marked People's
9 Exhibit 399. Do you recognize that?

10 A. I do.

11 Q. What is that?

12 A. This is the sketch that I created of that scene.

13 Q. Does it fairly and accurately represent what you
14 saw as the layout of the home on December 5th of 2020?

15 A. It does.

16 MS. MUDGE: Your Honor, I would move to
17 admit and publish People's Exhibit 399 at this point?

18 THE COURT: Ms. Thien?

19 MS. THIEN: No objection.

20 THE COURT: It will be admitted, and you may
21 publish.

22 By Ms. Mudge:

23 Q. Okay. We're looking at People's Exhibit 399. If
24 you could, would you briefly tell the jury what this is

1 a sketch of and how you walk through the house and went
2 through each area?

3 A. Okay. This is a diagram of the scene that I
4 created. I used a laser measuring device to measure the
5 rooms. I placed the measurements on here. Also, you
6 can see that there are various alpha numeric items like
7 B-1, B-12, B-3; some A's. Those have to do with the
8 bloodstains that were located within the scene, but, um,
9 it shows the layout of the house; um, the master
10 bedroom, master bath, closet, living room. I'm calling
11 it Bedroom Number 1, Bedroom Number 2. Bathroom. There
12 was kind of like a toy room. Bedroom Number 3, and
13 then, like, a little laundry room before there was a
14 rear door. But, um, when I came, I met with Matt
15 outside. We did an initial walk-thru. He walked me
16 from the south end of the house to the north end of the
17 house, and we discussed a plan of action. How I
18 intended to examine the scene for bloodstains.

19 Q. And did you go from south to north in the house
20 --

21 A. Yes, I did.

22 Q. -- as you processed it?

23 A. Yes.

24 Q. First of all, is there anything that you noticed

1 at the scene overall that existed in most of the home?

2 A. Yes. There was a great deal of blood shed
3 throughout this home.

4 Q. And as you photographed this, we heard Crime
5 Scene Investigator Deschamps say he took the
6 photographs?

7 A. Yes.

8 Q. And did you direct him as to what photographs you
9 were specifically interested in?

10 A. I did. I went through the home and placed alpha
11 numeric markers on different bloodstain patterns. Um,
12 A-1 through, I believe, 39 and B-1 through 12 on
13 different patterns that I had noted.

14 Q. What is A and what is B?

15 A. Okay, A is transfer stains. Um, meaning it
16 didn't go through the air, and B is spatter. It's blood
17 that traveled through the air to arrive on the surface
18 that it wound up on.

19 Q. And in your notes, you have 39 "A" markings in
20 blood?

21 A. Yes.

22 Q. Um, those would be transfers?

23 A. Yes.

24 Q. And you have 12 "B's", and those are spatter?

1 A. Yes.

2 Q. I'm going to show you what's previously been
3 marked as People's Exhibit 400 through 493. Could you
4 please take a look at these photos? And after you're
5 done going through them, let me know.

6 A. (Witness complies.)

7 Q. Do you recognize all of those photos?

8 A. I do.

9 Q. And do they fairly and accurately depict the
10 scene on Songbird Road at the home you responded to on
11 December 5th of 2020?

12 A. Yes, they do.

13 Q. And do they all have your markings on them?

14 A. Yes, they do.

15 MS. MUDGE: Your Honor, at this time, the
16 People would move to admit and publish 400 through 493.

17 THE COURT: Any objection?

18 MS. THIEN: No objection.

19 MS. MUDGE: -- I would like to go through
20 these photos --

21 THE COURT: -- they will be admitted.

22 MS MUDGE: Oh, I apologize.

23 THE COURT: That's okay. Again, ladies and
24 gentlemen of the gallery, what is about to be depicted

1 may be of sensitive nature. You do not have to view
2 them. You're free to leave or to avert your eyes.
3 Proceed.

4 MS. MUDGE: Thank you, your Honor.

5 By Ms. Mudge:

6 Q. I'd like to go through the photos and have you
7 explain to the jury what you noticed on these, why you
8 had CSI Deschamps photo them and what they depict in
9 your expert opinion. People's Exhibit 400. We're
10 looking at the front door here?

11 A. Yes. The interior side.

12 Q. The interior side. And that's an overall view?

13 A. Yes.

14 Q. Four hundred and one. What do we see here? It
15 should be on the screen in front of you if that helps?

16 A. I apologize. The screen is darker than the
17 pictures.

18 Q. Okay. That's fine.

19 A. Um, it's a mid-range photograph of the same door
20 and the stains on the door.

21 Q. Four hundred and two?

22 A. It is a close-up of stain A-1 -- or Pattern A-1.

23 Q. And what do you notice about Pattern A-1?

24 A. Pattern A-1 is a transfer stain. Um, it's a

1 bloody object that has touched the interior side of the
2 door.

3 Q. People's Exhibit 403?

4 A. Mm-hmm.

5 Q. What is that?

6 A. That's a close-up of A-2. A-2 is a transfer
7 stain where an object has touched the interior of the
8 front door; the living room door.

9 Q. And People's Exhibit A-3, what does that depict
10 in your opinion?

11 A. A-3 is also a transfer stain where a bloody
12 object has come in contact with the door handle itself.

13 Q. So, the blood on that door handle came from an
14 object that put the blood there?

15 A. Yes; blood-baring object touched the door.

16 Q. People's Exhibit 405, what does that depict?

17 A. This is an overall of the freezer located along
18 the west wall of the kitchen.

19 Q. People's Exhibit 406?

20 A. It is the north side of that freezer. It shows
21 the transfer stain A-4.

22 Q. And just to be clear, all of the A's are transfer
23 patterns?

24 A. Yes.

1 Q. People's Exhibit 407?

2 A. That's more of an angled shot where you can see
3 the front face of the freezer and the north side of the
4 freezer, but these are transfer stains where a bloody
5 surface has touched this freezer.

6 Q. People's Exhibit 408?

7 A. This is the exterior surface of the -- what I
8 call Bedroom Number 2 according to my diagram.

9 Q. People's Exhibit 409?

10 A. This is a close-up of Pattern A-5 which is
11 located on the exterior side of that bedroom door. It
12 is a transfer stain.

13 Q. And People's Exhibit 410?

14 A. Four ten is also, um -- it's A-6. It's also the
15 exterior side of that door where a bloody object has
16 touched the door. It's a transfer stain.

17 Q. Exhibit 411?

18 A. Okay. A-7 is also a transfer stain on the same
19 side of the door; the exterior side.

20 Q. Exhibit 412?

21 A. Exhibit 412 is kind of a mid-range photograph of
22 the interior side of that bedroom -- Bedroom Number 2's
23 door.

24 Q. Four hundred and thirteen?

1 A. Four hundred and thirteen is Pattern A-8. It is
2 a transfer stain where an object has touched the
3 interior side of that bedroom door.

4 Q. People's Exhibit 414?

5 A. It's a close-up of Pattern A-9. A-9 is a
6 transfer stain located on the interior surface of that
7 same door, Bedroom Number 2.

8 Q. Four one five?

9 A. Four one five is a mid-range photograph of the
10 east wall of Bedroom Number 2. It shows stains A-1,
11 A-11.

12 Q. And is that wall that you noted --

13 A. -- A-10 and 11.

14 Q. -- I'm sorry. Is that wall that you note these
15 on, um, it's the bedroom door if that bedroom were
16 opened with the interior of that door -- I don't want to
17 say hit the wall, but would it open up parallel?

18 A. It would create what we call a limiting angle.
19 Meaning, blood can't travel through solid surfaces
20 unless there is an absorbant nature of some sort of,
21 like, a wicking. For wall surfaces, blood can't travel
22 through the wall or a door. If the door is open, it
23 would cover this wall, and this bloodstain could not be
24 deposited while the door was open. The door had to be

1 closed for that bloodstain to get there. It is a
2 transfer pattern, Pattern A-10. It's located on the
3 east wall.

4 Q. Got it. And 416?

5 A. It's Pattern A-11. It's a transfer. If you look
6 closely at A-11 --

7 Q. -- we're on A-10.

8 A. My mistake. Sorry. I got one ahead. A-10 is
9 also a transfer stain on the east wall --

10 Q. -- and that is the wall behind that bedroom?

11 A. -- that's the wall behind the bedroom door. I'm
12 sorry.

13 Q. Four seventeen?

14 A. Four seventeen is Pattern A-11. If you look
15 closely at that, you can also see relative motion.
16 Motion meaning the blood-baring surface touched the wall
17 and traveled, as you look at it, down and to the right
18 as you view it.

19 Q. As it's touching the wall?

20 A. Yes.

21 Q. Exhibit 418?

22 A. Four one eight is the exterior of the bathroom
23 door.

24 Q. Four one nine?

1 A. Four one nine is Pattern A-12. It's a close-up
2 photograph of the exterior of the bathroom door where a
3 bloody object has touched the door. You can see signs
4 of relative motion in that stain as well.

5 Q. Four twenty?

6 A. Four twenty is A-13. It is the exterior of the
7 bathroom door. Again, it shows relative motion that the
8 bloody object that has touched this is moving across the
9 door surface.

10 Q. And 421?

11 A. Four twenty-one is A-14. It shows there is a
12 transfer stain on the door handle itself.

13 Q. Exhibit 422?

14 A. Four hundred and twenty-two is the interior
15 surface of the bathroom door.

16 Q. Four hundred and twenty-three.

17 A. Four hundred and twenty-three is a close-up of
18 stain A-15 which is a transfer stain on the interior
19 side of the bathroom door where a bloody object or
20 surface has touched that door.

21 Q. And A-16?

22 A. A-16 is the blood transfer located on the door
23 handle itself on the interior side of the bathroom.

24 Q. Four hundred and twenty-five?

1 A. Four hundred and twenty-five is a mid-range
2 photograph of the south wall of the bathroom.

3 Q. A -- I'm sorry. Four hundred and twenty-six?

4 A. Four hundred and twenty-six is the Pattern A-17.
5 It's a rather large transfer pattern on the south wall.

6 Q. Is that wall where if the bathroom door would
7 open up that wall is parallel to the door?

8 A. Yes.

9 Q. Do you notice anything different about A-17 than
10 the other transfer patterns?

11 A. Um, it's larger. Um, the blood transfer itself
12 is larger which would mean that the object in creating
13 the blood stain would also have to be larger because you
14 don't see a lot of relative motion.

15 Q. Okay. Four hundred and twenty-seven?

16 A. Four hundred and twenty-seven is a close-up of
17 Patterns A-18 and A-19. Both are transfer patterns on
18 the south wall. Um, if you look closely, it resembles a
19 hand -- that of bloody hand touching it.

20 Q. And 428?

21 A. Four hundred and twenty-eight is a close-up of
22 A-18. Again, a transfer on the south wall appears to be
23 that of a bloody hand.

24 Q. And 429, what do we see here?

1 A. Close-up of A-19. Again, it appears to be a
2 transfer of a bloody hand. There is relative motion in
3 the fingertips that go down and kind of in an arcing
4 motion.

5 Q. Four hundred and thirty?

6 A. Four hundred and thirty is a mid-range photograph
7 of the south wall of the bathroom where -- near the edge
8 of the bathtub insert.

9 Q. The white that we see on the right side is the
10 bathtub and shower?

11 A. That's the side -- that's the side of the
12 bathtub/shower, yes.

13 Q. People's Exhibit 431.

14 A. Four hundred and thirty-one is a close-up of A-20
15 which is transfer stains. There is a lot of motion
16 occurring in these stains. It's a bloody object
17 touching the wall, and there is relative motion between
18 the bloody object and the wall.

19 Q. Exhibit 432?

20 A. This is A -- photograph of A-21. This is lower
21 on the wall. There is a large transfer stain that goes
22 across the wall with relative motion. This was a lot
23 lower than the previous stains. It's closer to the
24 floor.

1 Q. What does that tell you in your expert opinion
2 about blood transfer?

3 A. Well, it means that the bloody object or bloody
4 surface had to be lower to the ground -- or lower to the
5 floor. This, if you look closely, like, at the very
6 bottom right hand corner of that photo, you can actually
7 see the floor. I'd have to refer to my notes for an
8 exact measurement. I do have the measurement, but it
9 wasn't more than a foot or so above the floor, so the
10 bloody object would have to be at that level, too, to
11 touch the wall in that manner.

12 Q. Okay. Exhibit 433?

13 A. This is the south wall of the shower --
14 bathtub/shower combination.

15 Q. Four hundred and thirty-four?

16 A. Four hundred and thirty-four is A-22. It's a
17 transfer stain. Again, it appears to be a bloody hand.
18 There is relative motion which is downward in an arcing
19 manner and back to the right as you view the photograph.

20 Q. And 435?

21 A. This is A-23 which is a transfer pattern. A
22 bloody object has touched the wall. There is some
23 motion to the mid to upper portion, but none on the
24 bottom.

1 Q. And 436?

2 A. This is the -- I'm going to call it the soap
3 ledge. It's where someone would -- it's a ledge within
4 -- near the top of the bathtub, the bottom of the
5 shower, where someone might put a bar of soap or
6 something. It's a ledge there, but it's along the west
7 wall of the shower near the south corner. And, um,
8 there is a transfer stain there with some relative
9 motion going back inward and downward toward the
10 bathtub; that facing itself.

11 Q. Four hundred and thirty-seven?

12 A. Four hundred and thirty-seven is a mid-range
13 photograph of the west wall of the shower.

14 Q. And that's up --

15 A. -- very -- very high.

16 Q. And, again, we're in transfer patterns?

17 A. Yes, transfer. It's a transfer pattern. It does
18 show relative motion, but you can see the -- I'm going
19 to call it another platform within the shower. They've
20 got loofahs sitting on it, but it's near the top. If
21 you look at the color change, that's the top of the
22 shower.

23 Q. Four hundred and thirty-eight?

24 A. Four hundred and thirty-eight is a close-up of

1 Pattern A-26 which is above the bathtub basin but
2 definitely lower than the top of the shower. It's a
3 transfer stain on that location.

4 Q. We also see B-8 in this picture in which we will
5 get to, but in this picture, one transfer pattern is
6 displayed and one spattered pattern is displayed,
7 correct?

8 A. Yes. This picture gives a good view of the
9 difference between the two. Blood that travels through
10 the air has drops. Blood that doesn't travel through
11 the air does not have drops.

12 Q. Okay. Thank you. Exhibit 439?

13 A. Um, it is a close-up of the northwest corner of
14 the bathtub near the top of the bath basin. There is a
15 transfer stain just beneath the soap bar platform of
16 that corner.

17 Q. People's 440?

18 A. Four forty is an overview looking downward of the
19 toilet bowl, um, with a mid-range photograph of A-28.
20 For the purposes of this, because I know where the next
21 photograph is going, both -- A-28 is both the interior
22 surface of the lid and the seated portion of the toilet.
23 Um, one thing has to happen to get the blood on the
24 interior surface where the lid has to be open.

1 Q. Exhibit 441?

2 A. This is a close-up of the seated portion of the
3 toilet. If you look closely, you can definitely see
4 that there is relative motion going across -- the bloody
5 object going across the toilet -- seated portion of the
6 toilet.

7 Q. People's Exhibit 442?

8 A. Four hundred and forty-two is a photograph of the
9 sink. The sink is located along the north wall near the
10 east wall of the bathroom. There is a transfer stain
11 there with heavy saturation. If you look closely, it's
12 easy to see the transfer on the sink where the white
13 part is. If you look in the darker part where the edge
14 of the sink is mounted onto the counter top, there is a
15 larger volume of dried blood there as well, but this is
16 a trans -- this is a transfer stain.

17 Q. Is the stain on the vanity -- or the counter top,
18 is that a transfer pattern as well?

19 A. Yes.

20 Q. Exhibit 443?

21 A. Four hundred and forty-three is a photograph of
22 the east wall of the bathroom where the light switches
23 are near the doorway entry. It's a photograph of
24 Pattern A-30 which is a transfer stain. An object has

1 -- a bloody object has touched the wall with some
2 relative downward motion.

3 Q. And 444?

4 A. Four hundred and forty-four is the exterior
5 surface of Bedroom Number 3 -- the doorway to Bedroom
6 Number 3.

7 Q. Four hundred and forty-five?

8 A. Four hundred and forty-five is a close-up of a
9 transfer stain. It's located on the exterior side of
10 that doorway to Bedroom Number 3.

11 Q. Four hundred and forty-six?

12 A. Four hundred and forty-six is a close-up of A-32.
13 A-32 is a transfer stain that there is a transfer of
14 blood on to the door handle itself on the exterior side.

15 Q. Exhibit 447?

16 A. Four hundred and forty-seven is the east wall of
17 the hallway located just south of Bedroom Number 3. Um,
18 it's an overall showing of various bloodstains.

19 Q. Four hundred and forty-eight?

20 A. Four hundred and forty-eight is a close-up of
21 A-33 which is a transfer bloodstain with sufficient
22 volume flow. If you look at the bottom of that
23 bloodstain, you see how it's got lines coming down from
24 it, that means that the bloody object that touched this

1 had enough volume of blood on it that when it touched,
2 it caused flow. But yeah, this is a transfer stain.

3 Q. And this is on the wall that connects to the door
4 that we just saw to Bedroom 2?

5 A. Yeah. It's just south of that to the east.

6 Q. Exhibit 449?

7 A. This is A-34. This is also a transfer stain.

8 Q. On the same wall?

9 A. Same wall.

10 Q. What you described in the previous exhibit as --
11 I don't say it right -- but drips down, do we see that
12 here as well?

13 A. Yes. Well, yes and no. If you look very closely
14 at the very left side of A-34 photograph -- it will be
15 449 -- you can actually see a drip stain going across
16 the transfer. That drip stain has the volume that
17 you're talking about for flow. The drip stain was the
18 elongated stain that goes across the top of the
19 transfer, and that's -- it's in line -- that's where the
20 sufficient volume comes for that -- that flow to come
21 from. But the previous photograph, there is no drip
22 stain. The volume comes from the transfer.

23 Q. Okay. Exhibit 450?

24 A. Four hundred and fifty is a close-up of the same

1 wall. It's A-35. It's a transfer pattern on the east
2 wall of the hallway.

3 Q. As we're looking at these photographs, this is
4 how you went through the house; you photographed it in
5 order of how you --

6 A. I did not photograph it, but, yes. I put the
7 stickers and the scales and described it to CSI
8 Deschamps where -- what I wanted photographed and how I
9 wanted it photographed. I wanted mid-range, close-up,
10 overall.

11 Q. Okay. Exhibit 451?

12 A. Four hundred and fifty-one is a mid-range view.
13 There was -- I want to call it child gate or a pet gate.
14 There was a gate of some sort blocking the door -- the
15 passage way from the hallway into the laundry room. And
16 this is a mid-range photograph of that gate.

17 Q. Exhibit 452?

18 A. Four hundred and fifty-two is a more close-up of
19 that same gate. You can see my identifier A-36. This
20 is Patter A-36 with a scale. There are transfer stains
21 of blood on the top surface of that gate both on the
22 swinging portion and the solid portion that doesn't
23 swing.

24 Q. People's Exhibit 453?

1 A. It is also a photograph -- another photograph of
2 Pattern A-36 taken more perpendicular straight down.

3 Q. Exhibit 454?

4 A. Four hundred and fifty-four, this is the rear --
5 the rear door of the residence was in the laundry room.
6 It opens inward. This is a mid-range photograph of some
7 bloodstains that was located on the edge of that door.

8 Q. A transfer pattern?

9 A. Yes, it's transfer.

10 Q. Four hundred and fifty-five?

11 A. Four hundred and fifty-five is a close-up of
12 those same stains. Again, if you look closely, there is
13 sufficient volume in the transfer for flow.

14 Q. And Exhibit 456?

15 A. It is a similar photograph. It's just shot from
16 a different angle showing the edge of the door rather
17 than the front surface of the door, and, again, it shows
18 a transfer pattern with sufficient volume for flow.

19 Q. Exhibit 457?

20 A. This is an overall of the bathroom floor taken
21 from standing in the doorway photographing down --
22 downward.

23 Q. And Exhibit 458?

24 A. It is a mid-range photograph of the same floor.

1 You can begin to see the blood on the floor. Um, it was
2 a wood floor, so while the flash of the photograph is
3 washing out some of what you see here, the -- by far the
4 largest volume of blood was on the bathroom floor and
5 the hallway floor.

6 Q. Exhibit 459?

7 A. Again, this is a -- more of a close-up showing
8 the blood on the surface of the floor. This is trans --
9 these are transfers -- this is a transfer stain,
10 meaning, the bloody object was on the floor. Um, you
11 can see motion. There is movement on the -- there is
12 relative motion between the bloody surface and the
13 floor.

14 Q. Exhibit 460?

15 A. This is just another view of the floor near the
16 south wall. Again, as you see as the camera moves, the
17 flash of the camera is whiting out -- or over-lighting
18 -- creating a reflection on some of the floor where you
19 can't see the blood very well. So, it was good that he
20 took photographs from different points to show that,
21 yeah, this bathroom floor has blood over the vast
22 majority of the floor.

23 Q. And Exhibit 461?

24 A. That's the same floor. It's taken from a

1 different vantage point near the base of the sink.

2 Q. And 462?

3 A. Four hundred and sixty-two is the bathroom floor
4 near the interior of the bathroom door with the bathroom
5 door closed showing the blood on the floor.

6 Q. And People's 463?

7 A. Four hundred and sixty-three is, again, the
8 bathroom floor. This time the door is open and you're
9 seeing the transition of the flooring from the bathroom
10 to the hallway.

11 Q. Four hundred and sixty-four?

12 A. Okay. Four hundred and sixty-four is the
13 hallway; an overview of the hallway.

14 Q. Four hundred and sixty-five?

15 A. Four hundred and sixty-five is a close-up of what
16 we're calling Pattern A-39 which is the hallway floor.
17 Um, if it appears -- whenever I say that this is
18 transfer, there may be some drops in here. Actually
19 there are. I described them in B-12 that we'll talk
20 about later. But what you're seeing here, that really
21 dark color of blood, is blood that's dried and had
22 sufficient volume to look this way. So, there is a lot
23 of volume on the blood on the hallway floor.

24 Q. Exhibit 466?

1 A. It's the same area of the hallway. It's just
2 from a different vantage point. Again, the really
3 darker areas of blood that you see is more volume and
4 dried. But, again, the most volume of blood on the
5 floor was located in the -- for transfer was located on
6 the bathroom and the hallway.

7 Q. So, we're looking A-39. You noted 39 transfer
8 patterns. Is that conclusive of all of the transfer
9 patterns you noticed in the home or just the ones you
10 could depict in a photograph?

11 A. These were predominately all the ones that I saw.
12 There may have been more. If I missed one, then it
13 wasn't intentional. I was there five hours looking at
14 bloodstains.

15 Q. Okay. Moving on to B, what you labeled as B are
16 all spatters, correct?

17 A. Yes.

18 Q. Okay. I'm going to show you People's Exhibit
19 467. What room are we looking at here?

20 A. This is the master bathroom located on the south
21 east corner of the house. You're standing in the master
22 bedroom -- the vantage point is from the master bedroom
23 into the master bathroom.

24 Q. As you're processing the house, or going through

1 the house to look for transfers and spatters, do you
2 notice anything about the volume of blood you see
3 throughout the rest of the home versus in the master
4 bathroom?

5 A. Yes.

6 Q. What is that?

7 A. There was very little blood in the master
8 bathroom.

9 Q. Visible to the eye?

10 A. Yes.

11 Q. Exhibit 468?

12 A. Um, this is the sink of the master bathroom.
13 This is a close-up of spatter. Um, what I can tell
14 about this spatter is it's not a lot, and what you can
15 tell by looking at this photograph to later photographs
16 is that this particular spatter has been diluted. Um,
17 it doesn't have the density that you will see in all of
18 the remaining spatter throughout the house. This
19 spatter looks different.

20 Q. What could dilute a blood spatter?

21 A. Any other liquid.

22 Q. Water?

23 A. Water could.

24 Q. Exhibit 469?

1 A. Four hundred and sixty-nine is a mid-range
2 photograph of the west wall of the living room near the
3 front entry door.

4 Q. Four hundred and seventy?

5 A. Four hundred and seventy is a close-up of Spatter
6 B-2 which is located on the wall near -- the west wall
7 of the living room near the entry door. The spatter,
8 again, you can tell it's traveled through the air. It
9 is well-shaped. It's going down and to the right as you
10 view this image.

11 Q. Exhibit 471.

12 A. Four hundred and seventy-one is an overall of a
13 wastepaper or trash can, if you will, which is located
14 next to an island in the kitchen.

15 Q. Four hundred and seventy-two?

16 A. Four hundred and seventy-two is a close-up.
17 There is spatter on the south exterior surface of that
18 wastepaper basket or trash bag -- trash bin.

