

Prosecutor arguing to jury against Lazor:

1590

1 HELP YOU GOD DOES NOT NECESSARILY MEAN TO HELP YOU GOD YOU ARE
2 TELLING THE TRUTH BECAUSE IF THAT WERE THE CASE, WE WOULDN'T
3 HAVE A NEED FOR JURIES. IT IS YOU WHO DETERMINE WHO WERE
4 TELLING THE TRUTH, AND THAT IS YOUR FIRST CRITICAL FUNCTION.

5 AND THE LAW WILL AID YOU IN THAT SEARCH FOR TRUTH, WHICH
6 IS WHAT CRIMINAL JUSTICE IS ABOUT.

7 YOU SHOULD LOOK AT WHEN
8 CONSIDERING THE CREDIBILITY OF WITNESSES AND I WILL BE

9 TOUC
10 CONS
11 REGA
12 IT,

ADDED COMMENTARY
*SPEAKS FOR ITSELF --
IN LIGHT OF THE 35 ITEMS' PROOF SHOWN IN
THIS DOCUMENT*

AD AND
PAGES
U READ

13 LET'S GO TO THE FACTS OF THIS CASE. I HAVE INDICATED TO
14 YOU I WAS NOT GOING TO REHASH TESTIMONY OF ALL 28 WITNESSES
15 AND I AM NOT GOING TO START OUT BY SAYING THE FIRST WITNESS
16 THE PEOPLE CALLED, HARRYETTE SHUELL, SAID BLAH, BLAH, BLAH.
17 WHAT I HAVE DONE IS I HAVE ORGANIZED A PRESENTATION OF THIS
18 CASE INTO BASICALLY FOUR AREAS. THE FIRST AREA IS THE
19 DEFENDANT'S MOTIVE TO KILL; THE SECOND AREA IS WHETHER OR NOT
20 THERE WAS ANY PLANNING ACTIVITY BY THE DEFENDANT AS IT RELATES
21 TO THIS KILLING; THE THIRD AREA THAT I HAVE ORGANIZED MY NOTES
22 INTO IS THE MANNER OF KILLING, AND THE FOURTH AREA, WHICH I
23 PERCEIVE BASED UPON THE EVIDENCE TO BE THE MOST CRITICAL AREA,
24 IS THE DEFENDANT'S MOTIVE FOR KILLING.

25 AND WHAT IS THE DEFENDANT'S MOTIVE FOR KILLING? YOU
26 HEARD HIM. HIS MOTIVE WAS THAT OF SELF-DEFENSE AND MR. ALLRED
27 HAD A GUN, A BB GUN AS IT TURNED OUT TO BE, AND I WILL BE
28 SPENDING A GREAT DEAL OF TIME EXAMINING THAT FOURTH AREA

EXHIBIT
BB
7 PAGES

Prosecutor arguing to jury against Lazor:

1 QU 1566
2 TH GS
3 YC TO
4 SC AY
5 OR CT

ADDED COMMENTARY
*THE JURORS WERE REPEATEDLY ASSURED OF THE
PROSECUTOR'S STERLING HONESTY AND FAIRNESS
IN PRESENTING ALL EVIDENCE IN TOTAL INTEGRITY*

6 FREE TO DO SO. YOU ARE THE EXCLUSIVE JUDGES OF THE FACTS, NOT
7 ME, NOT MR. SCHROEDER, NOT THE COURT. AND AGA

8
9 WE TRY TO DO
10 OUR BEST TO GIVE YOU A FAIR TREATMENT OF THE EVIDENCE.

11 YOUR
12 RECOLLECTION, IT IS YOUR RECOLLECTION THAT COUNTS, NOT MINE.
13 NOW, IN A CLOSING ARGUMENT, BECAUSE OF THE SERIOUSNESS OF
14 THIS PARTICULAR CASE, IT BEING A HOMICIDE, YOU ARE GOING TO
15 SEE ME UTILIZE NOTES, AND I WANT TO MAKE JUST A BRIEF COMMENT
16 ON THAT. I WILL BE EXCLUSIVELY UTILIZING NOTES, AND YOU MAY
17 FIND IT IN PART SOMEWHAT DISTRACTING AND FOR THAT, I
18 APOLOGIZE, BUT I AM USING NOTES FOR A PARTICULAR PURPOSE AND
19 THE PURPOSE IS, ONE, NOT TO GO OVER THE TESTIMONY OF EACH OF
20 THE 28 WITNESSES NAME BY NAME, BLOW BY BLOW. ONE, I THINK
21 THAT WOULD BE INSULTING TO YOU. SECONDLY, I AM USING NOTES
22 FOR PURPOSES

23 I AM USING NOTES BECAUSE I WANT TO MAKE SURE THAT
24 WHAT I SAY TO YOU IS THE MOST ACCURATE THING THAT I CAN SAY,
25 AGAIN KEEPING IN MIND WE ARE ALL HUMAN AND MISTAKES CAN BE
26 MADE.