19 Q. Four hundred and seventy-three?

20 A. Okay. This is the bedroom -- this would be
21 Bedroom Number 2. This is the bed that was positioned
22 in the northwest corner of that room.

23 Q. And I will show you 474?

24 A. Mm-hmm.

1 Q. Is that a close-up of that bed?

2 A. It is.

3 Q. And those are all spatter patterns on that
4 mattress pad?

5 A. Yeah. There is spatter stains on the bedding
6 there across the bed.

7 Q. And you didn't notice any transfer patterns on or
8 near the bed?

9 A. I did not.

10 Q. Exhibit 475?

11 A. Four hundred and seventy-five is the exterior of
12 -- I believe, this is the -- I apologize. I would have
13 to look at my notes to see specifically which door this
14 is.

15 Q. Would it refresh your recollection to do so?

16 A. It would.

17 Q. Okay.

18 MS. MUDGE: Your Honor, may he have
19 permission to look at his notes?

20 THE COURT: Yes.

21 MS. MUDGE: Thank you.

22 THE WITNESS: Thank you.

23 By Ms. Mudge:

24 Q. What is 475? What room are we in here?

1 A. We're in Bedroom Number 2. This is the interior
2 surface of the door.

3 Q. And 476?

4 A. Four hundred and seventy-six is a close-up of
5 Spatter B-5. If you look, again, you can see that there
6 is drops. This is blood that's traveled through the air
7 to arrive on this door. Um, again, if this door is
8 opened, this surface of the door would be -- we call it
9 a limiting angle. Blood couldn't get on this unless the
10 door was closed.

11 Q. And we noted earlier transfer patterns on this
12 door as well?

13 A. Yes. Yes. But the door has to be positioned
14 open -- I'm sorry -- closed to get blood on that
15 surface. If you were to open the door all the way, it
16 would be against a wall or near a wall, and blood
17 couldn't get through the door to get there.

18 Q. Exhibit 477?

19 A. This is the east wall of the Bedroom Number 2.

20 Q. Is that where the door we saw would open up into?

21 A. Yes. If the door were open, it would cover this
22 wall.

23 Q. We noted the transfer patterns on this wall as
24 well earlier, correct?

1 A. Yes.

2 Q. Exhibit 478?

3 A. Um, 478 is an image close-up of pattern B-6. B-6
4 is a spatter stain. This is -- I went further to
5 classify this as a cast-off, and the reason I do it, it
6 has a linear dispersion. When blood is released from an
7 object due to it's motion, it creates a linear
8 distribution. If you look real closely, you can see
9 that the drops are in two lines. Um, the two lines
10 don't mean that there are two cast-offs. It could be
11 from the same object. Um, like, if I had blood on four
12 fingers and I went like this, there would be four lines
13 but they would all be evenly spaced, and it would look
14 -- it is similar to this. It's in lines, but the lines
15 are evenly spaced. So, I am not saying this is two
16 cast-offs. I'm saying this is at least one cast-off.

17 Q. Okay. Exhibit 479?

18 A. Four hundred and seventy-nine is a mid-range
19 photograph of the south wall of the bathroom near the
20 bathtub?

21 Q. And 480?

22 A. Four hundred and eighty is a spatter stain.
23 Again, this is a cast-off. It's got a linear dispersion
24 to it. It's blood being released from an object due to

1 its motion.

2 Q. The stain we see in the bottom left-hand corner
3 of this picture, you also noted it was a transfer
4 pattern earlier. What, if anything, does it tell you
5 that there is a transfer pattern with a cast-off next to
6 it?

7 A. Um, a bloody object has touched the wall in that
8 location and that there is relative motion; blood
9 released from an object due to its motion in a similar
10 location. The bathroom wasn't that big, so its -- they
11 resulted from a similar location.

12 Q. The majority of blood you observed was in the
13 bathroom, correct?

14 A. Yes.

15 Q. And B-8?

16 A. B-8 is the west wall of the bathtub located above
17 the bath basin. There is spatter located on that wall.

18 Q. Exhibit 482 is a close-up of B-8; am I right?

19 A. Yes.

20 Q. And you noted in your report or your notes that
21 you -- in your opinion, this is a cessation pattern?

22 A. Yes.

23 Q. What does that mean?

24 A. Okay. Um, blood that travels though the air can

1 only travel certain ways. There is only certain means
2 and mechanisms in which it can travel through the air.
3 An impact would be when an object strikes it with blood.
4 It creates a conical dispersion similar to this but not
5 quite. A cast-off would be when blood's released from
6 an object due to it's motion; it's slung off of it. Um,
7 blood can also be projected if you have a breached
8 artery. Based on the pressure of the artery, it can be
9 projected. Those -- those blood drops are usually very
10 large; I mean, extremely large. Plus, we have to know
11 that there was a breached artery, and I was never made
12 aware of any breached artery. But, um, cessation
13 cast-off, what it is, it's similar -- it is a form of a
14 cast-off. A simple cast-off is when blood is released
15 to an object due to its motion. So, if I had blood on a
16 knife and I did this, the blood would be slung from the
17 knife. A cessation cast-off is when there is a sudden
18 stop in that motion; meaning, if I were going to sling
19 the knife like this and you put your hand up and I hit
20 it, the blood would still come off it. It would come
21 off in a non-linear way. It would have a random
22 dispersion. Um, I've seen it numerous times. I have
23 trained with it. It appears to be what we call half of
24 an impact. An impact has a V shape. A cessation has

1 half of the V, so to speak, um, which there is
2 directionality in here upward and outward, which I did
3 call it cessation cast-off. When it went to peer
4 review, it was reviewed by -- at this time currently
5 ranked -- Captain Todd Hartman. Um, he did reject that
6 for peer review and wanted to discuss it further. He
7 said that how could I eliminate impact if something were
8 blocking the other half, and I couldn't. So, we always
9 revert to a more conservative stance, and we simply call
10 it a spatter. But, yeah, it is my opinion that it was a
11 cessation cast-off.

12 Q. Your opinion is that this is cessation cast-off?

13 A. Yes, it is.

14 Q. Thank you. Exhibit 483?

15 A. Four hundred and eight-three is a mid-range
16 photograph of the exterior surface of the Bedroom Number
17 3 door.

18 Q. Four hundred and eighty-four?

19 A. Four hundred and eighty-four is B-9. It's some
20 spatter. There is not a lot here, but there is spatter
21 located on the wall to the west of the door.

22 Q. Four hundred and eighty-five?

23 A. Four hundred and eighty-five is a mid-range of
24 that door near the bottom.

1 Q. Four hundred and eighty-six?

2 A. Four hundred and eighty-six is a close-up of
3 spatter that's located on the bottom of that door.
4 Again, you can see directionality. Other than the flow,
5 if you go up and to the right from the sticker B-10, you
6 see how there is -- I call it -- we call it a tail. A
7 blood drop that flies through the air if it hits at an
8 angle will create an elongated stain with a tail. The
9 tail tells you the direction the blood is traveling.
10 The source is opposite of the tail. Um, that's in any
11 acute angle. Whenever you get close to 90 degrees, the
12 bloodstains become round.

13 Q. Exhibit 487?

14 A. Four hundred and eighty-seven is a mid-range
15 photograph of the east hallway wall. It's off of the
16 Bedroom Number 3 door.

17 Q. And what we see here is -- we've already viewed
18 the close-up of A-34 which is a transfer pattern --

19 A. -- mm-hmm.

20 Q. -- and then B-11 is a spatter below that?

21 A. Well, actually it's spatter located on this wall.
22 There is actually some above it as well of the sticker
23 B-11.

24 Q. And 488?

1 A. It's a close-up of some of that spatter. Again,
2 the spatter appears to be down and to the left.
3 Predominately downward and to the left.

4 Q. Four hundred and eighty-nine?

5 A. Four hundred and eighty-nine is B-12. This is
6 where we started taking photographs of the flooring.
7 Um, it is a drip trail that's located throughout the
8 house. It actually, I believe, there was one drop
9 outside on the patio, if you will, leading to the front
10 door. There was one drop out there. And then there was
11 blood drops that led through the living room, through
12 the kitchen, into the bathroom, into the hallway area.
13 That's where the drip trail was located. And that these
14 -- this is a photograph of the flooring showing the drip
15 trail.

16 Q. Exhibit 490?

17 A. Again -- by the way, there is not only one B-12
18 sticker. I put various B-12 stickers throughout the
19 flooring to show different places to see the blood
20 drops. If you look closely at B-12, you can see what I
21 described earlier when I said that blood drops that
22 strike at a 90 degree are round. Many of these blood
23 drops are round. That tells me it's a drip trail. Um,
24 drip trail is blood that's formed due to gravity.

1 Meaning, there is sufficient blood leaving your body or
2 on an object that it would break surface tension and
3 fall with gravity. Gravity is the predominant force
4 that causes it to go straight downward.

5 Q. You mark them all B-12 throughout the house --

6 A. -- yes.

7 Q. -- is it your opinion that this drip trail was a
8 continuing drip trail?

9 A. Yes.

10 Q. Four hundred and ninety-one?

11 A. Four hundred and ninety-one is the kitchen area
12 near the trash can and the island. Again, it shows more
13 of this drip trail along the floor.

14 Q. Exhibit 492?

15 A. Four hundred and ninety-two is kind of mid-range
16 angled shot of the hallway. Um, again, you can see
17 various B-12 stickers on the floor there.

18 Q. So, this is part of that continuing trail?

19 A. Yes, it is.

20 Q. And 493?

21 A. Four hundred and ninety-three is the flooring of
22 the hallway near the east wall of the hallway, and it's
23 showing dried drops of blood on the floor. Again,
24 that's part of the drip trail.

1 Q. Based on your observations in general, presuming
2 that all of this blood belonged to one person, what do
3 you see happened in this home?

4 A. Well, this is -- this is a violent act of blood
5 shed. This is a great deal of blood that's been lost.
6 Um, I've worked thousands of crime scenes; hundreds of
7 death scenes with blood. Um, this is -- this is
8 probably in the top five of blood scenes -- blood cases
9 that I've worked for volume. There is a great deal of
10 blood in the scene.

11 Q. Um, based on your observations of all the
12 bloodstains throughout the home, where is the last place
13 that the victim bled? Where is the landing spot, for
14 lack of a better word.

15 A. Well, um, I was -- I was told that the victim in
16 this case was found in the bathtub, and I would agree
17 looking at the blood that's likely where she would have
18 wound up there. She -- presuming that the blood -- and
19 I don't -- we didn't test the blood. I don't know any
20 lab results of the blood to say whose blood it is.
21 Presuming that this blood is that of the victim, the
22 victim spent a great deal of time bleeding on the
23 hallway floor, on the bathroom floor and then was found
24 in the bathtub. And that is consistent with the blood

1 that I did see at the scene.

2 Q. In your expert opinion, the photos that we see in
3 Bedroom 2 where the blood is on the wall and the
4 interior door --

5 A. -- mm-hmm.

6 Q. -- again, presuming all of this blood came from
7 one person, what do the transfers and spatters on those
8 two tell you happened behind that door?

9 A. Well, that there is a bloody surface that is
10 touching the door on the interior side and the exterior
11 side. Um, there is transfer and spatter on the interior
12 side of the door, and transfer on the outside. Um,
13 bloody surfaces are opening and closing these doors.
14 Um, as well as with spatter, that's an action.
15 Transfers are -- are -- it's secondary. Meaning, a
16 bloody object is touching things, bumping into things,
17 touching things. The spatter is an action. It's a
18 cast-off, or it's a drip trail. That's what we're
19 seeing here. With the B-12, maybe it's a cessation
20 cast-off. But, um, those are actions. Those are
21 events. There is events occurring on both sides that
22 the door was, um -- well, the door -- to get blood on
23 both sides of the door that when the door is open, would
24 prevent that side, lets you know that the door had to be

1 in motion during this event. Meaning, the door was
2 closed at some point. The door was open at some point
3 to get it on both sides. If the door was closed the
4 whole time and the blood was in the bedroom, then the
5 blood should only be in the bedroom. Um, and the fact
6 that it's on what we call a limiting angle when you open
7 the door, that means blood likely occurred while the
8 door was closed, and it's similar to the bathroom as
9 well.

10 Q. And based upon your observations, again, assuming
11 this blood belongs to one person, this person is moving
12 during blood shed throughout the entire home that you
13 observed bloodstains in?

14 A. Absolutely. And the reason I say that is there
15 was a large volume of blood in this drip trail. It
16 covered a great distance. Um, that would be more
17 consistent with an active bleeder. If someone were
18 injured and put an object -- let's say someone had
19 injury to their hand and they were bleeding and they
20 wrapped a shirt around it, the drip trail would stop.
21 It wouldn't continue. The blood would be stopped or it
22 would be saturated in that, but this was a continuous
23 drip trail covering a large area and a large volume of
24 blood. The person who left that drip trail was in an

1 active state of bleeding. They had to be.

2 MS. MUDGE: I have no further questions at
3 this time, your Honor.

4 THE COURT: Very well. Ms. Thien,
5 cross-examination?

6 MS. THIEN: Your Honor just very briefly.

7 CROSS-EXAMINATION

8 BY MS. THIEN:

9 Q. Congratulations on your retirement?

10 A. Thank you.

11 Q. I believe you stated that this is probably in the
12 top five --

13 A. Yes.

14 Q. -- bloodiest scenes you've investigated?

15 A. Yes.

16 Q. And there was an incredible amount of volume here
17 as well?

18 A. Yes, there was.

19 Q. If you did not know that this scene had resulted
20 in a death before walking in, would that be a fair
21 conclusion?

22 A. Oh, yes, definitely.

23 Q. When you're viewing and telling us what the
24 spatter is versus the transfer --

1 A. -- mm-hmm.

2 Q. -- does that in any way tell us what caused the
3 spatter? Meaning, what object was in motion?

4 A. No way. No. There is no way to know that. What
5 I can say is -- and it is relative to that -- is the
6 size of the object, the surface area, will dictate how
7 much blood is able to be cast off. If you have an ice
8 pick, a real small surface area, and you were to sling
9 it, very little blood would come off it because the ice
10 pick can't hold that much blood. If you've got a
11 baseball bat that you were beating -- that would have a
12 lot of blood, it would have a lot larger -- or more
13 drops. So, I can't say --

14 Q. -- it can also --

15 A. -- I'm sorry.

16 Q. It could also apply to my hand, could it not? If
17 my hand were cut and bleeding and I moved my hand, that
18 also would be a source of the spatter, right?

19 A. It could, yes.

20 Q. Okay. Were you informed that there had been any
21 attempts at CPR on Jade or on the victim in this case,
22 and would that have contributed the movement of the body
23 from the bathtub to different floor surfaces, would that
24 have contributed to what we see here?

1 A. I was not made aware of that, but it could. It
2 could involve the transfer, as well as, a spatter if
3 there is blood there, but I didn't see that type of
4 spatter.

5 Q. No.

6 A. Cessation -- or not cessation. Expired blood
7 -- blood that comes out of your air way -- usually has
8 amylase in it. It's saliva. It would look diluted.
9 Um, it would also have air bubbles; the way it dries. I
10 didn't see any of that there. But, um, yes, it
11 certainly -- if she was in an active state of bleeding,
12 they put her on the floor, that could contribute to
13 transfer or --

14 Q. But if she were not in an active state of
15 bleeding when she was moved to the floor, would that
16 have contributed to what we see here or not?

17 A. If she had blood on her, yes.

18 Q. Okay. Okay. Finally, we saw one spot in the
19 master bath --

20 A. Yes.

21 Q. -- on the sink, and you said that appeared to be
22 diluted?

23 A. Yes.

24 Q. Um, could that be caused if I had a cut on my

1 hand, I rinsed it and it dripped at that point?

2 A. That would be diluted, yes.

3 MS. THIEN: Okay. I have no further
4 questions. Thank you very much.

5 THE COURT: Any redirect?

6 MS. MUDGE: No. Thank you.

7 THE COURT: Sir, you may step down. Thank
8 you. The State may call their next witness.

9 MS. MUDGE: The People would call Jessica
10 Bradley.

11 THE COURT: Ma'am, please come forward.
12 Please face my clerk. Raise your right hand to be
13 sworn.

14 JESSICA BRADLEY,
15 was called as a witness on behalf of the
16 People, and being first duly sworn, was examined and
17 testified as follows:

18 THE COURT: Please have a seat over here. I
19 need you to state your full name, spell your last name,
20 and please make sure when you speak, speak loud enough
21 for everyone to hear.

22 THE WITNESS: Jessica Bradley.
23 B-R-A-D-L-E-Y.

24 THE COURT: You may inquire.

1 MS. MUDGE: Thank you.

2 DIRECT EXAMINATION

3 BY MS. MUDGE:

4 Q. How old are you, Jessica?

5 A. Thirty-six.

6 Q. And where do you live? What city?

7 A. Marion.

8 Q. Do you work?

9 A. Yes.

10 Q. Where do you work?

11 A. I work for SIU Credit Union.

12 Q. How many children do you have?

13 A. I have one.

14 Q. How old is your child?

15 A. She's four.

16 Q. What's her name?

17 A. Everly (ph).

18 Q. And you've heard enough that you had another
19 child, and who was that?

20 A. Jade.

21 Q. When was Jade born?

22 A. Jade was born August 3rd, 2009.

23 Q. Where?

24 A. In Marion.

1 Q. Who's her father?

2 A. Gregory Michael Beasley.

3 Q. And were you married at the time?

4 A. Yes.

5 Q. How old was Jade when -- do you call him Mike?

6 A. I always refer to him as Michael.

7 Q. Okay. How old was Jade when you and Michael
8 split up?

9 A. About a year.

10 Q. What was the custody arrangement like between you
11 and Michael and Jade?

12 A. Um, we decided that it was best for her to do a
13 rotating every other week. Um, sometimes it would be
14 Monday to Monday. Sometimes it would be Sunday to
15 Sunday. Whatever worked best for our schedules.

16 Q. And Jade was the only child that you had with
17 Michael?

18 A. Yes.

19 Q. What kind of kid was Jade?

20 A. Amazing. She was amazing. She was smart and
21 funny and artistic, um, loving. She liked to help out
22 whenever she could with whatever she could. She liked
23 to work with her hands. Um, she loved family. She
24 loved getting to go on vacations. She loved being

1 around her extended family, her siblings. She loved
2 animals. She was a good kid.

3 Q. Was she a good student in school?

4 A. Yeah, she was.

5 Q. Did you have a good relationship with your
6 daughter, Jade?

7 A. Yeah.

8 Q. And did she have a good relationship with her
9 father as well?

10 A. Yeah.

11 Q. Did you have a good relationship with her father?

12 A. For the most part, yeah. I mean, we had our
13 disagreements. But for the most part, we were very
14 flexible with the schedule. You know, if I needed her
15 for an extra day for some event or something with one of
16 her friends, that was fine; vice versa. Um, and really
17 all I had to do was just call and say, "Hey. You know,
18 this is what I need her for. Is that okay?" And he
19 would call and ask the same thing.

20 And once she got old enough, she would just
21 kind of tell us, "Hey, mom. I'm going to stay at dad's
22 an extra day," or, "Hey, dad. I'm going to go back to
23 mom's early because" -- A, B, C.

24 Q. And both of you were okay with that?

1 A. Mm-hmm. Yeah.

2 Q. I'm going to show you two photographs, Jessica,
3 marked People's Exhibit 374 and 375.

4 MS. MUDGE: May I please approach the
5 witness?

6 THE COURT: You may.

7 MS. MUDGE: Thank you.

8 By Ms. Mudge:

9 Q. Do you recognize those photos?

10 A. Yes.

11 Q. And what is Exhibit 374?

12 A. This is Jade at a little park. I want to think
13 it was around Giant City possibly. She was about seven.

14 Q. Seven years old?

15 A. Mm-hmm.

16 Q. And what about 375?

17 A. She was 11. Um, I think this was taken in
18 September of 2020. Um, she had found this dress on one
19 of her thrift shopping trips with her grandma and her
20 great-grandma, and, um, she loved it. It was a little
21 too big, but I had told her, I said, Why don't you let
22 me take a couple of pictures of you before you fit into
23 it just because I think it fits nicely, and maybe you
24 could wear it to prom or maybe you could wear it to

1 homecoming or something.

2 Q. And both of those pictures are of Jade?

3 A. Yes.

4 Q. Okay.

5 MS. MUDGE: Your Honor, at this time, the
6 People would move to admit and publish 374 and 375.

7 THE COURT: Any objections?

8 MS. THIEN: No, your Honor.

9 THE COURT: They will both be admitted and
10 you may publish.

11 By Ms. Mudge:

12 Q. I am showing you 374, Jessica. How old is Jade
13 in that picture?

14 A. She is about seven.

15 Q. And 375?

16 A. She's 11. It was right around September of 2020.

17 Q. Is that the photo that you used in her obituary?

18 A. Um, it was either that one or the pink one, but
19 this is the one that is on her headstone.

20 Q. When did you meet Julia Bevely, the defendant, in
21 this case?

22 A. Um, probably not -- not too far into her
23 relationship with Michael. Um, it was a very brief
24 meeting. Um, I went to pick up Jade, um, at the

1 apartments that she lived at, and she was out there with
2 Michael.

3 Q. About how old was Jade when the defendant came
4 into Michael's life?

5 A. About three and a half; almost four.

6 Q. And what was Jade's relationship like with the
7 defendant?

8 A. It was okay. Um, she was excited to have her son
9 Jayden around. Have somebody to play with because at
10 the time, Jade only had older cousins to play with. Um,
11 so she was -- she enjoyed having another person closer
12 to her age around.

13 Q. I'm going to take you to December 5th of 2020.
14 Let's discuss that day. It was a Saturday, right?

15 A. Yes.

16 Q. And where had Jade been that week?

17 A. She had been with her dad.

18 Q. And she wasn't -- at this point, are you on a
19 Monday-to-Monday schedule?

20 A. Yeah. Yeah.

21 Q. So, that Monday she would have been coming back
22 to your house?

23 A. Mm-hmm.

24 Q. Was it arranged that you were going to see Jade

1 on that day?

2 A. Yes. I was picking her up for, um, my daughter
3 Everly's second birthday party which was -- her birthday
4 was the day prior.

5 Q. What time were you supposed to pick Jade up?

6 A. One o'clock.

7 Q. Did you speak to her the night before?

8 A. I did.

9 Q. And, um, did you discuss the plans for Everly's
10 birthday party?

11 A. I did.

12 Q. What's the last thing she said to you?

13 A. She said, "Okay, mom. I'll see you tomorrow. I
14 love you."

15 Q. And you didn't speak to her at all on December
16 the 5th?

17 A. No.

18 Q. But she knew you were coming, you assumed?

19 A. Mm-hmm. Yes.

20 Q. You left to go pick her up?

21 A. Yes.

22 Q. Okay. Did you try to contact her?

23 A. I did.

24 Q. How many times about?

1 A. I tried to call her at least three times, and I
2 sent her a couple of text messages. I sent one telling
3 her that I was on the way, and then after I didn't hear
4 out of her, as I was approaching the house, I told her
5 -- I text her again and said you need to call me ASAP.

6 Q. Was it normal for her to not respond to a text?

7 A. Yes.

8 Q. At some point when she wasn't responding to you,
9 did you reach out to Michael?

10 A. I did.

11 Q. And without getting into what Michael said to
12 you, was it your belief that he was going to reach out
13 to the defendant --

14 A. -- yes. Yes.

15 Q. -- to try to wake her?

16 A. Yes. Yeah.

17 Q. You get to the house and you see flashing lights
18 you said?

19 A. Mm-hmm.

20 Q. And who else -- did you recognize anyone else at
21 that house at that time --

22 A. -- when I first got there --

23 Q. -- besides police.

24 A. Right. When I first got there, no. Um, once I

1 got out of the car and started to approach the house,
2 um, an officer stopped me. And I explained to him who I
3 was and that the last I knew my daughter was inside.
4 Um, and he told me I needed to wait, and I started
5 looking around to try to make sense of what was
6 happening. Um, and at one point I looked over and I saw
7 Julia sitting crisscross on the porch.

8 Q. Did you make eye contact with her?

9 A. Not at that moment, I didn't.

10 Q. What was the defendant's demeanor like when you
11 saw her sitting on the porch that day?

12 A. At that point, she was just staring straight
13 forward kind of hunched over just looking and rocking
14 just slightly back and forth.

15 Q. At some point when you're at the house and the
16 defendant is sitting on the porch, did you make eye
17 contact with her?

18 A. I did.

19 Q. And did you notice anything about that
20 interaction?

21 A. It appeared that she started to become emotional.
22 But once that contact was broken and I looked back
23 towards her, she was right back to the same rocking
24 motion and staring straight ahead.