27 IN THIS CASE.

28 WITH THAT IN MIND, I THINK IT'S INCUMBENT THAT WE BEGIN
WITH THE LAW OF HOMICIDE, AND BEFORE ACTUALLY DELVING INTO THE

BB-2

Judge speaking in chambers to prosecutor and Schroeder:

1152

1 THE COURT: PRESENCE IS WAIVED.
2 COUNSEL FOR THE DEFENDANT. PURSUANT TO ORDER OF THE
3 COUR ONY
4 OF HIS
5 INVE ECT
6 EXAM ING
7 THER ERN
8 WHIC

ADDED COMMENTARY

*...SPEAKS FOR ITSELF IN LIGHT OF ALL THE
HIDDEN, DESTROYED, ALTERED EVIDENCE PROVEN
IN THIS DOCUMENT --- IN FURTHER MOCKERY,
IT IS STATED IN PRIVATE PROCEEDINGS WITHOUT
LAZOR'S KNOWLEDGE WHERE HIS PRESENCE WAS
ABROGATED BY DECEPTION*

9 MR. SCHROEDER: JUST FOR THE RECORD, YOUR HONOR, I
10 WOULD INCORPORATE BY REFERENCE MY EARLIER ARGUMENTS WITH

11
12 THE COURT: YEAH. I WOULD STATE FOR THE RECORD WITH
13 RESPECT TO THE PROCESS WHICH THE LEGISLATURE HAS ORDAINED, I
14 AM FULLY IN ACCORD WITH THE LEGISLATURE'S INTENT THAT A TRIAL
15 BE A SEARCH FOR THE TRUTH AND THAT, THEREFORE, NOTHING BE HELD
16 FROM THE TRIER OF FACT.

17 SOME DIFFICULTY IN THE PROCEDURE AND
18 THAT PERHAPS THIS COURT IS SIMPLY NOT WISE ENOUGH TO PERCEIVE
19 IT, BUT WHAT IT DOES IS PLACE THE COURT IN THE POSITION OF
20 BEING THE CROSS-EXAMINER, AND IT HAS THAT EFFECT AND WHAT ONE
21 JUDGE MIGHT THINK IS PROPER CROSS-EXAMINATION, ANOTHER JUDGE
22 MAY NOT, AND I FEEL UNCOMFORTABLE WITH THE PROCESS ALTHOUGH I
23 CERTAINLY WILL LIVE WITH IT.

24 (WHEREUPON, A SHORT RECESS WAS TAKEN, AFTER WHICH
25 THE FOLLOWING PROCEEDINGS WERE HAD IN THE PRESENCE OF THE
26 JURY:)

27 THE COURT: THE JURORS ARE PRESENT, COUNSEL ARE
28 PRESENT, MR. LAZOR IS PRESENT, THE WITNESS HAS RESUMED THE

BB-3

Defense Attorney Schroeder arguing to jury, supposedly for Lazor:

1647

1 IT BECAUSE I WANT TO KNOW AND SO THEREFORE IT'S IMPORTANT,

2
3 I AM NOT ARGUING THAT THEY GOT TOGETHER AND THEY
4 COLLABORATED AT THIS AT ALL.

5
6
7 **IN CONTRAST:**

8 SCHROEDER EMPHASIZES THE HONESTY AND HIGH
9 CREDIBILITY OF THE KEY PROSECUTION WIT-
10 NESSES WHO LIED AGAINST LAZOR ABOUT THE
11 BB GUN TO SEND HIM TO PRISON

ADDED COMMENTARY

12
13 POINT REMAINS THAT THEY HONESTLY TOLD THE WAY THEY BELIEVED IT
14 BUT THEIR BELIEF WAS AFFECTED BY THE SIGNIFICANCE OF THAT
15 EVENT,

16 ED FROM THE TIME THAT THEY DID IT.

17 AND EVEN IF YOU SAY THAT THEY ABSOLUTELY REMEMBER IN
18 DETAIL WHAT HAPPENED, THEIR OWN TESTIMONY TELLS YOU THAT THEY

19 DID NOT

20 POSITIVE

21 MOVE TO

22 WHETHER

23 WHETHER

24 OR NOT H

25 SAID THE

26 OUT INTO THE GARAGE, THERE WERE OPEN BOXES, THINGS BEING
27 STACKED ON TOP OF EACH OTHER. IT VERY EASILY COULD BE THAT
28 NONE OF THE THREE: LAZOR, WALLIS OR ELLIS EVER SAW THAT BB