1 Q. While you're at the house, at some point do you
2 see Jade?

3 A. I did.

4 Q. How did that happen?

5 A. Um, they were wheeling -- they -- the EMTs were
6 wheeling her on a gurney out of the house, um, and I
7 could see her face, and I could see her right arm. And
8 her right arm was just kind of flopping off the side of
9 the stretcher, and her head was just kind of tilted.
10 She was incredibly pale. Um, and I could tell that her
11 hair was wet or had been wet recently just by the way it
12 was laying. Um, and they had her covered up with a
13 sheet but not her head. Um, and I could see some what
14 looked to be bloodstaining on the sheet. And they
15 wheeled her out and put her in the back of the
16 ambulance, and that was the last time that I saw her.

17 Q. With regards to the defendant, what was the --
18 what was Jade's relationship like with the defendant?

19 A. From what I knew, normal. I mean, you know, for
20 all intents and purposes, she was her step-mom, and, I
21 believe, acted as such. Um, Jade was an 11-year-old
22 pre-teen. From what I could tell, they got along as
23 best as those two types of people could get along. And
24 I had even asked Jade just checking in on her as her

1 mom, Is Julie nice to you? Does she treat you okay?

2 And Jade was very autonomous, so she was like, Yeah.

3 Everything's fine. She's fine, um --

4 Q. After Jade was murdered, you spoke to the police?

5 A. I did.

6 Q. And the police asked you specifically if you had
7 any concerns about the defendant?

8 A. Mm-hmm.

9 Q. And you said that you had a couple of minor
10 concerns?

11 A. Yeah.

12 Q. What were those?

13 A. Um, I had just always kind of got a unsettling
14 vibe from her. Um, just not like a welcoming sense from
15 her; a little off-putting. Uh, but that was really it.
16 But just kind of an un -- un-welcoming; almost like a
17 wall up. Like, a barrier-type situation.

18 Q. Was there ever a time when Jade took a trip with
19 the defendant and Michael and came home and you became
20 maybe more concerned?

21 A. She -- it was the first trip that she was ever
22 more than a couple of states away. Um, they decided
23 that they wanted to go visit family in Massachusetts.
24 Um, and at first, I was very nervous about that just

1 because that's my baby going however many hours and
2 states away. It was nerve-racking, but Michael was very
3 assuring that she'll be fine. Everything's going to be
4 fine, so I -- okay, you know. Um, I sent Jade with a
5 disposable camera so that she could take pictures. Most
6 of them were outside of the window, crooked, fuzzy. Not
7 -- she didn't do a very great job with the disposable
8 camera. Um, but when she came home and was showing them
9 to me, there were a few that I had to stop and have her
10 go back through, and I asked her where were you or what
11 was that.

12 MS. THIEN: I have to object as to hearsay
13 at this point, Judge. I'm sorry.

14 THE COURT: Sustained.

15 By Ms. Mudge:

16 Q. Without getting into what Jade said to you, the
17 words, what were the pictures of?

18 A. Of a business that Julie's family owns that is
19 what I believe to be a pagan wiccan store there in
20 Salem.

21 Q. Aside from that, during the years that the
22 defendant was in Jade's life, there were no massive
23 problems between the two?

24 A. No.

1 Q. And you were close with Jade?

2 A. (Witness complies.)

3 Q. She would have told you?

4 A. Yes, she would have. She was very vocal.

5 Q. Okay. As Jade's mother and with her being her
6 age, did you ever have a conversation with her about
7 defending herself in situations?

8 A. I did.

9 Q. About how long before she was murdered did you
10 have this conversation with her?

11 A. About six months. It was during the Summer of
12 2020.

13 Q. And, again, without getting into the contents of
14 what Jade said to you, what prompted this conversation
15 with her?

16 A. Recently at that time in our community, um, in
17 the Southern Illinois area, there had been a increase
18 in, um, sex trafficking, abductions, kidnappings; things
19 of that nature. Um, and during this conversation, I
20 explained what I expected of her should anything happen
21 to her.

22 Q. What did you tell her to do?

23 A. I told her that if anyone, whether she knew them
24 or not, tried to do anything to her or put her in

1 danger, that she was to kick, bite, scratch, scream,
2 claw, pull hair, do whatever she had to do to try to get
3 away from that person. And if she knew that she was not
4 going to get away, she needed to make sure that she took
5 part of the person with her or that she left part of the
6 person -- part of herself on that person.

7 MS. MUDGE: I have no further questions,
8 your Honor.

9 THE COURT: Ms. Thien?

10 MS. THIEN: Judge, I have no questions.
11 Thank you.

12 THE COURT: Very well. Thank you, ma'am.
13 You may step down.

14 THE WITNESS: Thank you.

15 THE COURT: The State may call their next
16 witness.

17 MS. MUDGE: Your Honor, at the time right
18 now, the People rest its case.

19 THE COURT: Okay. I think we'll go ahead
20 and take a break. Please stand for the jury.

21 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
22 THE PRESENCE OF THE JURY.)

23 THE COURT: Go ahead and have a seat. We
24 are outside the presence of the jury. Still pending is

1 the State's Motion to Bar Testimony of Defendant's
2 Witnesses. Some discussion was had, but no definitive
3 ruling has been made.

4 Is there any change in the State's position
5 with respect to the Motion to Bar?

6 MS. MUDGE: No, sir.

7 THE COURT: Okay. Ms. Thien, any response?

8 MS. THIEN: Let me grab that motion out of
9 my case, Judge. I believe at this point in time we
10 anticipate calling five witnesses. These five witnesses
11 we anticipate to testify specifically about Julie's
12 relationship with Jade and the actual things that they
13 have seen throughout these seven years. I believe that
14 is relevant. They will also discuss their relationship
15 with Julie. How they know her. How they find her to be
16 as a person and with her children. I think at this time
17 it is relevant. I do not believe that it is something
18 subject to being barred, and we would ask the Court to
19 permit the defense to put on our case.

20 THE COURT: Any response from the State?

21 MS. MUDGE: The response is, I believe, if
22 it is testimony as to Julie's relationship with Jade, it
23 is relevant. It is fair game. If it is their
24 relationship with the defendant personally, then we're

1 getting into character of the defendant. So I -- so, I
2 guess half of my Motion to Bar I would stand by. What
3 they have observed between the defendant and the victim,
4 absolutely. What their friendship is like with the
5 defendant, what kind of person she is, that is
6 inadmissible character evidence, and I would stand on my
7 motion as to that part of the testimony.

8 THE COURT: Has the State put that in issue?
9 Has the State made it an issue when the State asked
10 specific questions about the relationship between the
11 defendant and the victim?

12 MS. MUDGE: Yes, but not between the people
13 that are testifying their relationship with the
14 defendant. That has nothing to do with the victim.

15 THE COURT: Any response, Ms. Thien?

16 MS. THIEN: Judge, part of that will be
17 background and history. It's kind of ridiculous to call
18 a witness without explaining to the jury who the witness
19 is and why it's important that they have something to
20 say. I have known -- I have known one person for her
21 entire life. This is what I know. This is the times
22 we've been together, and I've seen the family in action.
23 I don't think we're talking about reputation within the
24 community kind of questions. That, I believe, we have a

1 specific rule on.

2 THE COURT: Is the relationship between the
3 defendant and these other people relevant in this case?

4 MS. THIEN: For them to know who they are
5 listening to, yeah.

6 THE COURT: Well, I am certain they can
7 testify that they know the defendant; they have a
8 relationship over a period of years. But are you
9 intending to illicit testimony that they know the
10 defendant to act in a certain manner or in a certain
11 way, and isn't that really character evidence?

12 MS. THIEN: Yes. And that is part of what I
13 am seeking to admit. Character; not reputation.

14 THE COURT: Okay. I'm going to go upstairs
15 a minute and look at something and I'll be back. We
16 will take a recess.

17 (RECESS.)

18 (BACK ON RECORD.)

19 THE COURT: We're back on the record in case
20 Number 2020-CF-596, People versus Julia Bevely. We are
21 still outside the presence of the jury. Okay. The
22 Court believes that there is a difference between
23 reputation evidence and character evidence, okay.

24 Illinois Rules of Evidence Rule 404 says in Subparagraph

1 A, character evidence generally. "Evidence of a
2 person's character or a trait of character is not
3 admissible for the purpose of proving action in
4 conformity therewith on a particular occasion except
5 A(1), character of the accused. In a criminal case,
6 evidence of a pertinent trait of character offered by
7 the accused or by the prosecution to rebut the same."

8 So, a character trait might be I'm a
9 nurturing parent. I'm a patient person. I'm a loud
10 person. I'm a helicopter parent. Those are all traits.
11 I think that whether I am a loving person or not is a
12 trait as well. So, as far as the defense wishing to
13 offer that the accused has a particular trait, and
14 that's the purpose of it, I'm going to allow it.

15 The other thing, to my gallery, it's been
16 reported to me that someone has been on their phone --
17 seen on their phone. Now, that wasn't seen by Court
18 personnel, nor, was it seen by any of my bailiffs. But
19 I promise you, if there is anybody that gets caught with
20 their cell phone operating during this trial, you will
21 be held in contempt. You will lose your phone. So, if
22 you have a phone and it's on, you better turn it off
23 now. There will be no operation of the phone at all.
24 Everybody was warned. Everybody has been talked about.

1 That goes to everybody in this room with the exception
2 of the attorneys. Not that they are special, but just
3 that their phone can be on. I would expect them not to
4 be on their phone during a trial, though.

5 Okay. Ms. Thien, given the time of day that
6 we have right now, it's 3:20 in the afternoon, I was
7 going -- it's Valentine's Day. I was going to have us
8 break at 4:00 anyway. Do you have a problem with me now
9 breaking at this point in time, admonishing the jury, of
10 course, before they go home?

11 MS. THIEN: No, Judge. In fact, when we
12 were speaking and preparing, we have our witnesses
13 starting tomorrow morning. After we break, I would like
14 to make sure that I get my opportunity to make my motion
15 before the end of the day.

16 THE COURT: Your motion -- oh, yes, ma'am.
17 Okay. Of course. We'll do that after we release the
18 jury. I'm not going to make them sit while we're doing
19 that.

20 MS. THIEN: I think that's good.

21 THE COURT: All right. Rise for the jury,
22 please.

23 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
24 THE PRESENCE OF THE JURY.)

1 THE COURT: Be seated, please. Ladies and
2 gentlemen of the jury, it's now 3:22 and it's
3 Valentine's Day. So, what I am going to do is stop
4 today. It sounds like to me is a good time to do that.
5 So, I want to remind you, until this case is submitted
6 to you for deliberation, you must not discuss this case
7 with anyone. That means your spouse, your friend, no
8 one. Nor are you to remain within hearing of anyone
9 discussing it. If either one of those things happen,
10 you are to report it to my bailiffs, security, the
11 sheriff's -- anybody that is in law enforcement would
12 suffice -- as soon as you possibly can. You're not to
13 watch any news cast whatsoever about this trial. You're
14 not to read the internet about this trial. You can't
15 read the newspaper article regarding this case. Can't
16 listen to any radio broadcast about this case. Now,
17 after this case has been submitted to you, you must
18 discuss the case only in the jury room when all members
19 of the jury are present. You are to keep an open mind,
20 and you must not decide any issue in this case till it's
21 submitted to you for your deliberation under the
22 instructions of the Court. I will see you guys -- I
23 would like you to be here at 8:30. We're not going to
24 start till about nine o'clock. There is a few things

1 that the attorneys and I have to take care of, but we
2 don't want to waste your time; especially since it's
3 Valentine's Day. So, you enjoy your evening. Please
4 rise for the jury.

5 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
6 THE PRESENCE OF THE JURY.)

7 THE COURT: You may be seated. Ms. Thien?

8 MS. THIEN: Thank you, sir. Judge, at the
9 close of the State's case, the defense moves for a
10 directed verdict of not guilty.

11 THE COURT: Anything further on that motion?

12 MS. THIEN: We cite in support the prior
13 arguments made and recorded as to Dr. Wold's testimony.
14 We believe at this point that it has seriously impacted
15 this trial. Secondly, we believe that taking all of the
16 evidence, even in the light most favorable to the State,
17 as we must at this point, that they have failed to prove
18 each and every element of the offenses, and we are
19 asking the Court at this time for a directed verdict.

20 THE COURT: Any response from the State?

21 MS. MUDGE: Yes, Your Honor. With regard to
22 Dr. Wold, again, it's been argued ad nauseam, and Dr.
23 Wold did not testify as to any scientific findings. He
24 testified to observation, the evidence only, and

1 considering the evidence even in the light most
2 favorable to the defendant, based on her statements
3 alone, um, being disproven throughout the course of the
4 last three weeks along with the DNA evidence, there is
5 plenty of evidence that's been submitted to send this
6 case to a jury.

7 THE COURT: With respect to there being no
8 scientific evidence offered by Dr. Wold, that is
9 incorrect. He did say based upon his training and
10 experience the mark in question was a bite mark. There
11 was a motion -- or an objection actually, which the
12 Court sustained, but there was some testimony. The
13 Court does not believe that that witness caused me to
14 grant the motion. So, based on the totality of the
15 evidence that the Court has heard, the Motion for a
16 Directed Verdict will be denied. Any other motions from
17 the defense?

18 MS. THIEN: No, your Honor.

19 THE COURT: Okay. So, Ms. Thien, you
20 indicated to me that you thought you might be doing a
21 half day. Is that still your assumption.

22 MS. THIEN: It is, Judge. I believe if it
23 actually goes to a full half day I would be surprised.
24 It's going to be tight.

1 THE COURT: Okay. Where are you guys on
2 instructions?

3 MS. THIEN: I think we might want to talk
4 about that this afternoon a little bit.

5 THE COURT: I'm sorry?

6 MS. MUDGE: They are 99 percent complete on
7 our end. We will have them e-mailed to Ms. Thien this
8 evening, and I believe they are pretty simple
9 considering this case. But pretty simple, straight
10 forward, and we should have them ready for the Court
11 tomorrow at 8:30.

12 THE COURT: Okay. Remember your non-IPI
13 that's already been read by the Court.

14 MS. MUDGE: Yes, sir.

15 THE COURT: That needs to be included.
16 Okay. So, I would like you guys at 8:30. I anticipate
17 we will start about nine o'clock. If you guys get here
18 earlier, I mean, I will be here earlier, too. We can
19 take up, you know, at least the instructions any time
20 that you guys are here. Anything else at the present
21 time?

22 MS. THIEN: Not that I can think of from the
23 defense, Judge.

24 MS. MUDGE: No, sir.

1 THE COURT: Okay. See you guys in the
2 morning. The Court will be adjourned.

3 (COURT WAS ADJOURNED FOR THE DAY.)
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IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
WILLIAMSON COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)
)
Plaintiff,)
Vs)
) No. 20-CF-596
)
JULIA E. BEVELY,)
)
Defendant.)

CERTIFICATE OF REPORTER

I, Amy L. Holloman, one of the Official
Court Reporters in and for the First Judicial Circuit of
the State of Illinois, hereby certify that the foregoing
is a true, complete, and correct transcript to the best
of my ability of all the proceedings had in the
above-styled cause.

Amy Holloman
Amy L. Holloman, CSR
Official Court Reporter

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IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
WILLIAMSON COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)
)
 Plaintiff,)
)
 vs.) No. 2020-CF-596
)
 JULIA E. BEVELY,)
)
 Defendant.)

JURY TRIAL

Report of proceedings of the hearing before
the Honorable Stephan Green on February 15th, 2023.

APPEARANCES:

JENNIFER MUDGE and PHILLIP BUTLER
Special Prosecutors
Springfield, Illinois
For the People

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1 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
2 THE PRESENCE OF THE JURY.)

3 THE COURT: The Court calls 20-CF-596,
4 People versus Julia Bevely. The defendant and her
5 attorney are present in open Court with the State. The
6 jury is not present. The Court has been advised that
7 the attorneys have met and have discussed the proposed
8 jury instructions in the case and are ready for a jury
9 instruction conference now; is that correct?

10 MR. BUTLER: Yes, Your Honor.

11 THE COURT: Ms. Thien?

12 MS. THIEN: Yes, Your Honor.

13 THE COURT: All right.

14 MR. BUTLER: May I approach?

15 THE COURT: Of course. Okay. The State has
16 tendered IPI Criminal Number 1.01. Any objection?

17 MS. THIEN: No objection.

18 THE COURT: It will be given. The State has
19 tendered IPI Criminal Number 1.01(a). Any objection?

20 MS. THIEN: Judge -- we did this one at the
21 beginning and pretty much every time the jury has been
22 excused. I don't think we need it in the final.

23 MR. BUTLER: Judge, I would argue that we do
24 need that. I mean, there is a chance that the jury

1 doesn't reach a verdict right away, gets released, would
2 be instructed on this as well.

3 MS. THIEN: I withdraw any objection, Judge.

4 THE COURT: So, no objection to 1.01(a)?

5 MS. THIEN: No.

6 THE COURT: Okay. That will be given.

7 Non-IPI Instruction -- State's Instruction Number 3
8 which was agreed upon earlier in the proceeding. Any
9 objection?

10 MS. THIEN: No, your Honor.

11 THE COURT: It will be given. IPI Criminal
12 Instruction 1.01(b), State's Instruction 4, any
13 objection?

14 MS. THIEN: No, your Honor.

15 THE COURT: It will be given. IPI Number
16 1.02, State's Instruction Number 5, any objection?

17 MS. THIEN: Nope. No, your Honor.

18 THE COURT: It will be given. IPI Criminal
19 Number 1.03, State's Instruction 6, any objection?

20 MS. THIEN: No objection.

21 THE COURT: It will be given. IPI Criminal
22 Number 1.05, State's Instruction Number 7. Any
23 objection?

24 MS. THIEN: No objection.

1 THE COURT: It will be given. IPI Criminal
2 Number 2.01, State's Instruction 8. Any objection?

3 MS. THIEN: No objection.

4 THE COURT: It will be given. IPI Criminal
5 Number 2.02, State's Instruction Number 9. Any
6 objection?

7 MS. THIEN: No objection.

8 THE COURT: It will be given. IPI Criminal
9 Number 2.03, State's Instruction Number 10. Any
10 objection?

11 MS. THIEN: No objection.

12 THE COURT: It will be given. IPI Criminal
13 Number 2.04, State's Instruction Number 11. Any
14 objection?

15 MS. THIEN: No, your Honor.

16 THE COURT: I will be given. IPI Criminal
17 Number 3.02, State's Instruction Number 12. Any
18 objection?

19 MS. THIEN: No, your Honor.

20 THE COURT: It will be given. IPI Criminal
21 3.06-3.07, State's Instruction Number 13. Any
22 objection?

23 MS. THIEN: No.

24 THE COURT: It will be given. IPI Criminal

1 7.01, State's Instruction Number 14. Any objection?

2 MS. THIEN: No objection.

3 THE COURT: It will be given. IPI Criminal
4 Number 7.02, State's Instruction Number 15. Any
5 objection?

6 MS. THIEN: No objection.

7 THE COURT: It will be given. IPI Criminal
8 Number 26.01, State's Instruction Number 16. Any
9 objection?

10 MS. THIEN: No objection.

11 THE COURT: It will be given. IPI Criminal
12 Number 26.02, State's Instruction Number 17. Any
13 objection?

14 MS. THIEN: No, your Honor.

15 THE COURT: It will be given. IPI Criminal
16 Number 26.05, State's Instruction Number 18. Any
17 objection?

18 MS. THIEN: No, your Honor.

19 THE COURT: It will be given. Does the
20 defense wish to offer any instructions?

21 MS. THIEN: No, your Honor.

22 THE COURT: Okay. Ms. Thien, are you ready
23 to proceed?

24 MS. THIEN: May we approach very quick?

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(SIDE BAR.)

(END SIDE BAR.)

MS. THIEN: Judge, before we call in the jury, on consultation, Julie has decided that she is not going to take the stand, and I didn't know if you wanted to inquire before the jury comes in --

THE COURT: Let's do that before.

MS. THIEN: -- so we don't have to do it later.

THE COURT: Yes. Ms. Bevely, your attorney has indicated to me that you wish to exercise your right against self-incrimination and choose not to testify in these proceedings; is that accurate?

THE DEFENDANT: Yes.

THE COURT: Have you had an ample opportunity to discuss that decision with your attorney?

THE DEFENDANT: Yes, sir.

THE COURT: Do you understand that you do have the right to testify, as well as, the right to remain silent?

THE DEFENDANT: Yes, sir.

THE COURT: And after having your discussion with your attorney, do you feel like you've had plenty of time to make an informed decision about this choice?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And it is your choice that you
3 do not want to testify in the proceedings?

4 THE DEFENDANT: Correct.

5 THE COURT: Okay. Ms. Thien, you ready now?

6 MS. THIEN: We are.

7 THE COURT: Is the State ready?

8 MS. MUDGE: Yes, sir.

9 THE COURT: Please rise for the jury.

10 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
11 THE PRESENCE OF THE JURY.)

12 THE COURT: Please have a seat. We're at
13 the beginning of the defense's case. Ms. Thien, you may
14 call your first witness.

15 MS. THIEN: Thank you, your Honor. Defense
16 calls Michael Humes.

17 THE COURT: Sir, I need you to face my
18 clerk. Raise your right hand to be sworn in.

19 MICHAEL HUMES,
20 was called as a witness on behalf of the Defendant, and
21 being first duly sworn, was examined and testified as
22 follows:

23 THE COURT: Please have a seat over here,
24 sir. I need you to state your full name, please spell

1 your last name for the record, and I need you to speak
2 up well enough that everybody can hear you.

3 THE WITNESS: Michael Eric Humes.

4 H-U-M-E-S.

5 THE COURT: You may inquire.

6 MS. THIEN: Thank you.

7 DIRECT EXAMINATION

8 BY MS. THIEN:

9 Q. Michael, where do you live?

10 A. I live in Lemoore, California.

11 Q. I see that you are currently serving in the
12 United State's Navy.

13 A. Yes, ma'am.

14 Q. Thank you. When did you -- when did you join?

15 A. Uh, March 24th of '21.

16 Q. Michael, how do you know Julie?

17 A. Julie is my sister.

18 Q. Okay. So, how many siblings are there?

19 A. There is four of us.

20 Q. And where do you fall in the order?

21 A. I'm the oldest.

22 Q. You're the big brother?

23 A. Yes.

24 Q. Okay. Where does Julie fall in the order?

1 A. She is third.

2 Q. Go ahead and give me their --

3 A. Uh, me and then Jordan, Julie and then Ricky.

4 Q. Okay. I understand Ricky is also in the service?

5 A. Yes. He's in South Korea right now. He's in the
6 Air Force.

7 Q. You and Julie grew up in the same house?

8 A. Yes.

9 Q. And even after reaching adulthood, did you
10 maintain a close relationship?

11 A. Yes.

12 Q. How?

13 A. Um, talking on the phone. All -- all --
14 basically all holidays. Um, I lived with my grandmother
15 for a while to take care of her, and Julie would use her
16 as a babysitter often. So during that period, I
17 probably saw Julie two to three times a week. And then
18 once I moved away -- I lived in Fairview Heights,
19 Illinois.

20 Q. Mm-hmm.

21 A. But I would come back probably once a month or
22 once every two months just to visit, not including
23 holidays. So, yeah, I see her often.

24 Q. Would you describe yours as a close family?

1 A. Absolutely.

2 Q. During this time -- well, let me strike that.
3 How many children does Julie have?

4 A. Um, Julie has Jayden, Myla, Rayne and Thomas.

5 Q. Okay. And you were around with Jade as well?

6 A. Yes.

7 Q. Were you around when Julie and Mike first started
8 dating?

9 A. Yes.

10 Q. And were you around when they decided to move in
11 and live together?

12 A. Yes. I actually thought it was nice that he
13 already had a child and someone for him to play with.

14 Q. I'm sorry?

15 A. I said yes. I thought it was nice that he
16 already had a child that was Jayden's age or close to.

17 Q. Did you get to watch Jade and Jayden over the
18 years?

19 A. Yes.

20 Q. How did they get along?

21 A. Um, normal. Um, they were like normal brother
22 and sister. They play together. They would fight.
23 They would, you know, just like I'd fight, you know,
24 Julie sometimes.

1 Q. Was -- you saw Jade then at Mike and Julie's
2 house as well?

3 A. Yes.

4 Q. And at grandma's most often?

5 A. Most often, yeah. Most often it was there.

6 Q. Okay. And was -- was Jade a full part of the
7 family?

8 A. Yes. Um, I especially thought so, um, when we
9 were -- we were at Nicki's wedding, and I heard Jade
10 call Julie mom. Um, I was a little bit surprised by it,
11 but then I liked that that's how they decided to run
12 their family.

13 Q. When was -- when was this wedding? Do you
14 remember approximately?

15 A. Um, I don't remember the date. Um, I think I
16 want to say they've been married maybe close to nine
17 years -- maybe. Maybe 10 or 12.

18 Q. I'm not going to ask you a trick question. I am
19 going to ask you where was this wedding?

20 A. Um, it was in Massachusetts.

21 Q. How many of the family here headed out?

22 A. Um, everyone. Yeah. Everyone. There was even
23 some family from Chicago. Everyone went. It was a very
24 big wedding.

1 Q. And did the family from here caravan out?

2 A. Yeah. Yeah. We all drove.

3 Q. And you were a part of that caravan to go to the
4 wedding and Jade was a part of this?

5 A. Yes.

6 Q. So, was it a good trip?

7 A. Oh, yeah. Yeah. I, um -- it's the best wedding
8 I've ever been to.

9 Q. Okay. Michael, um, did you have the opportunity
10 to watch Jade and Julie in particular interact?

11 A. Um, yes.

12 Q. Did Julie ever use any kind of corporal
13 punishment on any of her children?

14 A. Um, no, she -- no, but I even told her that I
15 think she should. But she still -- she did not, no.

16 Q. Did you ever see her raise a hand to Jade or any
17 of the children?

18 A. No.

19 Q. You know Julie well?

20 A. Yes.

21 Q. Grew up together. I mean, do you even remember
22 much of life before Jordan and Julie and Ricky came
23 along?

24 A. Um, maybe Ricky.

1 Q. Okay.

2 A. But, um, I am six years older than him so...

3 Q. But the other two?

4 A. No.

5 Q. Always a part of your life?

6 A. Mm-hmm.

7 Q. You've seen Julie at times when she may be upset
8 or angry?

9 A. Yes.

10 Q. How does she react?

11 A. Um, she cries. You know, she's -- I told her
12 that she's kind of a cry baby actually.

13 Q. And that goes all the way back to when you were
14 children?

15 A. Yes. Yes.

16 Q. Have you ever seen her throw anything when angry?

17 A. No.

18 Q. Have you ever seen her threaten anyone when
19 angry?

20 A. No.

21 Q. You have ever seen her get angry very often?

22 A. Um, no. I mean, not more than a normal person.

23 Q. I was about -- as an adult -- well, as an adult
24 versus as a child?

1 A. Um, I would say that, um, as an adult she
2 probably got less angry, I think. She, um -- it was
3 weird for me to see but, um, as soon as her first son
4 was born, she really -- hold on a second.

5 Q. Okay.

6 A. Um, I feel like she was -- as a kid, she was very
7 spoiled. Um, but as soon as her first son was born, she
8 -- she is, like, she immediately changed. She was a lot
9 more patient, and she got angry less often I would say.

10 Q. Was she gentle with the children?

11 A. Mm-hmm.

12 Q. Jayden, Jade, Myla, Rayne; all of them?

13 A. Yeah. I mean, that's all she would talk about, I
14 feel like. Her identity revolved around being a mother.

15 Q. You got to watch her interact with Michael, too
16 -- Mike --

17 A. -- yes.

18 Q. -- over all of those years. Did they seem to
19 work well co-parenting together?

20 A. Um, yeah. They -- they seemed normal. Yeah.
21 They seemed normal.

22 Q. Ups? Downs? Sideways?

23 A. Yeah.

24 Q. Life was good?

1 A. Mm-hmm.

2 Q. Okay. Michael, I have no further questions.

3 THE WITNESS: Thank you.

4 MS. THIEN: Hold on. My colleague might.

5 THE COURT: Any cross-examination?

6 MS. MUDGE: Just briefly, your Honor.

7 THE COURT: Yes, ma'am.

8 CROSS-EXAMINATION

9 BY MS. MUDGE:

10 Q. Mr. Humes, you were not with your sister on
11 December 5th of 2020, were you?

12 A. No.

13 Q. You were not at the house?

14 A. No.

15 MS. MUDGE: No questions, your Honor.

16 THE COURT: Any redirect?

17 MS. THIEN: No, your Honor.

18 THE COURT: Sir, you may step down. Thank
19 you. You may call your next witness.

20 MS. THIEN: Call Jordan Bevely.

21 THE COURT: Sir, I need you to come forward.
22 Please face my clerk, and I need you to raise your right
23 hand to be sworn.

24 JORDAN BEVELY,

1 was called as a witness on behalf of the Defendant, and
2 being first duly sworn, was examined and testified as
3 follows:

4 THE COURT: I need you to have a seat here.
5 I need you to state your full name, spell your last name
6 for the record and make sure you speak up loud enough
7 that everybody can hear you.

8 THE WITNESS: My name is Jordan Bevely.
9 B-E-V-E-L-Y.

10 THE COURT: You may inquire.

11 MS. THIEN: Thank you.

12 DIRECT EXAMINATION

13 BY MS. THIEN:

14 Q. Jordan, where do you live?

15 A. I live in Johnston City.

16 Q. And how long have you lived in this area?

17 A. Pretty much my whole life.

18 Q. And are you working?

19 A. I do.

20 Q. Where at?

21 A. I work at Crownline.

22 Q. You have a son; is that correct?

23 A. I do.

24 Q. What's his name?

1 A. His name is Xavier.

2 Q. And how old is he?

3 A. He's 13.

4 Q. You are Julie's brother?

5 A. I am.

6 Q. And I understand you are number two in the
7 sibling order; is that correct?

8 A. Mm-hmm.

9 Q. How close in age are Xavier and Jayden?

10 A. They are a month apart.

11 Q. A month apart?

12 A. A little less than a month.

13 Q. And, um, are they buddies?

14 A. Oh, yeah.

15 Q. Best friends?

16 A. They're inseparable.

17 Q. At some point when they were still toddlers, um,
18 Jade became a part of Julie's family. Do you remember
19 that?

20 A. I do.

21 Q. How did that work?

22 A. Fantastic. You know, she was welcomed into the
23 family just like Mike was. You know, they were involved
24 in all of our holidays. And any time they come over,

1 you know, she was welcomed in the family.

2 Q. Did you get to actually see Jade, Jayden and
3 Xavier hang out together?

4 A. Oh, yeah.

5 Q. Um, how would you describe that?

6 A. Uh, they was -- they would all play together.
7 They were having fun regardless of what they were doing.
8 You know, sitting in the corner, playing on their
9 phones, whatever it may be.

10 Q. As kids do, would they bicker once in a while?

11 A. Of course. All siblings are going to bicker a
12 little bit.

13 Q. During these times, was Jade comfortable enough
14 to voice her needs --

15 A. Yes.

16 Q. -- when all together?

17 A. Yes. Yes, she was.

18 Q. Hey, can I get a cookie?

19 A. Yeah.

20 Q. Hey, can I have some juice?

21 A. Yes. Yes.

22 Q. Okay. And did you get to witness or see Julie
23 and Jade together specifically?

24 A. Oh, yeah, all the time.

1 Q. When you say all the time, how'd that work?

2 A. Uh, fine. You know, she'd come over to my
3 grandma's house, and at that time I was staying there.
4 So, she'd just come, hang out and talk to my grandma.
5 Bring her along with her cause, you know, Mike was at
6 work so she had to come.

7 Q. Okay. It sounds like grandma's house might have
8 been sort of a hub for the family?

9 A. It was. It was. It's where we had all of our
10 holidays.

11 Q. Okay. And that's where all of the kids got to
12 interact?

13 A. Mm-hmm.

14 Q. Did you ever go to Mike and Julie's home?

15 A. I did.

16 Q. Okay. And watched everybody interact there as
17 well?

18 A. Mm-hmm.

19 Q. At any point from the beginning all the way
20 through, have you ever known Julie to use any kind of
21 corporal punishment? Spanking? Hitting? Anything with
22 the kids?

23 A. No. No.

24 Q. Ever?

1 A. No. She disciplines them just like anybody would
2 by taking away their electronics.

3 Q. Fair enough. You guys grew up together.

4 A. Mm-hmm.

5 Q. Stayed close through the years.

6 A. Yes.

7 Q. How would you -- let me begin that again. Have
8 you ever seen Julie when she is angry, frustrated or
9 upset?

10 A. I have.

11 Q. How does she react?

12 A. Mostly crying. She was a cryer.

13 Q. Did you ever see her throw anything?

14 A. Huh-uh.

15 Q. Did you ever see her strike anyone?

16 A. No.

17 Q. Did you ever see her threaten anyone?

18 A. No.

19 Q. Would you -- how would you describe her under
20 those circumstances?

21 A. Um, she's just not very violent. She is more of
22 a person who would cry and get away from the situation
23 and leave. Probably call my mother. Hopefully she can
24 calm her down a little bit.

1 MS. THIEN: Thank you, Jordan. I have no
2 further questions.

3 THE WITNESS: You're welcome.

4 THE COURT: Cross-examination.

5 MS. MUDGE: Briefly, your Honor.

6 CROSS-EXAMINATION

7 BY MS. MUDGE:

8 Q. Jordan, you were not at your sister's house on
9 December 5th of 2020, were you?

10 A. Uh, no.

11 MS. MUDGE: No further questions.

12 THE COURT: Any cross -- redirect?

13 MS. THIEN: No, your Honor.

14 THE COURT: Sir, you may step down. Thank
15 you.

16 THE WITNESS: You're welcome.

17 THE COURT: You may call your next witness.

18 MS. THIEN: Defense calls Cady Carter.

19 THE COURT: Ma'am, please come forward.
20 Face my clerk. Raise your right hand to be sworn.

21 CADY CARTER-RILEY,
22 was called as a witness on behalf of the Defendant, and
23 being first duly sworn, was examined and testified as
24 follows:

1 THE COURT: Please have a seat here. I need
2 you to state your full name, spell your last name for
3 the record, and I need you to speak up so every one can
4 hear you.

5 THE WITNESS: Okay. My name is Caitlin (ph)
6 Elizabeth Carter-Riley. C-A-R-T-E-R hyphen R-I-L-E-Y.

7 THE COURT: You may inquire.

8 MS. THIEN: Thank you, your Honor.

9 DIRECT EXAMINATION

10 BY MS. THIEN:

11 Q. I'm sorry, Cady. I forgot the hyphen when I
12 called you as a witness. Cady, where do you live?

13 A. I live in Stiritz, Johnston City.

14 Q. Okay. How long have you lived in this area?

15 A. My whole life.

16 Q. Um, are you working right now?

17 A. I am.

18 Q. Where at?

19 A. The Bank of Herrin.

20 Q. Do you have any children of your own?

21 A. I do.

22 Q. And how many and how old?

23 A. I have one. He -- it's a boy. He's four.

24 Q. Four years old?

1 A. Yes.

2 Q. I bet that's a handful?

3 A. It is. He acts like his dad, so it is.

4 Q. You know Julie.

5 A. I do.

6 Q. Um, when did you and Julie first meet?

7 A. Grade school. I'd say about first or second
8 grade.

9 Q. Okay. Have you been friends ever since.

10 A. We have.

11 Q. Um, growing up, what kind of activities did you
12 do?

13 A. Uh, we were out on the lake a lot, weather
14 permitted. Um, we were usually at the Broeking's.
15 That's where we lived, but we would go back and forth.
16 Between her house, my house, we were all three just
17 together.

18 Q. A tight group?

19 A. Very tight, yes.

20 Q. As, um -- at some point, did Julie move to
21 Johnston City?

22 A. She did.

23 Q. Did that change the dynamic --

24 A. -- it did not.

1 Q. -- of being friends?

2 A. No, ma'am.

3 Q. How would you describe Julie?

4 A. Very gentle soul. Very kind. She is quiet, but
5 she is just a great person. Good heart. Very big
6 heart.

7 Q. As a kid as a teen-ager, did she ever, um, get
8 angry or aggressive?

9 A. No.

10 Q. When she got angry or frustrated, how would she
11 act?

12 A. She cried.

13 Q. Okay. Um, did you ever see her act out in any
14 way physically?

15 A. No.

16 Q. Throwing things? Kicking things?

17 A. No, ma'am.

18 Q. As adulthood sets on, as we start families, have
19 you and Julie been able to spend as much time
20 together --

21 A. -- no, ma'am.

22 Q. -- recently?

23 A. No, ma'am.

24 Q. No. In fact, you never got to have the

1 opportunity to see her with Jade; is that correct?

2 A. That is correct.

3 Q. But how did you guys keep in touch?

4 A. I had worked with her for a brief time at Hyatt.
5 Um, so we actually sat by each other.

6 Q. Okay.

7 A. So, we obviously talked, and we were prior -- you
8 know, we were friends so.

9 Q. Was that about -- that was after she and Mike got
10 together?

11 A. Yes. That is correct.

12 Q. And, um, was that after Jayden was born as well?

13 A. Yes.

14 Q. And since that time, how do you guys keep in
15 touch?

16 A. We keep in touch text, Facebook, phone calls.

17 Q. Okay. During any of this time, have you ever
18 heard or seen Julie be in any way dismissive of Jade?

19 A. No, ma'am.

20 Q. When she would speak of her, how did she -- how
21 did she, um, respond?

22 MS. MUDGE: Objection, your Honor. I have
23 to object. That's hearsay.

24 THE COURT: It's a part --

1 MS. MUDGE: What the defendant says is
2 hearsay.

3 THE COURT: It's being offered for
4 observation?

5 MS. THIEN: It is, your Honor, and I will
6 withdraw and rephrase.

7 THE COURT: Okay.

8 MS. THIEN: That was an awkward question.

9 By Ms. Thien:

10 Q. By any action, Facebook post, text, anything like
11 this during your communication, did Julie ever disparage
12 or dismiss Jade?

13 A. No, ma'am.

14 Q. How long has it been since you guys actually had
15 the opportunity to hang out?

16 A. It's been years. I can't give you an exact
17 answer.

18 Q. A couple years?

19 A. Yes.

20 Q. Okay.

21 A. Yes.

22 Q. Um, was there a wedding you all attended?

23 A. I actually didn't get to go. My little one was
24 sick, so but, yes, there was.

1 Q. Fair enough. Thank you, Cady.

2 A. You're welcome.

3 MS. THIEN: I have no further questions.

4 THE COURT: Cross-examination.

5 CROSS-EXAMINATION

6 BY MS. MUDGE:

7 Q. You were not with your friend Julie on the day
8 Jade was murdered, were you?

9 A. No, ma'am.

10 MS. MUDGE: No further questions.

11 THE COURT: Any redirect?

12 MS. THIEN: No, your Honor.

13 THE COURT: Ma'am, you may step down.

14 THE WITNESS: Thank you.

15 THE COURT: You may call your next witness.

16 MS. THIEN: Thank you, your Honor. We would
17 call Nicole Lamothe.

18 THE COURT: Ma'am, I need you to come
19 forward. Please face my clerk. I need you to raise
20 your right hand to be sworn in.

21 NICOLE LAMOTHE,

22 was called as a witness on behalf of the Defendant, and
23 being first duly sworn, was examined and testified as
24 follows:

1 THE COURT: Please have a seat here. I need
2 you to state your full name, spell your last name for
3 the record, and please make sure you speak loud enough
4 that everybody can hear you.

5 THE WITNESS: Absolutely. My name is
6 Nicole, N-I-C-O-L-E. Last name is Lamothe. L-A-M, as
7 in Mary, O-T-H-E.

8 THE COURT: You may inquire.

9 MS. THIEN: Thank you, your Honor.

10 DIRECT EXAMINATION

11 BY MS. THIEN:

12 Q. Nicole, where do you live?

13 A. I live in Salem, Massachusetts.

14 Q. And how long have you been in Massachusetts?

15 A. Uh, since about 2009, so a little over ten years
16 now.

17 Q. Okay. Um, you know Julie?

18 A. I do.

19 Q. How do you know her?

20 A. She is my cousin and my best friend.

21 Q. And did you two grow up together?

22 A. Yes.

23 Q. Was there a time that you actually lived
24 together?

1 A. Yes. Yeah. Absolutely. She lived with me in
2 Massachusetts for about a year and a half or so, two
3 years.

4 Q. And was that all the way back in 2009, '10?

5 A. Um, about 2010, '11-ish.

6 Q. Okay. Was Jayden there as well?

7 A. He was. He was almost two; turned two when he
8 was up there so.

9 Q. Describe Julie as a mom?

10 A. She is an excellent mom. She is kind. She is
11 loving. Um, she is wonderful.

12 Q. Did you have the opportunity to meet Mike
13 Beasley?

14 A. I did. Numerous times, yeah.

15 Q. And his daughter Jade?

16 A. Yes.

17 Q. Do you recall when you first had the opportunity
18 to meet them in person?

19 A. Um, I believe -- I can't remember if I met them
20 here or if -- when they came up for vacation, um, but
21 she was a ball of energy. She was -- she was so nice.

22 Q. Do you remember -- let's go to the vacation, the
23 first one?

24 A. Yeah. Yeah.

1 Q. Do you recall approximately when that was?

2 A. I don't.

3 Q. Okay.

4 A. I don't. They were young. They were, like,
5 probably six maybe. Like, five or six.

6 Q. Okay.

7 A. But they were at --

8 Q. -- when you say "they", are we talking about --

9 A. -- Jayden and Jade, yes.

10 Q. Okay. Um, who all came on that trip?

11 A. Um, it was just -- it was just Jayden with her;
12 the only child that she had. And then Mike came with
13 Jade. So, it was just Mike, Julie, Jayden and Jade.

14 Q. And they all stayed with you?

15 A. Um, they did. I think they bounced either
16 between my house or my mom's house --

17 Q. -- okay.

18 A. -- but they stayed. I know they went into Boston
19 for, like, a date, and I got to spend some time with the
20 kids which was really, really fun.

21 Q. Just the three of you?

22 A. Yeah, and my, um -- my -- my now husband. He was
23 my boyfriend at the time, yeah.

24 Q. How was that?

1 A. It was fun. We got to do all sorts of super fun
2 things. I had no kids at the time, so it was great. We
3 got to go walk around down by the ocean. There was this
4 water fountain downtown. They got to, like, hop around
5 and, you know, throw coins in there. It's like a
6 wishing well. We got to go get, like, candy. You know,
7 just doing all the fun things. Like, load them up with
8 sugar and have a fun time, you know.

9 Q. And then hope Mike and Julie had a good date
10 night because you're handing them back over-stimulated,
11 sugared-up kids?

12 A. Yeah. Yeah. Tired, too. Tired. A lot of
13 walking.

14 Q. There was, um, at least another trip that the
15 family took out, right?

16 A. Yeah, absolutely. It was for my wedding.

17 Q. And was that the second trip then?

18 A. Yes, I believe so.

19 Q. When was that?

20 A. That was in two -- oh, my goodness. I'm so
21 sorry; 2016.

22 Q. Okay.

23 A. Yes.

24 Q. Um, and the entire extended family came out at

1 that point, right?

2 A. Everybody, yeah.

3 Q. And you got the chance to see Jade again?

4 A. I did, yes.

5 Q. How was that reunion?

6 A. It was great. She's -- like I said, she was very
7 -- very nice girl. Tons of energy. She had -- she was
8 just like a -- like, bright, shiny girl. Loved all
9 things pink and sparkly, and I got along with her for
10 that because I do, too. And she just very outspoken,
11 and yeah.

12 Q. And at least since then there's been at least one
13 trip back that you made here, right?

14 A. Absolutely. Right before Covid in March way
15 early -- late February maybe, early March, and then they
16 shut everything down in 2020.

17 Q. Okay. And you had the opportunity to be here
18 then --

19 A. -- I did. I did.

20 Q. -- and spend time?

21 A. Unfortunately, I don't think I got to see Jade at
22 that trip. Um, I think she was with her mom maybe, um,
23 but I got to see everybody when we came down, but yeah.

24 Q. Have you ever from as a kid through being an

1 adult seen Julie react violently?

2 A. Never. Never.

3 Q. Have you seen her get angry or upset before?

4 A. No. When she gets upset or angry, she just
5 cries. She shuts down. She cries. She runs away and
6 -- yeah. That's been that way since as long as I can
7 remember. She would get frustrated, like, debating in
8 school, and she would just break down and cry and just
9 get very quiet. You know, it was never -- that's the
10 extent of it. She never ever --

11 Q. On these several trips -- how often would you
12 stay in touch with -- I mean, geographical distance is a
13 thing.

14 A. It is, yeah.

15 Q. Adulthood is a thing.

16 A. Yep. Yep.

17 Q. How, um -- how were you guys able to keep in
18 touch?

19 A. We talked on the phone. Texted a lot. Tagged
20 each other on stuff on Facebook, you know, as much as we
21 could once we started having more kids. We're very --
22 our kids sort of line up almost, like, exactly the same
23 age, so it's, like, we cover going through a lot of it
24 so, it's like --

1 Q. -- I understand at one -- there is only a two or
2 three, four day difference between --

3 A. -- yeah, with Myla and my first born daughter
4 Abigail, so we got to go through that whole pregnancy
5 together. We have a very -- we have a very strong
6 connection.

7 Q. And you've seen Julie specifically taking care of
8 Jade?

9 A. Yeah. Absolutely.

10 Q. Did you notice anything in how she would treat
11 Jade versus Jayden or anyone else?

12 A. No. She was very excited when she met Mike
13 because Jade was around Jayden's age. I don't know the
14 exact difference in age, but they were very close. And
15 it was nice because she was able to find somebody who
16 also had kids and they could raise -- you know, like to
17 date and get to know each other but also be
18 understanding of, you know, their children and putting
19 their children first. The kids came first with
20 everything.

21 Q. And they would have been pretty young at the
22 time; between three and four-ish. Somewhere in that
23 neighborhood?

24 A. Yeah. Yeah.

1 Q. Thank you very much.

2 THE WITNESS: Thank you.

3 THE COURT: Cross?

4 CROSS-EXAMINATION

5 BY MS. MUDGE:

6 Q. I'm sorry. I missed it. How long have you been
7 living in Massachusetts?

8 A. I moved there in 2009.

9 Q. And you've been there ever since?

10 A. I have, yes. Come back and visit, yeah.

11 Q. And that's Salem?

12 A. Salem, yes.

13 Q. And I must have missed this, too. Do you work?

14 A. I do, yes.

15 Q. Where do you work?

16 A. I am self-employed. I own and operate my own
17 retail store.

18 Q. What's it called?

19 A. Coven's Cottage.

20 Q. Coven's Cottage?

21 A. Mm-hmm. C-O-V-E-N-S and then cottage like a
22 house.

23 Q. So what kind of place is that?

24 A. We are a metaphysical shop.

1 Q. What's that?

2 A. We sell witchcraft supplies, pagan shop, Wicca.

3 Q. And you haven't seen your friend Julie since
4 before Covid in-person?

5 A. My cousin, Julie, um, no. Well, no. Right
6 around Covid, so March -- early March, late February,
7 2020.

8 Q. Not in December of 2020?

9 A. I don't believe so, no.

10 Q. You didn't see her the day Jade was murdered?

11 A. No. No, ma'am.

12 MS. MUDGE: Nothing further.

13 THE COURT: Any redirect?

14 MS. THIEN: Just very briefly.

15 REDIRECT EXAMINATION

16 BY MS. THIEN:

17 Q. Are there more than one metaphysical shops in
18 Salem, Massachusetts?

19 A. Yes, ma'am. Absolutely.

20 Q. Is it also part of the tourist trade?

21 A. One hundred percent, yes, ma'am.

22 Q. And big business?

23 A. Yes, ma'am. About a half million people come
24 just in the month of October, and over a million every

1 single year for that type of a draw.

2 Q. For that experience?

3 A. Yes, ma'am.

4 MS. THIEN: Okay. I have no further
5 questions. Thank you.

6 THE COURT: Ma'am, you may step down. Thank
7 you.

8 THE WITNESS: Thank you.

9 THE COURT: You may call your next witness.

10 MS. THIEN: We call Theresa Rice.

11 THE COURT: Ma'am, please come forward.
12 Face my clerk. I need you to raise your right hand to
13 be sworn.

14 THE WITNESS: You got it.

15 THERESA RICE,
16 was called as a witness on behalf of the Defendant, and
17 being first duly sworn, was examined and testified as
18 follows:

19 THE COURT: Have a seat over here. I need
20 you to state your full name, spell your last name for
21 the record. Please make sure you speak loud enough that
22 everybody can hear.

23 THE WITNESS: Okay. Theresa Lynn Rice.

24 R-I-C-E.

1 THE COURT: You may inquire.

2 MS. THIEN: Thank you, Judge.

3 DIRECT EXAMINATION

4 BY MS. THIEN:

5 Q. Theresa, where do you live?

6 A. D'Iberville, Mississippi.

7 Q. And when did you move to Mississippi?

8 A. June of last year.

9 Q. June of last year?

10 A. Yes.

11 Q. Before then, where did you live?

12 A. Johnston City, Illinois.

13 Q. Theresa, it's going to be rough. I'm going to
14 need you to speak up. I'm having a hard time and I'm
15 this close.

16 THE COURT: Why don't you move the
17 microphone towards your mouth. There you go.

18 By Ms. Thien:

19 Q. Okay. Do you know Julie?

20 A. I do.

21 Q. How?

22 A. I have known her, her whole life. I went to
23 school with her mother Rene.

24 Q. Were you around when Julie was born?

1 A. I wasn't at the hospital or anything.

2 Q. Well, no, but I mean --

3 A. I mean, our kid -- my daughter and Julie are best
4 friends. They have been best friends their whole lives.

5 Q. And grew up together?

6 A. Yes.

7 Q. Um, how about with Julie. Have you been around
8 as her kids were being born?

9 A. I have. Julie is like my second daughter, and
10 her kids are like my grandkids. I made baby blankets
11 for every one of her children when they were born. I've
12 always, you know, been there for birthdays and whatnot.

13 Q. Have you had the opportunity to visit Julie's
14 home?

15 A. I have.

16 Q. The one she shared with Mike and Jade and Jayden
17 and the kids?

18 A. Yes.

19 Q. Do you recall when the last time possibly could
20 have been?

21 A. Um, you know, pre-Covid. It's been a while.

22 Q. Okay --

23 A. -- um, to my recollection, the last time was
24 probably after Rayne was born, and I took her blanket to

1 her and seen the baby.

2 Q. Okay. Um, did you ever host a baby shower?

3 A. I did.

4 Q. For which one?

5 A. Myla.

6 Q. Myla? That's the oldest that Julie has with
7 Mike, right?

8 A. Correct.

9 Q. Have you had the opportunity to meet and know
10 Mike as well?

11 A. Through Julie, yes.

12 Q. Um, do you know his family?

13 A. I do. I was a Avon representative and his mother
14 Sheila was one of my customers.

15 Q. Did you ever have the opportunity to see everyone
16 at Sheila's house?

17 A. I did when I was delivering Avon.

18 Q. Who would that be when I say everyone?

19 A. Um, Sheila. I saw her daughter Kim there. I saw
20 all the children there including Jade.

21 Q. And was Julie there as well --

22 A. Sometimes.

23 Q. -- at one point?

24 A. Sometimes.

1 Q. But there was at least an occasion that you saw
2 them all together?

3 A. Um, yeah. I was there for a birthday party and
4 they were all there.

5 Q. Okay. How'd it go?

6 A. Good.

7 Q. Okay. Did you have the opportunity to see Julie
8 parent Jayden, Jade, Myla and Rayne?

9 A. Yes.

10 Q. Okay. Was this only at parties? Were there
11 other just drop-in visits?

12 A. Drop-in. Both, yeah.

13 Q. How would you describe the family?

14 A. As a loving, blended, functioning family.

15 Q. Throughout all of the time that you have known
16 Julie, have you ever known her to be violent or
17 aggressive in any way?

18 A. No.

19 Q. Have you ever seen her so much as yell at the
20 kids?

21 A. No.

22 Q. Never used corporal punishment, spanking,
23 anything like that to try to keep them in line?

24 A. No.

1 MS. THIEN: Thank you, Theresa. I have no
2 further questions.

3 THE WITNESS: Thank you.

4 THE COURT: Cross?

5 MS. MUDGE: No, thank you, your Honor.

6 THE COURT: Ma'am, you may step down. Thank
7 you.

8 THE WITNESS: Thank you, your Honor.

9 THE COURT: Ms. Thien, you may call your
10 next witness.

11 MS. THIEN: Your Honor, at this time, the
12 defense rests.

13 THE COURT: Okay. Attorneys?

14 (SIDE BAR HELD OUTSIDE THE HEARING.
15 OF THE JURY.)

16 THE COURT: It's 9:34. We've already got
17 our instructions ready. How long of time do you guys
18 need to prep for any kind of closing?

19 MS. MUDGE: Just need to straighten out the
20 courtroom technology. Twenty minutes.

21 MS. THIEN: It would be a nice break. Not
22 too long; not too short.

23 MS. MUDGE: Ten o'clock would be perfect.

24 THE COURT: Okay.

1 MS. THIEN: That work?

2 THE COURT: Yes, ma'am.

3 MS. THIEN: Okay.

4 MS. MUDGE: Thank you.

5 THE COURT: Yes, ma'am.

6 (END SIDE BAR.)

7 THE COURT: Any further rebuttal evidence
8 from the State?

9 MS. MUDGE: No, sir.

10 THE COURT: Very well. Ladies and gentlemen
11 of the jury, the evidence portion of this trial is now
12 at an end. Given the time, there is some things that
13 both sides need to do to get ready for their closing
14 arguments. So what I'm going to do is give them an
15 opportunity to get ready to present their closings to
16 you. So we're going to go ahead and take a recess, and
17 I'll bring you back in about ten o'clock. At that time,
18 we will do instructions and the closings. Rise for the
19 jury.

20 BAILIFF O'BRIEN: Please leave your pads
21 face down.

22 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
23 THE PRESENCE OF THE JURY.)

24 THE COURT: You may be seated. The Court

1 will be in recess.

2 (RECESS.)

3 (BACK ON RECORD IN CHAMBERS.)

4 THE COURT: The Court's back on record. We
5 are not in the courtroom. We are in a Judge's chambers.
6 Present is the defendant with her attorney. Both of the
7 State are present. Security is present. Court reporter
8 and a bailiff is present.

9 An issue has been made known to the Court.
10 Um, one of the jurors has approached a bailiff, told
11 that bailiff that as they were coming into the
12 courthouse, they were videotaped by -- well, actually
13 that the jury was videotaped by an individual in a van
14 marked Justice for Jade. That individual being
15 described as a black woman, and when that person was in
16 the courtroom, the juror identified that person
17 specifically to the bailiff. The Court has had some
18 conversation with the attorneys outside the presence of
19 the defendant and off record.

20 Ms. Bevely, this is your case. I have told
21 you that all throughout. Um, what the attorneys want me
22 to do is to take that particular juror outside the
23 presence of anybody, that includes the attorneys, that
24 includes you, and ask questions. The question would be

1 about that specific incident and whether that incident
2 would impact that person's ability to be fair and
3 impartial in this case. Another question would be
4 whether she communicated her observation to any other
5 juror or to any other person. Depending upon that
6 answer, more things may need to be done. Potentially
7 she could say she could be fair, and if she does, that
8 would end the inquiry. If she says that she cannot be
9 fair, then I believe, by agreement, both sides are going
10 to excuse that particular person from jury service, and
11 that person would be released now. Have you had a
12 conversation with your attorney about this?

13 THE DEFENDANT: Yes.

14 THE COURT: Okay. Um, do you have any
15 objection to any of the things that I have told you?

16 THE DEFENDANT: No, sir.

17 THE COURT: Are you in agreement that this
18 is what we should do?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Do you feel like you've had
21 ample opportunity to speak to your attorney about this
22 specific issue to formulate your opinion?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Very well. Ms. Thien, are you

1 in agreement that this is what we should do?

2 MS. THIEN: I think this is what we need to
3 do to start, yes, Your Honor.

4 THE COURT: Mr. Butler, do you guys agree,
5 too?

6 MS. MUDGE: Yes, sir.

7 MR. BUTLER: Yes.

8 THE COURT: Okay. Very well. Then what I'm
9 going to do now is I am going to keep the court reporter
10 in here. I am going to let everybody else go, and my
11 bailiff is going to bring that individual. The only
12 people that are going to be in here will be my bailiff,
13 court reporter, that individual and myself. Once that
14 individual has answered, depending on how they answer,
15 if she says she cannot be fair, I am not sending her
16 back to the same room. I am going to send her to
17 another room and inform the attorneys so that we can
18 decide what needs to be done at that point in time.

19 If she says she can be fair, then I am going
20 to send her back into that room -- well, it depends on
21 if she says she's communicated to other people, too.
22 You're going to know the answers to those before we go
23 further, okay?

24 THE DEFENDANT: Okay.

1 THE COURT: All right. Yes, ma'am.

2 MS. THIEN: Would you also inquire as to
3 whether or not, for this particular juror, if that
4 person she identified, if that person's presence would
5 in any way interfere with her further?

6 THE COURT: The State?

7 MS. THIEN: -- it's still a public
8 courtroom. I've had discussions with this individual.
9 I've made the suggestion that I think it would be much
10 less disruptive. I'm not getting anywhere, and nor do I
11 have the time or privacy to truly address it. I just
12 want to throw that on the record, Judge.

13 THE COURT: The State?

14 MS. MUDGE: I was under the impression that
15 she was voluntarily leaving. Um, I have done all that I
16 can to stop the deputy from getting her.

17 THE DEFENDANT: May I talk to her and ask
18 her to leave?

19 MS. MUDGE: I would agree to that. It's
20 only hurting you.

21 THE DEFENDANT: That's my point of it. She
22 is my friend. She is supporting me.

23 MS. MUDGE: I would agree to let the
24 defendant --

1 THE DEFENDANT: -- if I ask her to leave, I
2 think she would leave.

3 MS. MUDGE: I would agree to giving her that
4 time. It's only going to hurt the defendant in this
5 case.

6 MS. THIEN: I agree.

7 THE COURT: Okay. Why don't we do that
8 first. I'll wait for you guys to reply before I know
9 what to say to the juror, okay?

10 MR. MUDGE: Yes, sir.

11 (OFF THE RECORD.)

12 (BACK ON RECORD IN CHAMBERS.)

13 THE COURT: Ma'am, have a seat here. We're
14 on record, ma'am.

15 MS. BANGS: Okay.

16 THE COURT: I need you to state your name
17 for the record.

18 MS BANGS: Jennifer Bangs. B-A-N-G-S.

19 THE COURT: Ms. Bangs, I'm sorry to bring
20 you in here, but it was reported to me that --

21 MS. BANGS: -- mm-hmm.

22 THE COURT: -- as you entered into the
23 courthouse, you witnessed an individual videotaping the
24 jury as they were going in from a van marked Justice for

1 Jade, and that the individual was a female, black; is
2 that accurate?

3 MS. BANGS: No. It was yesterday as we were
4 leaving.

5 THE COURT: Yesterday as you were leaving.

6 MS. BANGS: Um, and it wasn't everyone.
7 They were parked farther back in the parking lot than
8 where I had normally seen it, and it was a car --

9 THE COURT: It was a car --

10 MS. BANGS: -- that had Justice for J & J,
11 and then a hash tag, I stand with Julie, at the very
12 bottom. There was several women in that car. I didn't
13 see the passenger. I'm assuming they were all women.
14 Her -- and I don't know for sure if she was videoing.
15 She just -- she had her phone straight up like this. I
16 mean, like, usually when you're looking at your phone,
17 it's down. Not, like, facing straight forward. And
18 that was as I was walking in to my car --

19 THE COURT: Okay.

20 MS BANGS: -- which also has personalized
21 plates.

22 THE COURT: Okay. So, has that occurrence
23 effected your ability to be a fair and impartial
24 juror --

1 MS. BANGS: -- no.

2 THE COURT: -- in this case?

3 MS. BANGS: No, it has not. No.

4 THE COURT: Okay. You believe in spite of
5 whatever may have happened, it will not impact you in
6 your ability to deliberate in this case fairly?

7 MS. BANGS: No. Definitely not.

8 THE COURT: Okay.

9 MS. BANGS: I just wanted that to be brought
10 to attention, and I believe one of the other jurors had
11 noticed. And I noticed, as well, um, the first row of
12 people sitting behind the defense, I believe, that was
13 the majority of them, and there was one that was very
14 much scoping out the entire jury. She may have been the
15 one that was videoing.

16 THE COURT: Okay. So, there is another
17 juror that witnessed this, or is this someone you had a
18 conversation about this event?

19 MS. BANGS: One of the jurors -- when we
20 went into break, one of the other jurors, he had
21 mentioned it to Jason also that he just noticed as we
22 were sitting in the courtroom the female that was very
23 detailed looking, examining all of us maybe trying to
24 see if she knew someone.

1 THE COURT: Okay. So, that person didn't
2 see the video. This is a separate event that he
3 witnessed?

4 MS. BANGS: Correct. Yes.

5 THE COURT: Okay. Have you had a
6 conversation with any of the other jurors about this
7 videotaping that took place?

8 MS. BANGS: I asked two of them this morning
9 when we first got into the room because there was one
10 that I was parked right behind and one that was parked
11 beside me. They didn't notice anything when they walked
12 out.

13 THE COURT: Do you recall what you asked
14 them? Did you ask them did you see anybody videotaping,
15 or did you say we were videotaped?

16 MS. BANGS: I asked if -- I told them I was
17 not for sure that we were. I just said it appeared that
18 there was a woman in the car holding a phone up, and I
19 asked if they had noticed that.

20 THE COURT: Okay.

21 MS. BANGS: But, again, I can't say for sure
22 if she was or wasn't.

23 THE COURT: I understand.

24 MS. BANGS: It's just speculation.

1 THE COURT: So, I thank you very much. I am
2 going to specifically instruct you not to talk about
3 this to anybody else --

4 MS. BANGS: Okay.

5 THE COURT: -- until after the trial is
6 over. At that time, you will be free to talk to anybody
7 about anything you want, but I don't want this talked
8 about any more, okay?

9 MS. BANGS: Yes. That's fine. I just asked
10 them --

11 THE COURT: -- you have not done anything
12 wrong.

13 MS. BANGS: -- okay -- to verify what I saw,
14 if it was happening to them, too, or if it was just when
15 I walked out because I was one of the last ones to come
16 out.

17 THE COURT: Okay. Can you pick out the
18 other two females and the male that -- well, the male
19 that believed that they were being viewed and the other
20 two ladies that might have been part of the conversation
21 of the video to my bailiff?

22 MS. BANGS: Yes. The jurors?

23 THE COURT: Yes, ma'am.

24 MS. BANGS: Yes. Yes, I can.

1 THE COURT: Okay. Go ahead and take her
2 back, and then one at time those individuals.

3 BAILIFF O'BRIEN: Yes, sir.

4 MS. BANGS: Thank you.

5 THE COURT: Yes, ma'am. Thank you.

6 (PAUSE IN PROCEEDINGS.)

7 THE COURT: Have a seat.

8 MR. FOSSE: Right here at the center.

9 THE COURT: Yes, sir.

10 MR. FOSSE: Right in the center.

11 THE COURT: I need -- we're taking down
12 everything on a transcript, so I need you, please, to
13 identify yourself.

14 MR. FOSSE: My name's Adam Fosse.
15 F-O-S-S-E.

16 THE COURT: Mr. Fosse, um, one of the jurors
17 has shared with me that you might have the impression
18 that some individual sitting directly behind the
19 defendant --

20 MR. FOSSE: -- mm-hmm.

21 THE COURT: -- might have been giving an
22 extraordinary amount of attention to who -- well, the
23 make-up of the jury itself.

24 MR. FOSSE: Oh, I -- I -- I -- I feel the

1 same way. I mean, I caught her looking at me today. I
2 mean, we've made eye contact several times today, and
3 then I caught her looking at other jurors.

4 THE COURT: So, one particular girl?

5 MR. FOSSE: Yeah. The black girl with the
6 curly back hair that'd been crying all day. I mean, she
7 looked -- I watched her look -- because I'm a people
8 watcher. I watched her look at every one of us.

9 THE COURT: Okay. So, I need to know, with
10 that occurring, and you seeing that, is there anything
11 about that, that would effect your ability to be a fair
12 and impartial juror in this case?

13 MR. FOSSE: No. I mean, it sways my vote
14 neither way. I mean, I just -- I just felt it was -- I
15 don't know if inappropriate is the word or just a little
16 uncomfortable.

17 THE COURT: Sure. Have you had a
18 conversation with any other juror about this?

19 MR. FOSSE: No.

20 THE COURT: Okay. Good. I'm going to ask
21 you to have no further conversations about that at all.
22 Now, when the case is over, you're going to be free to
23 talk to anybody about anything you want --

24 MR. FOSSE: -- mm-hmm.

1 THE COURT: -- or free not to.

2 MR. FOSSE: Yeah.

3 THE COURT: But until the case is over, I'd
4 try to like to minimize.

5 MR. FOSSE: Oh, I totally agree. I started
6 to park -- I mean, I started parking over here, and I
7 don't wear my badge out. I don't want -- I don't want,
8 you know, any affiliation with -- not affiliation, but I
9 don't want them trying to approach me or --

10 THE COURT: -- right.

11 MR. FOSSE: -- because I know some of the
12 people in that family, and I don't want -- I have not
13 spoken with anybody. I just don't want that side. I
14 don't want affiliation with either side.

15 THE COURT: I understand.

16 MR. FOSSE: That's why you slide me out that
17 side door. I just was -- I don't even like going out
18 the main exits. I mean, I'm just low key. That's what
19 I said. I told him from the get-go. I don't want to be
20 on the news. I don't want my face on the news. Just --

21 THE COURT: -- I understand that.

22 MR. FOSSE: You know what I mean? I was
23 born and raised in this town. I know plenty of people.
24 I don't need a thousand questions.

1 THE COURT: Yes, sir. Okay. Thank you very
2 much. Let him take you back.

3 (PAUSE IN PROCEEDINGS.)

4 (BACK ON RECORD.)

5 THE COURT: Hello, ma'am. Please come have
6 a seat. My court reporter is taking down everything
7 that we say, so I need you to identify yourself for the
8 record, please?

9 MS. SIDDON: Tara Siddon.

10 THE COURT: Okay. Ma'am, the reason why I
11 need to talk to you about -- well, I have been told by a
12 particular juror that she may have had a conversation
13 with you about the possibility of the jury being
14 videotaped. Not that you witnessed that.

15 MS. SIDDON: No, I did not see anything.

16 THE COURT: Right, but you had a
17 conversation about that.

18 MS. SIDDON: Mm-hmm.

19 THE COURT: So, I need to know having that
20 information that that might have occurred, will that
21 effect your ability to be a fair and impartial juror in
22 this case?

23 MS. SIDDON: Oh, no. Not at all. I don't
24 even know who they were.

1 THE COURT: Sure. Okay. Have you had any
2 conversation with anybody else about this incident?

3 MS. SIDDON: Just -- no. Just at the table
4 what she was saying. She asked me if I had seen them.
5 I said no.

6 THE COURT: So, just the two of you?

7 MS. SIDDON: Yeah. Yeah.

8 THE COURT: Okay. I'm going to ask you not
9 to talk about this incident to anybody else --

10 MS. SIDDON: Okay.

11 THE COURT: -- until after the case is over.
12 You will be free to talk to anybody about anything at
13 that time.

14 MS. SIDDON: Okay.

15 THE COURT: Okay?

16 MS. SIDDON: Okay.

17 THE COURT: Thank you.

18 MS. SIDDON: You're welcome.

19 (PAUSE IN PROCEEDINGS.)

20 (BACK ON RECORD.)

21 THE COURT: Hi. Have a seat. Everything
22 that we're saying is being recorded. I need you to
23 identify yourself for the record.

24 MR. TEAL: I am Jacob Teal.

1 THE COURT: Mr. Teal, it's been reported to
2 me that you might have had a conversation with another
3 juror about an incident involving the possibility of the
4 jury being videoed as they come into the courtroom; is
5 that accurate?

6 MR. TEAL: Um, yes. I was told -- made
7 aware that we may have potentially been video recorded.

8 THE COURT: Okay. Have you had a
9 conversation about this with anybody else in the jury?

10 MR. TEAL: No.

11 THE COURT: Okay. Do you now knowing that
12 this might have occurred, do you feel like it would
13 effect your ability to be a fair and impartial juror in
14 this case?

15 MR. TEAL: No.

16 THE COURT: Okay. So, I am going to ask you
17 not to talk about this to anybody else until the case is
18 over. After you guys give your verdict, you will be
19 free to talk to anybody about anything and free not to.
20 Whatever you want to do, okay? But I'd like no further
21 conversations, all right?

22 MR. TEAL: Yes, sir.

23 THE COURT: All right. Thank you, sir. If
24 you want to get my attorneys in.

1 (PAUSE IN PROCEEDINGS.)

2 (BACK ON RECORD IN CHAMBERS

3 WITH COUNSEL PRESENT.)

4 THE COURT: Okay. So, it was reported to me
5 that she had conversations with three individuals. One
6 of the conversations was reciprocated in that a juror
7 indicated he felt like the people in the row directly
8 behind the defendant was paying an inordinate amount of
9 attention to them. So, I questioned him. All of them
10 have indicated that beyond the three of them, they would
11 not have conversations with anybody else about it. And
12 all of them indicate that it would not effect their
13 ability to be fair and impartial. All of them have been
14 instructed by me that they are not to talk about it to
15 anybody until this case is over; is what I have told
16 them. Ms. Thien.

17 MS. THIEN: Well, this is novel, Judge.
18 I've never had this happen before.

19 THE COURT: Me neither.

20 MS. THIEN: I would like the opportunity, if
21 I may, to review the transcript of the conversation. We
22 were not part of it, but I would like to see before I
23 make any motion at this point in time.

24 THE COURT: Amy, how long would it take you?

1 THE REPORTER: It shouldn't take me that
2 long. Maybe, I don't know, thirty minutes?

3 THE COURT: That's fine. You can do -- can
4 you prepare a transcript and a copy of the in camera of
5 all the jurors that came in?

6 THE REPORTER: Okay.

7 THE COURT: Yes, ma'am. Anything else?

8 MS. THIEN: No, your Honor.

9 THE COURT: Okay. Anything from the State?

10 MS. MUDGE: No, sir.

11 THE COURT: Okay. Well, we'll remain in
12 recess until we get this issue resolved.

13 (RECESS.)

14 (BACK ON RECORD.)

15 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
16 THE PRESENCE OF THE JURY.)

17 THE COURT: The Court re-calls 20-CF-569.
18 People versus Julia Bevely. Ms. Bevely is present in
19 open Court with her attorney Ms. Thien. The State is
20 also present. The jury is not present. We broke for
21 lunch. Had some discussions about some issues.

22 At this time, Ms. Thien, do you have
23 anything you wish to say to the Court?

24 MS. THIEN: I do, your Honor. For the

1 record at this point, I have to make a motion. We would
2 move for a mistrial based upon the -- what occurred that
3 is fully of record in chambers as to some issues that
4 arose this morning with the jury. We believe at this
5 point that the proceedings may actually be tainted.

6 THE COURT: Ms. Thien, at the agreement of
7 both parties -- well, Ms. Mudge, first. Any response?

8 MR. BUTLER: Judge, I would be arguing this
9 for the People. The People would object. I believe
10 that the record is clear that the potential jurors in
11 question here were questioned by the Court. All said
12 that they can be fair and impartial over this, and only
13 one witnessed one thing. And according to her testimony
14 with the Court, it was -- she wasn't even sure what she
15 saw. It was speculation.

16 THE COURT: Any response?

17 MS. THIEN: No, Judge. You did conduct voir
18 dire at the -- by agreement of all the parties and by
19 Julie. Um, and with that, the only response would be
20 we've had the opportunity to review the transcript, and
21 we will stand on our motion.

22 THE COURT: Very well. Okay. The Court did
23 a little bit of research on its own given the amount of
24 time that I had available, and very difficult to find

1 anything similar to what has occurred. I was able to
2 find some case law on the issue. One actually was found
3 by the State, they shared -- not the citation -- but
4 basic facts about the case. There was another one in
5 which there was an issue with the jury potentially being
6 tainted because of information about particular jurors
7 being made known and some potential people out in the
8 gallery making comments that allegedly overheard. The
9 ultimate issue is whether or not the jury can deliberate
10 fairly and impartially. Nobody's guaranteed a perfect
11 trial but a fair trial. This has been far from perfect.
12 We've had a lot of issues. I agree. None of which, I
13 believe, that the parties are responsible for. It just
14 occurred. But, um, each of the individuals I spoke with
15 indicate that they can deliberate. So your motion for a
16 mistrial will be denied. Do you have any other motions
17 that you wish to make?

18 MS. THIEN: Yes, Judge.

19 THE COURT: Okay.

20 MS. THIEN: I would renew our Motion for a
21 Directed Verdict now at the close of all evidence. Um,
22 I have nothing else to argue at this point in time, but
23 I do want the record to be clear.

24 THE COURT: Yes, ma'am. Any response from

1 the State?

2 MS. MUDGE: Same response as the first one.
3 Nothing has changed.

4 THE COURT: Okay. And the Court's ruling
5 would not change either. The Motion for Directed
6 Verdict would be denied. Does the defense have any
7 other motions it wishes to make?

8 MS. THIEN: No, your Honor.

9 THE COURT: Very well. Does the State have
10 any motions it wishes to make?

11 MS. MUDGE: No, sir.

12 THE COURT: Okay. Are you guys ready for
13 your closings?

14 MS. MUDGE: Yes, sir.

15 MS. THIEN: Yes, Your Honor.

16 THE COURT: All right.

17 MS. MUDGE: If I could, your Honor, I will
18 be doing my close with a power point presentation.
19 There will be a couple of graphic photos in this. I
20 believe the parties have agreed before, and I believe --
21 not speaking for Ms. Thien -- but we agree now that they
22 should not be publicized to the gallery.

23 THE COURT: So, do we have an agreement that
24 none of the photographs or images that the State may

1 show would not be shown to the gallery to make it easy?

2 MS. MUDGE: Yes, sir.

3 THE COURT: Ms. Thien?

4 MS. THIEN: Judge, actually I will be using
5 only a couple of exhibits, and we will follow by the
6 same rule, yes, sir.

7 THE COURT: All right. So, we have an
8 agreement. I don't have you hooked up.

9 (PAUSE.)

10 I've got you now. Let's go ahead and bring
11 in the jury. Please, rise for the jury.

12 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
13 THE PRESENCE OF THE JURY.)

14 THE COURT: Please be seated. Ladies and
15 gentlemen of the jury, you have heard all the evidence
16 in the case but the trial has not ended. At this time,
17 the lawyers have an opportunity to make final arguments.
18 First, the State will argue. Then, the defense will
19 argue. Then, the State will have a chance to respond to
20 the defense's arguments. The State has the opportunity
21 to give the first argument and the last. Not because of
22 favoritism but because they have the burden of proof
23 which as I previously stated is the burden to prove the
24 defendant's guilt beyond a reasonable doubt.

1 Ms. Mudge, how much time do you ask for your
2 -- well and Mr. Butler, I guess. Whoever is arguing.

3 MS. MUDGE: I will, your Honor, and I would
4 ask for 45 minutes for close and 15 for rebuttal,
5 please.

6 THE COURT: Ms. Thien?

7 MS. THIEN: It will not be longer than that,
8 Judge, from the defense.

9 THE COURT: Okay. So, now I'm not going to
10 hold them to a minute that -- directly that they've
11 indicated to you. But if they continue overly long, I
12 will politely remind them about their time, okay.

13 What the lawyers say during argument is not
14 evidence and should not be considered by you as
15 evidence. If a lawyer makes a statement that is not
16 based on the evidence or reasonable inferences to be
17 drawn from the evidence, you should disregard that
18 statement. You are to rely on your own recollection of
19 the evidence. After you have heard the arguments, I
20 will instruct you on the law, and then you will retire
21 to the jury room to consider your verdicts. Ms. Mudge.

22 MS. MUDGE: Thank you, your Honor.

23 CLOSING ARGUMENTS

24 BY MS. MUDGE:

1 Jade Beasley was 11 years old. She was
2 creative, artistic. She liked playing Minecraft and
3 Lego's, and she loved being with her family and
4 especially being around her cousins and her siblings and
5 she loved animals. Let's not forget why we are here
6 this last two weeks. She was a normal 11-year-old girl,
7 and she didn't survive half a day alone in her own home
8 with the woman who was supposed to take care of her.
9 That's why we are here today.

10 Closing arguments are my opportunity to
11 point out to you what evidence we proved to you; what
12 evidence that we had from the witness stand. And ladies
13 and gentlemen, we've proved it.

14 You took an oath to follow the law based
15 upon the evidence that you hear and the law that the
16 Judge instructs you on. And what you heard in this
17 courtroom over the course of the last two weeks was two
18 timelines: One; life, real, evidence, phones, footage,
19 DNA. And her timeline, which is very different from
20 reality. As I said in my openings, full of lies. And
21 each witness shredded her statement, and I think it's
22 important to point that timeline out to you.

23 The Judge will be instructing you as to the
24 law in this case. He will read you -- when we are

1 finished arguing, he will read you the instructions. He
2 will give you a paper copy. You will have the
3 instructions in your deliberation room with you when you
4 go back there. A couple of them I expect him to read to
5 you: One, what do we have to prove. What elements do
6 we have to prove to you beyond a reasonable doubt.

7 Two elements: To sustain the charge of
8 First Degree Murder, we must prove the following: One,
9 that the defendant performed the acts which caused the
10 death of Jade Beasley. And, two, that when she did so,
11 she intended to kill or do great bodily harm to Jade
12 Beasley. "Or". Now, when you came in here on your
13 first day, you heard that she was charged with three
14 counts of First Degree Murder. Those are three
15 different theories. Two propositions we must prove, and
16 the "or" is one of any of the three. "Or" she knew her
17 acts would cause the death to Jade Beasley, "or" she
18 knew that her acts created a strong probability of death
19 or great bodily harm to Jade Beasley. And how do we
20 prove that? The timeline. Witness-by-witness.

21 So, let's start on December 5th, 2020. What
22 do we know about what the defendant is doing that
23 morning? We heard from Michael that he left around
24 7:30. We know he clocked in at Cracker Barrel at eight

1 o'clock. The defendant's working, and her hours were
2 7:30 to 12:30 p.m. The Judge read you a stipulation.
3 That means that both parties agree that if a witness was
4 called, this is what that witness would say, and you can
5 take that stipulation as it is coming from the witness
6 stand. It is testimony.

7 Hyatt Corporation said she is scheduled from
8 7:30 to 12:30 online. I don't think that it's lost on
9 you that her break was scheduled from 9:30 to 9:45, and
10 that she logged off of her work system from 9:30 to
11 10:15. We know the other kids are not in the home. We
12 know that Michael is working at Cracker Barrel, and we
13 know she took an extra half hour. I submit to you
14 that's when Jade was murdered. We know that 11:05 she
15 requested unapproved time off. At 11:07, she was
16 granted time off. Think about those times in relation
17 to conversation with Michael on the text messages.
18 10:39 a.m. she sent to him, "Are you off?" At 11:23, he
19 didn't reply for a little bit. "I'm scheduled till
20 2:00, but doubt I'll make it past 1:00." So, at
21 11:23... Bam. Things are closing in. He's getting off
22 work early. Jessica is supposed to be there to pick up
23 Jade at 1:00, and 13 minutes later she's on the road.
24 She replies immediately, "Oh, okay." So, what do we

1 know -- no, not from her story -- but what do we know
2 from the evidence happens next? Thirteen minutes later,
3 she's moving. She's going down the road; down to Khoury
4 League Road.

5 Another instruction the Judge is going to
6 give you is, "You have before you evidence that the
7 defendant made a statement relating to the offenses
8 charged in the information. It is for you to determine
9 whether the defendant made the statements. And, if so,
10 what weight should be given to the statements. In
11 determining the weight to be given to a statement, you
12 should consider all of the circumstances under which it
13 was made."

14 You heard the statement. You know she made
15 it. You know what circumstances she said she was under.
16 You know what circumstances she was really under as
17 well. Either way, it's a trauma situation, and you sat
18 here for two hours late in the day one day and watched
19 her statement. And, ladies and gentlemen, this is for
20 you to determine, but think about the situation she was
21 in. Do we all react to trauma the same way? Absolutely
22 not. Reacting to the trauma of what a career blood
23 spatter expert says is one of the top five bloodiest
24 crime scenes of a child that you just walked in on, I

1 submit to you her answers, responses and her behavior is
2 off.

3 The first thing, what does she tell the
4 police about work? You just heard she took a long
5 break, and she asked for unapproved time off almost an
6 hour before she was scheduled off. What does she tell
7 the police? She doesn't volunteer that information to
8 the police. This is an important day. They had her in
9 that interview for four hours. They want to know
10 everything. This is what she tells them.

11 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
12 THIS TIME.)

13 MS. MUDGE: Got out early today. You're
14 talking to the police about a man that broke in your
15 house and murdered an 11-year-old, your step-daughter
16 who you think as a daughter, and you don't tell that
17 information to them? Two times.

18 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
19 THIS TIME.)

20 MS. MUDGE: Clocked out. Two times she is
21 talking about her work. The information that she took
22 off work early does not come out. What else did she say
23 in her statement that we know is not consistent with
24 what happened in that house? They ask her about the

1 dogs. "Were the dogs outside? I guess I didn't let
2 them back in." You heard from Michael. This is not
3 normal. This is unusual. The dogs stay in the house.

4 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
5 THIS TIME.)

6 MS. MUDGE: "I guess not. Usually lock the
7 bottom door when we leave." You heard Michael, "We
8 always locked the door. We dead bolt it at night.
9 Bottom one locks when we leave; especially if the kids
10 are left home alone." She says, "Pretty sure I locked
11 the bottom door, but I'm really not sure."

12 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
13 THIS TIME.)

14 MS. MUDGE: She says that's normal, too, but
15 not that day. And this is where things begin to unravel
16 for her, and she cannot keep up with the story that she
17 started with. She tells the police that when she comes
18 to the home, the main door is open -- the main front
19 door is open. The screen door is closed.

20 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
21 THIS TIME.)

22 MS. MUDGE: Okay. And you heard from CSI
23 Deschamps. No forced entry into that home. That door
24 was not broken. It closed. You heard CSI Deschamps.

1 He specifically took a picture of the inside of the
2 screen door, and he said that is not red, blood-like
3 substance on that door. It's dirt. He specifically
4 took a picture of the exterior of the front door. He
5 said, "That's not red, blood-like substance. That's
6 dirt." I think he even said, "Looks like my own front
7 door." Ladies and gentlemen, that front door was shut
8 when Jade was murdered in her home. That is Jade's hand
9 trying to leave the front door and transferring blood on
10 to the doorknob trying to get out of her own home. The
11 door was shut when Jade was murdered. There was no
12 blood on that door frame. And she doubles down on the
13 Walmart because she has to. "Ran to town. Went to
14 Walmart. When I got home I saw, again, that the front
15 door was open."

16 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
17 THIS TIME.)

18 MS. MUDGE: That's all she knows that
19 happened. She walked in. The front door was open. She
20 saw blood everywhere. She went to grab herself a rag
21 first and then checked on Jade. It happened pretty
22 fast. You don't have to be a mother to know that when
23 you walk into your home, you left your child home alone,
24 and you find your home covered in blood that you don't

1 go wipe a cut off of your hand first.

2 Here's the problem with the Walmart story is
3 her cell phone because she tells the police she had her
4 phone on her. She checked it at Walmart. According to
5 our expert, that phone is tracked perfectly. We have
6 her on surveillance. She is back at the house at 11:53.
7 Ladies and gentlemen, the 911 call was made at 12:24.
8 What happened in that 31 minutes? It wasn't, I came in,
9 saw blood, washed my hand, found Jade, called 911.
10 Thirty-one minutes to clean up of her. She tells them
11 -- they offer her another opportunity to come off the
12 Carbondale Walmart story. She doesn't do it. She goes
13 to her specific route so that when they are getting her
14 cell phone, they can show nope.

15 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
16 THIS TIME.)

17 MS. MUDGE: They are obviously asking her
18 that for a reason to admit that she had her cell phone
19 on her so they can track the number and to send someone
20 out to Walmart because everybody knows there is going to
21 be good surveillance at Walmart. Just try to narrow
22 down where she parked, and she's backed into a corner,
23 and she's got to answer it. You heard from Detective
24 Toby Coffey who sat for hours and hours and watched

1 surveillance footage; some from Walmart. He said he
2 watched them twice; more than one angle. It was clear
3 footage. Nothing. Nothing of the sort. Went to the
4 pole camera where he had a good view of Route 13; the
5 route where she explains to them she took. More than
6 one angle. Nothing. No Nissan Pathfinder. He had a
7 beautiful view of the intersection. He watched it
8 twice. He also testified that Walmart is 19 miles away
9 from her home. It's a 29 minute drive. Huck's is six
10 or seven minutes away. And what does she say about the
11 encounter with the man? She sticks with it, but if you
12 note in her statement -- and, again, you watched it all
13 together in a two-hour statement -- but note in her
14 statement how small things changed. "He's waiting. He
15 ran into me. As I was coming out, he was -- as I was
16 coming in, he was going out."

17 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
18 THIS TIME.)

19 MS. MUDGE: Is it comprehensible to you that
20 you walk in to your home and there's a man waiting for
21 you, but your front door is open, and he's got a knife,
22 and you try to grab it? It isn't because that didn't
23 happen.

24 Then they asked her specifics. She tells

1 them she comes in, they have this thing at the door.
2 She doesn't even turn to look. He just runs off and she
3 doesn't know where. Is it comprehensible to you to come
4 home, find a man with a knife, fight him off, watch him
5 run and to run and wash your hand and leave your front
6 door open? It is not.

7 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
8 THIS TIME.)

9 MS. MUDGE: But you didn't shut the door and
10 lock it? You heard from Officer Welge. He got there
11 first. He was the first one when she called 911. He
12 was five to six minutes away. What did he see when he
13 arrived? The front door's open. The screen door shut
14 after a masked knife man just left her house. Doesn't
15 make sense.

16 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
17 THIS TIME.)

18 MS. MUDGE: Notice her in that clip. She is
19 covering her hands. She is covering her arms. She's
20 got her sleeves pulled down as far as they can possible
21 go with just her fingers sticking out. She is right
22 handed she tells you -- or she told the police in her
23 statement, and she went after the knife with her left
24 hand? No.

1 She tells them it's a quick brush with the
2 man. "A quick brush."

3 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
4 THIS TIME.)

5 MS. MUDGE: I submit to you, ladies and
6 gentlemen, that if there was a man in that home -- I
7 don't like to say it but because we're here on this
8 case, you have to think about it. Do you understand how
9 long it took her to murder Jade? She chased her all
10 over that house. It takes a long time. The little girl
11 was stabbed 104 times. If some man came in and did that
12 -- of course, he didn't -- is he going to meet the home
13 owner or another female who's small in the doorway and
14 have a quick brush with her and just run off into the
15 broad daylight holding up a knife with a ski mask on?
16 That doesn't happen.

17 You saw a lot of pictures this week. This
18 was one of them. Look at her left hand. Look
19 underneath the fingernails. We've all done something
20 where we've got our hands in dirt or mud or anything
21 that is liquidy or thick, and you get it underneath your
22 fingernails and it cakes. Sometimes you can't get it
23 out for a day or two without a good scrub. Look at her
24 left hand. It's not from her own cut. That isn't from

1 a brush with a man. It's from her chasing Jade around
2 the house with a knife.

3 We say what we say up here to argue our
4 case. You are the judges of the believability of the
5 witnesses and the weight to be given to the testimony of
6 each of them. In considering the testimony of any
7 witness, you may take into account his ability and
8 opportunity to observe, his age, his memory, his manner
9 while testifying and any interest, bias or prejudice he
10 may have and the reasonableness of his testimony
11 considered in the light of all the evidence in this
12 case.

13 Ladies and gentlemen, not one witness
14 testified for the State that would have any motive to
15 come in here and lie to you. The only person in this
16 room with motive to lie is the defendant.

17 The defense, however, put on five witnesses
18 today. They all love the defendant undoubtedly. Four
19 of them came in here and said when she gets mad, she
20 cries. Her brother laughed about it. It's not funny
21 because she doesn't cry once during her interview until
22 she knows that they know, and she gets mad and she
23 cries. You watched it for two hours. She didn't cry
24 once. When does she cry?

1 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
2 THIS TIME.)

3 MS. MUDGE: She's mad. She starts to cry.
4 "I am not talking to you anymore." And after the 911
5 call, she is on the porch. Think about this for a
6 second. She calls 911 at 12:24. You heard Michael
7 testify. You heard the police say they went and got his
8 records from Cracker Barrel. He clocked out around
9 12:50. 911 had been called by the defendant 25 or 6
10 minutes earlier. That 911 call lasted for ten minutes.
11 She is on the porch. The police told you they got her a
12 chair and a blanket. She didn't call Michael. He drove
13 home from work. He said it takes ten to 15 minutes.
14 She didn't say can I call my boyfriend. Can I call
15 Jade's dad. Can someone let him know? He's sitting at
16 Cracker Barrel while she is on the phone with 911 and
17 his daughter is butchered in his home, and nobody tells
18 him till he pulls up to that house. It's inhumane.

19 You heard her say to the police she tried to
20 check for a pulse. Watch what she says, how many times
21 she says it about how she checked for a pulse and what
22 she did. Makes no sense.

23 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
24 THIS TIME.)

1 MS. MUDGE: The next time. Remember,
2 they've tested her. They took her sweatshirt off. So
3 that is what --

4 -- (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED
5 AT THIS TIME.)

6 MS. MUDGE: Hours into the interview is when
7 she is saying this. Paced through the kitchen to the
8 bathroom. Probably because she is remembering Jade
9 running through her own blood, and she knows there is
10 going to be footprints. It was real quick. What I want
11 you to know about what she says here, she says she went
12 to the bathroom, washed herself, then went and checked
13 on Jade, and she never once says she went back into that
14 bathroom -- her master bathroom. The blood spatter
15 expert said that when he observed this -- this is in the
16 master bathroom sink -- when he observed this blood --
17 now the crime scene investigator said he observed a
18 blood-like substance. The blood spatter expert says if
19 that's blood, it's been diluted. It's been washed. You
20 heard CSI Deschamps came into that master bathroom and
21 he sprayed it with LCV. And what's on the floor not
22 visible to the naked eye the day before? LCV reacts to
23 blood. It's blood on the floor, and you heard Brian
24 Hapack from the State Police Crime Lab. Master bathroom

1 floor near vanity. LCV had been sprayed so it presumes
2 blood. It doesn't go to testing for blood because of
3 the LCV. Mixture of two people in that bathroom on that
4 floor. Major contributor, the defendant. Minor
5 contributor, nine STR loci Jade. Chances that it's her.
6 One in .24 million. Explain to me how the defendant's
7 blood and Jade's blood wind up in this. You heard a
8 little about household DNA. Sure. There is household
9 DNA. We all have it with the people we live with. I
10 submit to you there is not that household DNA in my
11 household. Took photos of it, how much it was, swiped
12 onto the floor, and he also sprayed the sink. And this
13 is what the sink looked like on the night of December
14 5th. And this is what the sink looks like when he goes
15 back to spray it because it was a clean-up job, and this
16 is what the top of the sink looks like. There is blood
17 everywhere. That's not blood from cutting yourself
18 shaving. That's where she started to clean before she
19 ran out of time.

20 She goes further about checking Jade for a
21 pulse, and it makes absolutely no sense. And no human
22 being thinking rationally can even try to say this is
23 how they checked on a child that's theirs or they think
24 is theirs or act like is theirs when they find her dead

1 in a bathtub. "I might have gotten some blood on me when
2 I did this." Backed in a corner. Starting to think
3 about what they are going to find.

4 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
5 THIS TIME.)

6 MS. MUDGE: Did that make sense to you?
7 She's not waking a three-year-old. It's a dead
8 11-year-old in her bathtub. It's ridiculous. She said
9 she paced around, and then she sat in the kitchen while
10 she talked to the dispatcher. Why did she sit down --
11 why do you sit down in a situation like that? Because
12 she is tired, because it took a lot of effort to do what
13 she just did, and she down in the kitchen to call 911.

14 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
15 THIS TIME.)

16 MS. MUDGE: You heard the 911 call. I'm not
17 going to play it for you again. I think you all noticed
18 in the 911 call that when Officer Welge came in through
19 the front door, you can hear it, and you can also hear
20 her demeanor change. She got mad. Started crying.
21 Officer Welge out there sees the large pile of blood on
22 the floor. It's dried. If this happened the way she
23 said it would happen, Officer Welge would have been
24 slipping in blood, and it would have been everywhere.

1 Every officer you heard from said they noticed something
2 different about this blood. It looked like candle wax.
3 Looks like a rose petal. It was dried. It had been
4 there for a while. Officer Welge told you he comes in;
5 he's there alone. He doesn't know what he is coming
6 into. It's a high adrenaline situation, and she's
7 standing in the kitchen on the phone and immediately she
8 doesn't respond to him. Again, we all act differently
9 in traumatic situations. I understand that, and I
10 recognize that. But when the police officer comes --
11 when you're reporting that your child who is 11 is dead
12 in the bathtub, you respond to him. You have at least
13 that instinct. He had to ask her twice, and all she did
14 was point.

15 He said something else that's important.
16 That when he arrived, the bathroom door -- where Jade
17 was -- the bathroom door was closed; cracked open. You
18 could see light through the door. Ladies and gentlemen,
19 a stranger who would come in and do this to a child, a
20 personal crime of stabbing so many times, doesn't shut
21 their door on the way out so that they don't have to
22 look at her. That's what you do when you know the
23 person you just murdered.

24 Officer Welge said Jade's body was cold to

1 the touch. He noticed the large, gaping hole in her
2 chest was not bleeding. You saw the hole. It was a big
3 one. It would have been bleeding for a while, and that
4 she sat on the floor and didn't come near him while he's
5 helping that girl. Again, we all act different in
6 traumatic situations, but no. No. She said three words
7 to him. "Is she dead?" Yeah, she is.

8 As she's going through her statement, again,
9 she's starting to think about the footprints. I submit
10 to you, ladies and gentlemen, that that's probably
11 something that's never going to be unetched from her
12 mind is that little girl running through that kitchen
13 away from her in her own blood. So she tells the police
14 she had on flip-flops. It's December. She just went to
15 Walmart. Flip-flops? No. And that they fell off of
16 her feet while she is walking or pacing around the
17 kitchen. Have you ever paced around your own kitchen
18 and your flip-flops just fall off of you?

19 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
20 THIS TIME.)

21 MS. MUDGE: Detective Geittmann noticed one
22 specific thing when she came to the house, and the
23 defendant was sitting on the porch with her feet out.
24 The bottoms of her feet were completely clean. She went

1 to the master bathroom. She cleaned up the bathroom.
2 She got as far as cleaning herself up a little bit --
3 not good enough -- but she had to quit.

4 The police asked her about gloves on the
5 suspect's hand. They lead her into it. She doesn't
6 know how to answer. She didn't think about this. Pay
7 attention to how she answers this. Does he have gloves?
8 Can she see his hands? Does he not have gloves?

9 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
10 THIS TIME.)

11 MS. MUDGE: Isn't that something you
12 remember if he had gloves on? And you heard testimony
13 from many of the officers who said they make it to the
14 scene. They don't know what's on. They're doing
15 everything they can. They see the mark on her arm, and
16 then they're like, oop. I don't think we're looking for
17 a guy anymore, and they weren't. And what did she tell
18 the police about the mark on her arm? Pay attention to
19 what she does in this statement because she's covering
20 her arms there as well. She does not want them to see
21 that bite mark.

22 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
23 THIS TIME.)

24 MS. MUDGE: What a coincidence. A fresh

1 bite mark on her arm. She happened to do it in the
2 middle of the night last night. Mike's never seen a
3 bite mark on her before, and he's never seen her
4 self-harm. Don't know much about their relationship.
5 Michael said they were close. They had a two and a
6 three-year-old at home. She's pregnant. It's not like
7 he's not around her. Never saw it. And look where the
8 bite mark is on her arm.

9 You heard testimony from Brian Hapack after
10 the crime scene investigator swabbed her arm that the
11 swab from her arm with 20 STR loci is Jade's DNA. One
12 out of 240 quintillion. Their expert came in and said
13 we can't tell if it's saliva. Well, they explained that
14 to you. Our experts explained to you why they couldn't
15 test for saliva. It's their procedure. If they test
16 for saliva, they could not have enough to test for DNA.
17 So, if we would have tested it and it would have said
18 saliva and not been tested for DNA, the argument would
19 have been, well, we don't know whose DNA it is. The
20 fact of the matter remains; it's a bite mark on her arm
21 with Jade's DNA on it. Jade's 11. She's not two. She
22 is not chewing on her mom's arm. And Dr. Wold, the
23 forensic odontologist, told you that it is not
24 reasonable with the orientation of that wound where it

1 is on the arm that it was self-inflicted. That it was a
2 forceful bite, and that there is a place on the injury
3 that is visible where a tooth did not impact the skin.
4 That he observed Jade's molds made from her teeth, and
5 she was missing her molars. Look at the orientation on
6 the wound. You heard him testify. In this picture on
7 the left is the upper dentition; her upper lip. An arm
8 like this, you can't do that to yourself, and you can't
9 do that to yourself that hard. People who self harm cut
10 slightly. It's not self-harming. Jade bit her. Jade
11 did what her mom told her to do. She left something of
12 herself.

13 When the defendant spoke to the police on
14 December 5th, they took photos of her. She went home
15 after that. She was not arrested right away. She knew
16 what she had told the police, and she had time to think
17 about it. And you heard that the police went back on
18 December the 8th three days later. They took the same
19 photos of her arm. The purpose was to get better bite
20 mark pictures. What they found was she self-harmed.
21 She knew they were coming back. She knew that wasn't
22 the end of it. She knew she was caught. I told them I
23 self-harm. Scratched myself on the arm. And Jade's
24 fingernail scrapings, you heard from our DNA expert.

1 Nine STR loci. The defendant's DNA under her
2 fingernails; one in 950 million. There is only one
3 person in this room who knows how Jade got the
4 defendant's DNA under her fingernail. I submit to you
5 that there are other injuries to the defendant. She had
6 small scratches on her face not consistent with a
7 brush-up with a man with a knife. It's a fresh scratch.

8 And finally, the Walmart. She said she went
9 to Walmart so many times that the police threw her a
10 softball and even asked her, Hey, did you stop for gas;
11 maybe at Huck's or something on the way home?

12 Double-downed.

13 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
14 THIS TIME.)

15 MS. MUDGE: I apologize.

16 (PEOPLE'S EXHIBIT NUMBER 24 PLAYED AT THIS
17 TIME.)

18 MS. MUDGE: The police got her to admit she
19 had her cell phone on her at the Walmart.

20 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
21 THIS TIME.)

22 MS. MUDGE: It's not where she went, ladies
23 and gentlemen. She lied the entire statement. All of
24 it is a lie. You heard from Special Agent Hanratty. He

1 has her phone records. He's got it put into spread
2 sheets. He analyzed the data. She leaves her house at
3 11:36. She is hitting off of a tower that's different
4 from her home at 11:36.18, and at 11:36.39, it's
5 confirmed with him that her phone is moving. She says
6 she has her phone on her. You heard from Mr. Newlin --
7 Aaron Newlin -- who was a neighbor. He's looking at his
8 cameras to look for the man in black with a knife
9 running around in the middle of the day that just
10 murdered a child. And he later finds his cameras line
11 up with everything else; all the other evidence. He
12 told you that his cameras were 44 minutes fast. So
13 where her cell phone is going from her home, she first
14 passes westbound in front of Aaron Newlin's house, and
15 you see her doing that.

16 (VIDEO PLAYED AT THIS TIME.)

17 There she is westbound; 11:36. The next
18 place she hits is 11:37.50. That's at Fietsam and
19 Khoury League Roads. That's where they also got
20 surveillance footage. Not just her phone there. They
21 got surveillance footage from the residence, from the
22 home that shows her driving westbound after the Aaron
23 Newlin residence. There she goes right along with her
24 phone. Where does she land? Marion. He told you that

1 some things can interfere with what tower you're
2 bouncing off of, like, weather or something. In this
3 particular case, right in the center is the Huck's gas
4 station. And then we have the Huck's footage where she
5 pulls up in between the gas pumps, does not get gas, but
6 throws out trash because she had the time. And you can
7 see on the road that's going by she comes from the right
8 of the screen, turns into Huck's, makes a U-turn.

9 (VIDEO PLAYED AT THIS TIME.)

10 MS. MUDGE: Gets out. There goes the knife.
11 There goes the clothes and the real shoes she was
12 wearing. There she is pulling back out on to the road,
13 and she turns right towards her home. All the while, a
14 four hour interview with the police where she says, "I
15 went to Walmart. Didn't get out of my car." Thirty
16 minutes the other way, "Realized I forgot my cards, and
17 went back home." Lie. It's a lie.

18 (VIDEO PLAYED AT THIS TIME.)

19 MS. MUDGE: Device heads back towards the
20 residence. Here she is going back home. This is at the
21 Fietsam Road residence eastbound. There she is. That's
22 11:46. Where's her phone? Right there pinging off the
23 tower at 11:48. Mr. Newlin's house at 11:48 will be the
24 last house that she passes going eastbound.

1 MS. MUDGE: There she is again. Her phone
2 also shows that she made the 911 call at 12:24 p.m. The
3 data shows she is in her home at 11:53 for sure until
4 12:24. She didn't call 911.

5 You heard about the K-9 search for the man.
6 He covered quite a few acres, two officers, a large
7 number of successful tracks during their career. The
8 dogs alert to no human odor. No change in behavior in
9 the dogs. They looked. He wasn't there because he
10 didn't exist. Even Mr. Newlin was looking for the guy.
11 The neighbors are looking. It's broad daylight.
12 Nothing. Nothing but a woman walking down the road
13 looking for her dog.

14 Inside the defendant's car when they get it,
15 Brian Hapack the DNA expert testified that swab from
16 inside of her car that she drove to Huck's with cuts on
17 her hand had her blood in it. She cannot be excluded;
18 one out of 240 quintillion. It's her blood in her own
19 car on the interior driver's door.

20 Ladies and gentlemen, you sat here a long
21 time and watched that statement. Did you notice when
22 the first time was when she asked about Jade, because it
23 was 48 minutes into it.

24 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT

1 THIS TIME.)

2 MS. MUDGE: Is that how you ask? Is that
3 when you ask? They asked her what she saw on Jade's
4 back. They started asking her about the specific wounds
5 and what she thought they looked like. "Looked like it
6 was pretty much just straight through."

7 (EXCERPTS OF PEOPLE'S EXHIBIT 24 PLAYED AT
8 THIS TIME.)

9 MS. MUDGE: Who knows that? Dr. Feeney, the
10 pathologist, testified there were two major wounds to
11 her upper left back that went five to seven inches into
12 her body. She said she just went up and tapped her.
13 She can tell that the knife went all the way through
14 her. She put the knife all the way through her. That's
15 how she knows, and you saw the pictures. You saw the
16 pictures of the wounds to that little girl's back. I
17 can't even tell in this picture that it goes all the way
18 through, so how does she know? Numerous sharp force
19 injuries to Jade's back. Some major. Some minor.
20 Ladies and gentlemen, again, you saw the pictures. I do
21 not want to re-traumatize you. It's not bringing joy to
22 show you these pictures, but what do you see here?
23 Pokes. Presentation pokes because you know the person
24 you're stabbing. A man coming in to stab a stranger

1 doesn't hesitate.

2 Dr. Feeney testified that there were 104
3 wounds to her body. Fifteen major. Five wounds to her
4 right hand and seven wounds to her left hand, and you
5 saw the pictures of her hand. Dr. Feeney told you they
6 were defensive wounds; trying to protect herself. Here
7 are Jade's defensive wounds, and that's the one to the
8 back of her hand. Do you notice anything different
9 about Jade's defensive wounds as opposed to the
10 defendant's defensive wounds? That's not a defensive
11 wound. That's a wound you get on your hand when you
12 slip off the knife.

13 MS. THIEN: I am going to object as to facts
14 not in evidence, your Honor.

15 THE COURT: Any statement made by a lawyer
16 that is not based on the evidence should be disregarded
17 by you. You should use your own recollection of the
18 evidence. Again, I remind you that what lawyers say
19 during the argument is not evidence.

20 MS. MUDGE: Thank you. I'll go back a
21 couple of slides, and I'll just say this. That's a
22 defensive wound. You be the judge of what that is.

23 Brian Hapack from the crime lab testified
24 that there was blood shed in the home. That blood that

1 was tested that Jade was the single contributor, one in
2 85 septillion. This is the blood the first officer
3 on-scene saw who had a chance to see the crime scene
4 diagram of Jade's footprints in her own blood. She's
5 running all over the house trying to get away. You
6 heard from the blood spatter expert just yesterday. He
7 talked about transfer patterns. You have blood on your
8 hand, you touch an object, you're going to get blood on
9 it. He noted 32 transfer patterns in that house where
10 she is grabbing at things or some object is hitting
11 something with blood on it. And he noted that the
12 victim was in an active state of bleeding while moving
13 throughout that house. This is the front door where he
14 noticed a spatter pattern while the door's closed again.
15 This is her bedroom door where he noticed a transfer
16 pattern on her own bedroom door on the inside of the
17 bedroom door, and the interior bathroom door, and
18 another doorknob she tried to turn to get out of yet
19 another room she was being chased through, and her
20 fighting throughout the bathroom on the wall, and
21 something being drug against the wall down here that got
22 blood all over the wall, and the sink. That's not from
23 carrying her out of the bathroom from first responders.
24 And the refrigerator, and Jade's fingernail scrapings.

1 You heard the DNA expert say that there were
2 two contributors to that. Jade would be assumed as one,
3 and nine STR loci, one in 950 million is the defendant.
4 Their expert told you that there wasn't that much there;
5 a little bit. Household DNA. Okay. DNA is under her
6 fingernails, and we know what's under her fingernails.

7 The defendant did not say one thing to the
8 police that lines up with any of the evidence, but you
9 heard here in this courtroom. You took an oath to
10 follow the law based on the evidence that you hear from
11 that stand. Ladies and gentlemen, we have proven to you
12 that the defendant is guilty of First Degree Murder. We
13 respectfully ask that you find her guilty of that.
14 Thank you.

15 THE COURT: Ms. Thien.

16 MS. THIEN: Thank you, your Honor. Counsel,
17 Ladies and gentlemen --

18 THE COURT: -- Ms. Thien, if you're going to
19 use that, it's not on.

20 MS. THIEN: I will in a moment, but I'll
21 flag you when I do, if that's okay?

22 THE COURT: Sure.

23 MS. THIEN: Thank you, Judge.

24 CLOSING ARGUMENTS

1 BY MS. THIEN:

2 The State expects you to believe beyond a
3 reasonable doubt that Julie Bevely, this gentle, young
4 woman, took a break from her job, committed this
5 horrible, bloody murder. They expect you to believe
6 that this five foot, 100 pound woman manhandled Jade's
7 body into a bathtub all without leaving any trace of
8 blood evidence on her person, on her clothes, in her car
9 or anywhere. Nothing. Worse than that, it's lazy and
10 it's incompetent. The police decided within the very
11 first hour of this investigation that Julie did this and
12 refused to look anywhere else. Jade deserves better,
13 Julie deserves better, and we, the citizens of
14 Williamson County deserve better. You met Julie.
15 You've listened to her 911 call. You listened to her
16 full -- not edited -- her full statement to the police.
17 The only part taken out of that four hours was the time
18 they left her in this room. You heard her cycle from
19 hysterical to calm to back again.

20 What else do we know about her? She is
21 quiet. She is kind. She is gentle. Her response to
22 stress is to cry. She's never been violent or
23 aggressive a day in her life. Mike and Julie spent
24 seven years together. A true his, hers and theirs

1 family. Never once did Julia attempt to interfere in
2 that relationship or impose herself in that. She let
3 Mike and Jessica raise -- co-parent and raise Jade but
4 she was there. She loved and nurtured Jade while at the
5 same time giving her parents the room they need to work
6 to raise her as well. There were movie nights. There
7 were video games. There were just hanging out. There
8 were a couple of vacations. Jade was excited that she
9 had Jayden to play with. It was home.

10 Now, ladies and gentlemen, I asked you in
11 the very beginning of this to follow the evidence, so
12 let's break it down. Julie comes home and finds a man
13 with a knife. Surprises him as he is coming out of the
14 house. There is a struggle; a brief one. She is
15 injured. She has a mark on her forehead, on her chin.
16 She is bleeding. She rinses her hand, grabs a towel and
17 goes to look for Jade. She finds her in the back
18 bathroom in the tub. She is not breathing. She can't
19 find her pulse. She's never checked for a pulse before,
20 but she can't find the pulse. She touches her. She
21 finds her phone. She calls 911 and she says, "I think
22 she's dead." She says the man was wearing a black
23 hoodie, and she -- as we all do -- 911 does not hang up
24 on you in an emergency. They keep you on the phone

1 until the police arrive. She stays on the phone with
2 the police -- with the 911 until the police arrive.

3 So, let's first take a look at the effort to
4 locate evidence outside of the residence. Officer Welge
5 and Officer Sloan of the Marion Police Department -- you
6 heard from both on different days -- they are the first
7 in the area. Before reaching the house, Officer Welge
8 sees someone in a black hoodie walking on Binkley Road
9 just before it turns into Songbird. He sends Officer
10 Sloan through dispatch -- black hoodie -- to go check it
11 out. What do we know about this person? Nothing.
12 Officer Sloan says it was a female in a black hoodie
13 either walking a dog or looking for a dog, but I don't
14 remember seeing a dog. I don't know this person's name.
15 I don't know this person's address. I don't know this
16 person's phone number, and I don't remember really
17 asking anything of this person.

18 Sam Ward of the Marion Police Department, he
19 responds immediately as well. He is just a few minutes
20 behind. He comes in from the other side. What does he
21 see? He sees two individuals walking in the area. Does
22 he stop to find out just even briefly who they are?
23 What they saw? Anything? No. Does he send anybody
24 back to go check? No. He further testifies -- Officer

1 Ward -- that after he exited the residence, he walked
2 around the back treeline for maybe about 45 minutes. He
3 was the only officer covering the back treeline. A
4 couple of officers checked the neighbor's storm shelter
5 and looked into the barn. That's it. That's it.
6 Deputy Anderson, he's assigned to canvas the area --
7 with Deputy Kelly as well -- and he says they maybe
8 stopped at six or eight houses asking for surveillance
9 video. And that's it from this entire area.

10 K-9's were requested. Now, contrary to what
11 Detective Eggemeyer told Julie during this interview,
12 they didn't call in the second shift. They didn't call
13 in all of these extra people. There were two, and we
14 heard from Sergeant Francis and Agent Rawlinson. They
15 were the only two K-9's that responded and together they
16 were in the area for a total of about an hour and a
17 half. Most importantly -- I'm going to ask the State to
18 throw up their People's Exhibit 25.

19 Judge, we will need the camera at this
20 point. There it is.

21 Ladies and gentlemen, see that yellow pin?
22 That's Mike and Julie's house. That's where Jade was
23 found. You see that stamp on the bottom that says
24 Exhibit Number 25, Sergeant Francis testified that with

1 his K-9 that was the area below that that he started and
2 went south and west. See that?

3 Agent Rawlinson testified -- you're going to
4 see those two quarter, round areas across the street
5 from the yellow pin, the ball fields. That's the area
6 he checked. Ladies and gentlemen, I want you to take
7 notice of where that yellow pin is, and I want you to
8 take notice of the areas from the north and the -- I'm
9 going to mess this one up -- left side all the way
10 around that house circling all the way down to where
11 Khoury League Road and Songbird meet and look at the
12 areas of the woods, and the fields. And was any of this
13 area checked? No. According to Detective Geittmann,
14 the lead investigator and case agent, she had dozens of
15 officers at her disposal. And her assignment for them,
16 go collect the commercial video along Route 13 -- as she
17 stated from this stand -- to establish Julie's route
18 because she was the only suspect and the only one they
19 were looking for or at.

20 Let's take a look at the evidence. Let's go
21 from outside to inside, and what do we know. Officer
22 Welge, again, first officer on the scene. Julie is
23 still on the phone with 911. She may not want to
24 believe it but she knows Jade is dead at that point.

1 She said as much on the 911 call. "I think she's dead."
2 Officer Welge goes back and he finds Jade in the back
3 bathtub. There is water in the tub. The water is clear
4 according to him, and this is incredibly important
5 because it tells us at that point that Jade's heart was
6 no longer beating. It was no longer pumping blood out
7 of her body. Remember, Jade may have only been 11, but
8 she was 5'3", 130 pounds and had horrific and brutal
9 injuries all over her body. But Julie is the one that
10 got her into that tub? Now, ladies and gentlemen,
11 couldn't happen. Didn't happen.

12 There was a lot of blood. We heard from
13 retired CSI Dewayne Morris. He said this ranked as one
14 of the five worst scenes of his career. I never met
15 Agent Morris before in a case. Um, I was impressed.
16 There was blood all over that house. As to how dry, not
17 dry, how long it had been there, if the State had any
18 evidence, we should have heard it from him.

19 When the officers started arriving inside
20 the residence, remember, Officer Sloan found Julie on
21 the kitchen floor. She was crying. He escorted her
22 outside so other officers could clear the house. He
23 grabbed a blanket off of the -- or from the living room
24 for her to wrap herself in, and this becomes really

1 significant when we talk about the forensics in a few
2 moments. CSI Deschamps arrives at the Williamson County
3 Sheriff's Office at approximately 4:35 that afternoon
4 where he is briefed and informed that Julie is the only
5 suspect in this case. He collects -- all voluntarily --
6 for the first time, we actually get to -- as a lawyer
7 who's been doing this for, you know, a little bit, I
8 actually get to see how it's all done because it was all
9 on the video and you all saw it, too. He collected the
10 cheek swab. They collected hand swabs. They collected
11 nail swabs. He collected nail scrapings. He collected
12 a swab from what appeared to be a bite mark on her arm.
13 Every piece of physical evidence collected by CSI
14 Deschamps is then delivered to the case agent who makes
15 ultimately the decision as to what is tested and what is
16 not. The State, attempting at this point in time to
17 argue that whatever was under Julie's nails that we saw
18 in the picture, that we know they have potentially at a
19 lab, yet, they refuse or have failed -- let's put it
20 that way -- failed to test it.

21 Her clothes -- the same clothes she says she
22 was wearing -- they are collected. Are they tested in
23 any manner whatsoever? No. He also took photographs of
24 Julie's arm. Again, all voluntary and went back and

1 took photographs several days later. Again, all
2 voluntary. We see one partial mark that she says she
3 did herself. We see the other arm -- and that picture
4 was just shown to you -- where it had fresh scratch
5 marks and a scar from the past. The same one that
6 Detective Geittmann saw on the porch when she first met
7 Julie.

8 MS. THIEN: I can't ask if our juror needs
9 some water, but if you would, Judge. I don't mean to
10 break into the middle of it. I want to make sure we're
11 comfortable if nothing else.

12 (PAUSE.)

13 MS. THIEN: Now, CSI Deschamps did not
14 arrive to the residence until about -- until about 7:30
15 that evening, and there he collects numerous items of
16 evidence including two kitchen knives. He said he
17 picked those just because one was in the sink and one
18 was in a strainer, but there was a knife block, and
19 there were drawers, and there were utensils. But that's
20 why he picked those two. Flip-flops. Towel.
21 Interestingly, we do learn that it's possible to
22 contaminate a crime scene by one's own breath. I had
23 never heard that before. Anyway, and there were
24 numerous swabs taken throughout the house, and he later

1 treats certain areas -- this was a day later, I believe
2 -- with LCV that reacts to the presence of blood -- not
3 necessarily human blood, but it does -- and it does not
4 tell us when it was deposited, nor, does it tell us how
5 much because we have to assume that it was a minuscule
6 amount because it's invisible to the naked eye. What we
7 know for certain is that every physical piece of
8 evidence went to the police, and they decided what they
9 were going to test. And they were not going to test
10 anything that did not fit their theory.

11 Julie's car is examined. There is a tiny
12 dried spot of RBLs -- I'm going to try to use that all
13 the time now -- red, blood-like substance on the
14 steering wheel cover. You remember you saw the
15 pictures. It was a spot. It was fully dried. They had
16 to cut it out. Let's jump straight to it in this one.
17 The DNA results come back to that steering wheel cover
18 as a mixture of Julie and Mike. Wow. Fancy that.
19 Julie's DNA found in Julie's car. Mike's DNA, her
20 significant other, found in Julie's car. Whose DNA is
21 not found in Julie's car? Jade's. Now, this includes
22 the small spots we saw on the door panel; the little
23 spot on the steering wheel. And if you recall, they put
24 in a photograph of the exterior door handle that they

1 had to spray with the LCV, and it came back, you know,
2 with two little glowing spots. Again, Julie. Yet, the
3 State expects you to believe that Julie committed this
4 horrible crime, collected all of the evidence, put it in
5 something that we think we see on the Huck's video that
6 might have been somewhere the size of a small bag.
7 Maybe even just a diaper. Drives it across town,
8 deposits it and not a single bit of Jade's DNA is found
9 in her car. As an old retired Judge who used to be up
10 here quite often use to say, I might have been born at
11 night, but it wasn't last night.

12 Let's look at the science. We looked at
13 outside the residence. We looked at inside the
14 residence. Let's see what we've learned from the
15 science in this case, and let's start with Dr. Wold, the
16 dentist. He is sent photographs of Julie's arm. He
17 says he sees -- after he manipulates them and photo
18 shops them and does another variety of things, enhances
19 them -- he says he sees a partial wound. He says it is
20 unlikely that someone did it to themselves. Not that it
21 didn't happen, but that it was unlikely. He also agrees
22 that when they make the molds that's a very precise
23 technique using the plastic whatever. They push them on
24 to your teeth to capture everything. Ladies and

1 gentlemen, simply put, that's not skin. Skin moves.
2 It's malleable. It's partial. It means nothing is what
3 we can conclude from that, but somehow the State wants
4 you to magically believe that the mark on Julie's arm
5 was left by Jade without any other evidence to support
6 this. But they did collect DNA, and from Julie, that's
7 the only one they tested. Perfect. This is actual
8 science. This is something we can work with now.

9 The first step in the process is to send the
10 swab to the forensic biologist. In this case, Keia
11 Tate. And remember, Ms. Tate tells us the first step in
12 the process is to be briefed by the agency, by the
13 police as to the "case story", but the lab is told what
14 the police believes the crime is and who they want to
15 prove guilty. These lab folks, though, they're not
16 going to fall into it, but they know what they're
17 looking. They are not looking for anyone else or
18 anything else, but I do believe that they are results
19 that they tried very hard. However, we know that from
20 the collection of this DNA that the lab has at its
21 disposal specific tests to test for the presence of
22 saliva. They see a swab. Doesn't have a red,
23 blood-like substance. They are told that it is
24 potential saliva. They don't test for that, but Ms.

1 Tate told us that that would not in any way interfere
2 with the extraction process. It's their procedure.
3 They don't want to reduce the amount of potential DNA.
4 They choose not to.

5 We hear from Brian Hapack. He testifies
6 that the swabs from Julie's arm come back very clearly
7 as being from two contributors. One being Julie as the
8 major contributor, and one being Jade as the minor
9 contributor. Good. Now we're getting somewhere, right?
10 He agrees that red -- excuse me -- white blood cells
11 have a lot of DNA. DNA rich. He agrees saliva cells,
12 not as rich as blood cells, but very DNA rich. There is
13 going to be a lot of DNA in that. Skin cells? Nah.
14 You know what? Skin cells die off all the time. We
15 shed them -- we don't want to get too into how dusty
16 this courtroom might be -- and not as much DNA. Good to
17 know. Very good to know. And why is this important?
18 Because Dr. Karl Reich has been in this field for
19 decades. He has the degrees and the experience to back
20 it up. He runs a full -- his firm runs a full lab that
21 tests for police, and as he says, he answers the phone
22 and advises and consults with those who ask. Quirky
23 guy. I will completely admit that I got mixed -- we got
24 in the weeds a little bit on the math, okay? But, let's

1 take a look at what he actually showed us.

2 Judge, if I may have permission to display
3 Defendant's Exhibit 2?

4 All right. I think everybody can see that
5 now. What is it that we're looking at here? This is
6 the actual graph from the actual test from the DNA that
7 was retrieved from Julie's arm swab. And what do we
8 see? Straight across. An even mixture of the two, and
9 all of those little peaks are almost the same. Why is
10 that important? Well, they are trying to tell us that
11 after DNA is extracted, you can no longer determine the
12 source of that DNA; whether it is blood, whether it is
13 skin, whether it is saliva. That's not necessarily
14 true. As Dr. Reich told us, if we were comparing saliva
15 to skin, those peaks would not be equal. So, what does
16 this tell us? It tells us that the source of this DNA
17 is the same, and we only have three choices. Is it
18 blood from both? No. Is it saliva from both? Not
19 according to the State's theory. What does that leave
20 us? That leaves us with a reasonable certainty that
21 this is simply touch DNA or skin DNA; much like you can
22 pick up, oh, from a shared blanket.

23 Let's take a look at Jade's fingernails.
24 Here the science also tells us what we're looking at.

1 There is a major contributor of 90 percent of that DNA,
2 and that was Jade's, and that only makes sense. Her
3 nails; her DNA. The secondary, or minor contributor,
4 ten percent. Okay.

5 I won't need this one, Judge. I'm going to
6 ask that it be turned off. Is that okay with just a
7 white screen?

8 THE COURT: You want it off?

9 MS. THIEN: Yes. What else do we know? The
10 total amount of DNA, 7.7 nanograms, and that's total.
11 And if ten percent of that belongs to Julie, that
12 amounts to 120 total cells. Total. From one hand; from
13 all of the nails. Even Dr. Hapack agrees one of the
14 things that this could be -- he refers to it as
15 environmental DNA. I referred to it as household DNA.
16 What we do know is that's it. That's it. The DNA could
17 have told us something from the nails, if the State
18 hadn't been so short-sided.

19 Defendant's Exhibit 7 was shown to Dr. Reich
20 after he was asked was it only X or only female DNA
21 found under Jade, and he had to say no. No, it is not.
22 These are Jade's nails. These are the white
23 chromosomes. It might have been a minuscule amount
24 popping on two different areas, but it's there. It just

1 doesn't fit the State's story.

2 I'm done with this now, Judge.

3 Of course, we'll never know -- or we don't
4 know -- what was on Julie's hands; what was under
5 Julie's nails. The State also decided to not test. It
6 might not fit their story.

7 The only other item of significance for DNA
8 was the master bath floor. Undetectable to the human
9 eye. CSI Deschamps says as we pick up blood or fluid
10 and we keep moving, that it can dilute and follow us
11 through. That's why we have little amounts going along
12 the way. And what do they find there? They found
13 primarily Julie's DNA with just a little bit of Jade who
14 also shares the same house and they all live together.
15 Especially when it's invisible -- Mr. Hapack agrees --
16 you can't tell when it was deposited or how much it was.
17 And unfortunately, that is all of the forensic evidence
18 in this case, and you're not going to hear anything else
19 about Julie's hands, her nails, her clothes, the towels,
20 the blankets, the shoes. Nothing.

21 Ladies and gentlemen, we've covered -- we've
22 covered the evidence outside the house. We have covered
23 the evidence inside the house, and we talked about all
24 of the science that was presented in this case. So,

1 let's talk about Julie and the family now. The only
2 crime that Julie committed was that she didn't make it
3 all the way to Carbondale. Until she was accused of
4 murder and said, "I'm not talking to you anymore" -- the
5 part that was cut -- "I didn't do this. She was -- she
6 might not have been my blood daughter, but she was my
7 daughter. I didn't do this."

8 We see a car with a phone in it. It belongs
9 to Julie. Let's roll with it. It stops at Huck's.
10 Stops there for a good 20 to 25 seconds. Oh, you know,
11 about the time it is when you're rolling up to the pump
12 and you're reaching over for your purse or your billfold
13 or whatever to determine if you got the cards only to
14 determine that you don't. But the State expects you to
15 believe that that little exchange we saw contained
16 clothes, shoes, knives, towels, paper towels, cleaning
17 products, garbage sacks full of physical evidence that
18 was allegedly cleaned out. It doesn't wash. It just
19 does not wash.

20 They go through this huge effort at the
21 landfill. I mean, they are using GPS and drones, and I
22 will give them credit. I do believe if I were on that
23 duty I would have had to have called in sick at some
24 point because that was just miserable, and what did they

1 find? Nothing. I'm sorry. They pulled out the only
2 two things that they thought might be relevant, and that
3 was an old shower curtain -- no shower curtain was
4 missing in the house -- two old broken knife blades that
5 had nothing to do with this. No test. I mean, they
6 couldn't put them anywhere. That was it.

7 We heard from Michael, and he was obviously
8 heart broken and grieving, and his world changed at this
9 point as well. Now, what do we know? We know he was
10 working at Cracker Barrel as a line cook at this time.
11 And we've all been to Cracker Barrel, and we know that
12 at 10:00 a.m. on a Saturday, especially pre-Covid,
13 that's a pretty hopping place. A professional cook
14 wouldn't have the time to send his long-time girlfriend,
15 his partner, a funny meme at 10:19 in the morning.
16 Remember, Julie didn't send him a text out of the blue.
17 We heard -- we saw the spread sheets what initiated this
18 conversation. Well, at 10:19, Michael sent a text. We
19 don't know what it was because it was some type of
20 animation or something. Julie responds, "Wow. Are you
21 off?" -- because it wasn't unusual during this time in
22 2020 for Mike to be sent home, for the restaurant to be
23 closed. This is not suspicious. This is not
24 unreasonable. How does Mike respond? "It's supposed to

1 be till 2:00. I probably won't make it till 1:00."

2 Okay.

3 They had a good life together as Michael
4 told us. Two wonderful kids together. One from him.
5 One from her. Never any issues. Julie was quiet, kind,
6 nurturing. There were few harsh words, if any, even
7 between them and no violence whatsoever. Mike says he
8 never knew Julie to self harm, but we've seen the actual
9 evidence that it can occur. And this is something one
10 doesn't share. I'm sorry. It just isn't. It doesn't
11 have to be something that happens very often.

12 You also heard from Jessica who didn't have
13 a harsh word or criticism of Julie either, and we later
14 learned there wasn't just one vacation to Massachusetts,
15 there were two vacations to Massachusetts. And we also
16 learned that Nicki, you know, stood in as a favorite
17 aunt. "Well, I think we had great fun. We sugared up.
18 It was an awesome time." If there were any concerns at
19 all after that first trip, I'm pretty certain there
20 wouldn't have been a second one.

21 Jessica told us that she told her daughter
22 to fight. With the rising number of burglaries and
23 trafficking, it's a sad fact that we all have to face,
24 and we live here. We know the number of burglaries that

1 are being reported of people getting into residences;
2 especially out in the county areas. It's all over the
3 news. It's a sad fact of life. And you know what,
4 fight back Jade did. You saw her wounds. You also --
5 and that was from a huge encounter. You also saw the
6 wounds from Julie. Yeah, it's for you to decide. That
7 was a brief encounter, but yes.

8 You've heard from a variety of people called
9 by both sides. Julie is a kind, gentle, sweet mom. She
10 has never in her life been violent. She had a great
11 relationship with Jade, and Jade was so very fortunate
12 to have been a part and loved in so many families but in
13 each one she could claim as her own. Her family at her
14 dad's. Her family at her mom's. Her family with all
15 her different grandparents. The burning question,
16 ladies and gentlemen, is why. Why? Why would Julie do
17 such a horrible thing? Now look, in the rush to
18 judgment, no one has come even close to answering this
19 question. The State may not be required to prove motive
20 as part of their case -- and, in fact, the law says they
21 do not -- but that doesn't stop us from asking why. You
22 heard Julie's own words, "I didn't do this. She was my
23 daughter, too." Julie didn't do this, and there is
24 absolutely no piece of physical evidence that's been

1 presented to you to tell you otherwise. There's a whole
2 lot of unanswered questions. The only crime that Julie
3 committed was she never made it all the way. That's it.

4 Ladies and gentlemen, you're going to be
5 given two verdict forms in this case. The first one
6 will say, We the jury find the defendant, Julia Bevely,
7 not guilty of First Degree Murder, and we are asking you
8 unanimously to sign that verdict and send Julie -- and
9 find Julie not guilty. Thank you.

10 THE COURT: Ms. Mudge.

11 MS. MUDGE: What just happened? What? Two
12 weeks. Everything you heard in this courtroom, the
13 first time you hear anything -- anything about Julia
14 going to anywhere but Walmart comes out of her
15 attorney's mouth. Not her own.

16 MS. THIEN: Objection, your Honor.

17 MS. MUDGE: Not her own mouth.

18 THE COURT: What's the objection?

19 MS. THIEN: The defendant has the right to
20 remain silent.

21 THE COURT: Well --

22 MS. MUDGE: -- I will move on, your Honor.

23 Thank you. Read your instructions. Read the
24 instructions he gives to you. She is right. There

1 isn't one that says that we have to prove to you why she
2 did this. People lose it all the time. How many times
3 have you turned on your TV and seen something on the
4 news and thought why? People are convicted in this
5 country every day, and nobody ever knows why. One
6 person in this room knows why.

7 We're missing something. We're missing
8 something very important, and I will admit it. It's
9 Jade Beasley. She couldn't come in and tell you what
10 happened. She left us enough. She left us her ravaged,
11 stabbed, bloody body with defensive wounds all over her
12 hands, the bloody door knobs all over the house, and her
13 bloody footprints in her own blood and she was 11. She
14 left you enough testimony. Why are they pointing out
15 that Jade weighed 130 pounds and was 5'3" and the
16 defendant was only 5'1"? Does she look like she was a
17 big girl? That's cruel. To show that it was a fight?
18 She was 11 and a psychopath in her home had a knife.

19 Dr. Reich, character. One hundred percent
20 give you that. Every expert that testified in this
21 courtroom is an expert, and I liked listening to him
22 even though I didn't know what he was saying because I'm
23 not smart enough. But I will tell you this, I know what
24 I didn't hear from him. I didn't hear him say anything

1 about unknown male DNA in that home, and I didn't hear
2 him say anything about Julie and Jade's blood that was
3 sprayed on the bathroom floor. I heard him say the
4 Illinois State Police have proper procedures and they
5 follow them. You heard Brian Hapack say things can
6 degrade DNA or the amount of DNA. Things like water.
7 All right. So, now we're in CSI Miami and we have to
8 test every single thing that was in that house? No.
9 This is the real world. We can't do that. And if we
10 would have tested every single thing in that house, what
11 would they have said? They lived together. It doesn't
12 matter. No. You aren't here to judge what you wish you
13 would know. You are here to Judge the evidence in this
14 case that you heard, and you heard plenty.

15 Julia Bevely must be the unluckiest person
16 in the world. What a terrible two days for her. She
17 happens to self harm. She happens to wake up in the
18 middle of the night before her step-daughter is
19 viciously murdered in her home, bite herself hard in a
20 really awkward spot where she can't reach on her arm,
21 her step-daughter is then murdered, and then she forgets
22 for four hours to tell the police that she went
23 somewhere up the street and she made some story up about
24 Walmart. This is life, okay. The police are great when

1 you need them, but when you armchair quarter back them
2 and look at everything they did -- what about the
3 officer that got there and gave her CPR for eight
4 minutes when he knew she was dead? What about him?
5 What about the guys at the land fill? Lazy?
6 Incompetent? Is that what you saw here, cause you
7 didn't.

8 Ladies and gentlemen, when the police come
9 to a murder scene and they see something off, like, no
10 blood outside of the home and a giant bite mark on her
11 arm, of course, she's a suspect. Was she their only
12 suspect? No. She went home. She went home for four
13 days.

14 I'm done. I'm done lawyering. You know
15 what you heard. I'm not going to stand up here and yell
16 at you about DNA numbers. You know what you heard in
17 this courtroom, and you know that the defendant murdered
18 Jade Beasley in her home. Jade is not a lucky little
19 girl. Jade is not a fortunate little girl. Jade was a
20 very unfortunate little girl to be left home alone with
21 this defendant on that day, and you know that she
22 murdered Jade. And you have plenty of evidence that you
23 heard here from this stand in this courtroom to convict
24 her beyond a reasonable doubt, and we ask that you sign

1 the guilty verdict. Thank you.

2 THE COURT: Members of the jury, the
3 evidence and arguments in this case have been completed,
4 and I will now instruct you as to the law.

5 The law that applies to this case is stated
6 in these instructions, and it is your duty to follow
7 them. You must not single out certain instructions and
8 disregard others. When I use the word "he" in these
9 instructions, I mean a male or a female.

10 It is your duty to determine the facts and
11 to determine them only from the evidence in the case.
12 You are to apply the law to the facts and in this way
13 decide the case.

14 You are not to concern yourself with
15 possible punishment or sentence for the offense charged
16 during your deliberation. It is the function of the
17 trial Judge to determine the sentence should there be a
18 verdict of guilty.

19 Neither sympathy nor prejudice should
20 influence you. You should not be biased in favor or
21 against any person because of that person's race,
22 ethnicity, national ancestry, religion, gender, sexual
23 orientation, age, disability or socioeconomic status.

24 From time to time, it's been the duty of the

1 Court to rule on the admissibility of evidence. You
2 should not concern yourselves for the reason of these
3 rulings. You should disregard questions and exhibits
4 which were withdrawn or to which objections were
5 sustained.

6 You should disregard testimony and exhibits
7 which the Court has refused or stricken.

8 The evidence which you should consider
9 consists only of the testimony of the witnesses, the
10 exhibits, the stipulations which the Court has received.

11 You should consider all the evidence in
12 light of your own observations and life experiences.

13 We all have feelings, assumptions,
14 perceptions, fears and stereotypes about others. Some
15 biases we are aware of, and others we might not be fully
16 aware of, which is why they are called "implicit biases"
17 or "unconscious biases."

18 Our biases often effect how we act,
19 favorably or unfavorably, toward someone. Biases can
20 also effect our thoughts, how we remember, what we see
21 and hear, whom we believe or disbelieve and how we make
22 important decisions.

23 As jurors, you're being asked to make
24 important decisions in this case. You must resist

1 jumping to conclusions based on personal likes or
2 dislikes. You must not let bias, prejudice or public
3 opinion influence your decision.

4 Neither by these instructions, nor, by any
5 ruling or remark which I have had to make, do I mean to
6 indicate any opinion as to the facts or as to what your
7 verdict should be.

8 Faithful performance by you of your duties
9 as jurors is vital to the administration of justice.

10 You should not do any independent research
11 on any subject or person relating to the case. What you
12 may have seen or heard outside the courtroom is not
13 evidence. This includes any press, radio or television
14 programs, and it also includes any information available
15 on the internet. Such programs, reports and information
16 are not evidence and your verdict must not be influenced
17 in any way by such material.

18 For example, you must not use the internet
19 including Google or any other sources that you might
20 otherwise use to search for any information about the
21 case, or about the law which applies to the case, or the
22 people involved in the case, including the defendant,
23 witnesses, lawyers and Judge.

24 During the course of the trial, do not

1 communicate with or provide information personally in
2 writing or electronically to anyone about this case; not
3 even your own families or friends, courtroom personnel
4 and not even amongst yourselves until instructed
5 otherwise.

6 You must not provide any information about
7 the case to anyone by any means at all, and this
8 includes posting information about the case, or your
9 thoughts about it, or on any device or internet site
10 including blogs, chat rooms or any social networking
11 websites such as Twitter or Facebook or by any other
12 means.

13 You cannot use any electronic devices or
14 services to communicate about this case, including cell
15 phones, smart phones, laptops, the internet and any
16 other tools of technology. The use of any such devices
17 or services in connection with your duties is
18 prohibited.

19 Lawyers, parties and witnesses are not
20 permitted to speak with you about any subject, even if
21 unrelated to this case, until after the case is over and
22 you are discharged from your duties as jurors.

23 A video will be introduced into evidence.
24 This video has been edited at the request of the Court

1 and by the agreements of the parties. You should not --
2 you should consider the evidence contained in the video
3 as it is played and not concern yourself with what may
4 have been contained in any edited portion.

5 We all have feelings, assumptions,
6 perceptions, fears, and stereotypes about others. Some
7 biases we are aware of, and others we might not be fully
8 aware of, which is why they are called "implicit biases"
9 or "unconscious biases".

10 Your verdict must be based solely on the
11 evidence presented.

12 Only you are the judges of the believability
13 of the witness and of the weight to be given to the
14 testimony of each of them. In considering the testimony
15 of any witness, you may take into account his ability
16 and opportunity to observe, his age, his memory, his
17 manner while testifying, any interest, bias or prejudice
18 you may have and the reasonableness of his testimony
19 considered in the light of all the evidence in the case.

20 Opening Statements are made by the attorneys
21 to acquaint you with the facts as they expect to prove.
22 Closing Arguments are made by the attorneys to discuss
23 the facts and circumstances in the case and should be
24 confined to the evidence and the reasonable inferences

1 to be drawn from the evidence. Neither Opening
2 Statements, nor, Closing Arguments are evidence, and any
3 statement or argument made by the attorney which is not
4 based on the evidence should be disregarded.

5 Those of you who took notes during the trial
6 may use your notes to refresh your memory during jury
7 deliberations.

8 Each juror should rely on his or her
9 recollection of the evidence. Just because a juror has
10 taken notes does not necessarily mean that his or her
11 recollection of the evidence is any better or more
12 accurate than the recollection of a juror who did not
13 take notes.

14 When you are discharged from further service
15 in this case, you're notes will be collected by the
16 deputy and destroyed. Throughout the process, your
17 notes will be -- remain confidential and no one will be
18 allowed to see them.

19 The defendant is charged with the offense of
20 First Degree Murder. The defendant has pled not guilty.

21 The charges against the defendant in this
22 case are contained in a document called the information.
23 The document is a formal method of charging the
24 defendant and placing the defendant on trial. It is not

1 any evidence against the defendant.

2 The defendant is presumed to be innocent of
3 the charge against her. This presumption remains with
4 her throughout every stage of the trial and during your
5 deliberations on the verdict and is not overcome unless
6 from all the evidence in the case you are convinced
7 beyond a reasonable doubt she is guilty.

8 The State has the burden of proving the
9 guilt of the defendant beyond a reasonable doubt, and
10 this burden remains on the State throughout the case.
11 The defendant is not required to prove her innocence.

12 The fact that the defendant did not testify
13 must not be considered by you in any way in arriving at
14 your verdict.

15 Circumstantial evidence is proof of facts or
16 circumstances which give rise to a reasonable inference
17 of other facts which tend to show the guilt or innocence
18 of the defendant. Circumstantial evidence should be
19 considered by you together with all the other evidence
20 in the case in arriving at your verdict.

21 You have before you evidence that the
22 defendant made a statement relating to the offense
23 charged in the information. It is for you to determine
24 whether the defendant made the statements, and, if so,

1 what weight should be given to the statements. In
2 determining the weight to be given to a statement, you
3 should consider all of the circumstances under which it
4 was made.

5 A person commits the offense of First Degree
6 Murder when she kills an individual if in performing the
7 acts which cause the death, she intends to kill or do
8 great bodily harm to that individual or she knows that
9 such acts will cause the death to that individual, or
10 she knows that such acts create a strong probability of
11 death or great bodily harm to that individual.

12 To sustain the charge of First Degree
13 Murder, the State must prove the following propositions:

14 First proposition: That the defendant
15 performed the acts which caused the death of Jade
16 Beasley.

17 And second proposition: That when the
18 defendant did so, she intended to kill or do great
19 bodily harm to Jade Beasley, or she knew that her acts
20 would cause death to Jade Beasley, or she knew that her
21 acts created a strong probability of death or great
22 bodily harm to Jade Beasley.

23 If you find from your consideration of all
24 the evidence that each one of these propositions has

1 defendant, Julia E. Bevely, guilty of First Degree
2 Murder. A place for the foreperson to sign and each one
3 of the jurors.

4 Members of the jury, you are in the care of
5 my bailiffs, Jennifer and Jason. They have been
6 instructed by me not to permit any person to speak or
7 otherwise communicate with you on any subject connected
8 with the trial except with the permission of the Court.
9 I am directing them not to communicate with you on any
10 subject connected with the trial, and I direct you not
11 to ask them any questions pertaining thereto.

12 When you have reached your verdict, you will
13 notify the bailiffs who will then inform the Court.

14 Please swear-in the bailiffs?

15 (BAILIFFS SWORN.)

16 THE COURT: At this time, the bailiffs will
17 take the alternate jurors first to a place. Please
18 rise. You may be seated.

19 (PAUSE IN PROCEEDINGS.)

20 Ladies and gentlemen of the jury, it is now
21 time for you to retire to the deliberation room. You
22 will select a foreman. You will begin your
23 deliberations after the selection. Please rise for the
24 jury. Clerk, note the time.

1 (JURY RETIRED TO DELIBERATE.)

2 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
3 THE PRESENCE OF THE JURY.)

4 THE COURT: You may be seated. The Court
5 will stand in recess.

6 (OFF THE RECORD.)

7 (BACK ON RECORD.)

8 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
9 THE PRESENCE OF THE JURY.)

10 THE COURT: Back on the record. We're out
11 of the presence of the jury. One of the bailiffs
12 informed me that the jury passed a note to them. The
13 note reads, Mary S jacket still here. Mary S is one of
14 the alternates. They took the jacket to this alternate.
15 That's over in the assembly room. That's the note. Is
16 there anything that the defense wishes for the Court to
17 say to the jury with respect to the note?

18 MS. THIEN: Okay.

19 THE COURT: I'm not going to say okay. Is
20 there anything from the State that they wish for me to
21 say to the jury from the note?

22 MS. MUDGE: No, sir.

23 THE COURT: Okay. Sorry to bother you about
24 it, but it is a note, and I have to get it on the

1 record.

2 MS. THIEN: All right.

3 MS. MUDGE: Thank you.

4 THE COURT: Yes, and I'm sorry. I'll talk
5 to you after while. We'll be in recess.

6 (RECESS.)

7 (BACK ON RECORD.)

8 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
9 THE PRESENCE OF THE JURY.)

10 THE COURT: Thank you very much. Please
11 have a seat. The Court has received a note from the
12 jury that they have reached a verdict. We will bring in
13 the alternates first for me to dismiss them. Please
14 rise.

15 (PAUSE IN PROCEEDINGS.)

16 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
17 THE PRESENCE OF THE ALTERNATE JURORS.)

18 THE COURT: Everyone have a seat, please.
19 On behalf of everyone here, the State, the defense and
20 the defendant, I want to thank you for your time. I
21 need to inform you that you were alternates chosen in
22 the event that something might have happened and we
23 would have to ask one of the other jurors to leave.
24 They have reached a verdict, so your services will no

1 longer be necessary. I greatly appreciate the time and
2 effort and the attention that you gave us. All
3 throughout the last two weeks, I have been telling you
4 cannot talk to anybody about that -- this case. That no
5 longer applies. You're free to talk to somebody if you
6 wish. You are also free not to. If anybody approaches
7 you and you do not wish to talk to them and you feel
8 like you're being harassed, videotaped or otherwise,
9 you're free to contact law enforcement for them to take
10 care of that issue. You're also free to ignore that if
11 that's what you wish to do. Again, I want to thank you
12 for your service. Please rise. After they have
13 cleared, bring in the jury.

14 (PAUSE IN PROCEEDINGS.)

15 (THE FOLLOWING PROCEEDINGS WERE HELD INSIDE
16 THE PRESENCE OF THE JURY.)

17 THE COURT: Everyone please have a seat. In
18 the matter of the People versus Julia Bevely, the record
19 will show that the defendant and both counsel are
20 present. All 12 jurors are present in the jury box.
21 Mr. Foreman, has the jury reached a verdict?

22 THE FOREMAN: Yes, we have.

23 THE COURT: Okay. I would like you to hand
24 the exhibits and the verdict forms to my bailiff. I

1 will check over the verdict forms to make sure they only
2 have one verdict form signed and that there are no other
3 markings. Please read the verdict.

4 THE CLERK: We the jury find the defendant,
5 Julia E. Bevely, guilty of First Degree Murder.

6 -- (INTERRUPTION) --

7 THE COURT: -- hey. There will be no
8 outbursts like that. You are to be removed from the
9 courtroom now. You shame your uniform. There will be
10 no further outbursts. None.

11 Do you wish to have the jury polled?

12 MS. THIEN: No, your Honor.

13 THE COURT: Very well. Ladies and gentlemen
14 of the jury, your service is now complete. On behalf of
15 everyone here, I thank you for your service. I know
16 that it was a very long time for you, and I appreciate
17 the attention that you had with this case. You are free
18 now to talk to anybody you wish to, and you're free not
19 to talk to anybody. There's been issues about people
20 videotaping you, potentially talking to you. If
21 anything happens to you after this trial that you feel
22 like you are being intimidated, you are to call law
23 enforcement. I, again, thank you for your service.
24 Please excuse the jury. Rise.

1 (THE FOLLOWING PROCEEDINGS WERE HELD OUTSIDE
2 THE PRESENCE OF THE JURY.)

3 THE COURT: Be seated. Bond is hereby
4 revoked. You're to take the defendant into custody at
5 this time. Ms. Bevely, I need you to rise, please.

6 THE DEFENDANT: I can't do this. This is
7 not fair. It's not fair.

8 THE COURT: A presentence investigation
9 shall be required, and the Court will set sentencing in
10 this matter June 2nd, 2023, at 1:15. Anything else from
11 the State?

12 MS. MUDGE: No. Thank you, your Honor.

13 THE COURT: Anything from the defendant?

14 MS. THIEN: Not now, your Honor. Thank you.

15 THE COURT: The Court will be adjourned.

16 (END OF PROCEEDINGS.)

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IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
WILLIAMSON COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)
)
Plaintiff,)
Vs)
) No. 20-CF-596
)
JULIE E. BEVELY,)
)
Defendant.)

CERTIFICATE OF REPORTER

I, Amy L. Holloman, one of the Official
Court Reporters in and for the First Judicial Circuit of
the State of Illinois, hereby certify that the foregoing
is a true, complete, and correct transcript to the best
of my ability of all the proceedings had in the
above-styled cause.

Amy Holloman
Amy L. Holloman, CSR
Official Court Reporter