ADDED COMMENTARY

**SCHROEDER NEVER LAUDED LAZOR'S HONESTY,
BUT ARGUED THE OPPOSITE AGAINST LAZOR'S
CREDIBILITY AND HONESTY. (SEE NEXT PAGES
AND EXHIBIT RR: SCHROEDER HAD UNASSAIL-
ABLE PROOF THESE WITNESSES LIED TO FRAME
LAZOR ABOUT THE KEY ISSUE OF TRIAL, AND
DELIBERATELY HID THAT PROOF)**

Defense Attorney Schroeder arguing to jury, supposedly for Lazor:

ADDED COMMENTARY

1676

NOTE CONTRAST: LAZOR TESTIFIED AS TO "WHAT HAPPENED OUT THERE THAT DAY" -- SO HERE, SCHROEDER IS TELLING THE JURY HE LIED OR AT BEST HIS TESTIMONY CAN'T BE TRUSTED. NOTICE SCHROEDER'S PRAISE OF THE PROSECUTOR'S CASE AGAINST LAZOR

WHICH
S IN
I HAD
HAVE

NOW, I DON'T THINK THERE IS ANY WAY THAT ANYBODY CAN BE POSITIVE ABOUT WHAT HAPPENED OUT THERE THAT DAY. WE TRY OUR BEST TO RECONSTRUCT FOR YOU THE FACTS. MR. HAMES HAS DONE AN EXCELLENT JOB IN ARGUING HIS FIRST PART OF HIS CASE TO YOU. I HAVE DONE MY BEST THAT I CAN TO TRY TO ARGUE MY ASPECT OF THE CASE TO YOU, BUT

THAT MAN, AS HE SITS OVER THERE, IS INNOCENT UNTIL YOU DECIDE OTHERWISE. THAT'S NOT TO SAY THAT EVERYTHING THAT HE DID IS RIGHT. IT'S A TRAGEDY THAT MR. ALLRED WAS KILLED.

YOU WHEN YOU WERE BEING SELECTED AS

JUROF

DAY.

THAT

ADDED COMMENTARY

ER OR

NOT

R, A

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T DAY

WAS

TAKING THESE 3 ITEMS TOGETHER: COULD THEY MEAN ANYTHING BUT "HE'LL BE GUILTY FOR COMMITTING THIS 'UNRIGHT' 'TRAGEDY' AS SOON AS YOU RENDER THAT VERDICT"?

THE COUP DE GRAS: SCHROEDER TELLING THE JURY IN NEGATIVE TERMS...

DOUBT

STANI

IMES,

WHICH IS FUNDAMENTAL TO THE WAY THAT WE MAKE JUDGMENTS ABOUT PEOPLE'S ACTIONS IN CRIMINAL CASES, I SUBM

I AM NOT SAYING

THAT THERE ISN'T SOME REASON TO BELIEVE THAT HE DID SOMETHING

CONTINUED

Defense Attorney Schroeder arguing to jury, supposedly for Lazor:

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ILLEGAL THAT DAY.

TO A MORAL CERTAINTY OF THE TRUTH OF THE
CHARGE. AND I WOULD ASK YOU WHEN YOU GO INTO YOUR
DELIBERATIONS TO FAIRLY AND EVENLY CONSIDER THE EVIDENCE, AND I
BELIEVE THAT THIS CONCLUSION YOU WILL REACH. THANK YOU.

THE COURT: LADIES AND GENTLEMEN, I NOTE THE HOUR.
THE LENGTH OF THE ARGUMENTS, WHICH I HAVE NOT INTERRUPTED, HAS
BEEN CONSIDERABLY MORE THAN WILL ALLOW US TO GET THIS CASE TO
YOU TONIGHT. THERE IS ONE CLOSING ARGUMENT AND THE

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ADDED COMMENTARY

**...THAT LAZOR COMMITTED AN "ILLEGAL" ACT;
--WHICH BY LAW MEANS A GUILTY VERDICT
IS MANDATORY**

**THIS IS THE PLACE IN THE TRIAL WHERE THE
DEFENSE ATTORNEY WAS SUPPOSED TO BE FER-
VENTLY ARGUING TO THE JURY THAT HIS ACCUSED
CLIENT WAS INNOCENT; THAT HE DID NOTHING
"ILLEGAL THAT DAY"; THAT THE CRIMINAL
ATTACKER BROUGHT ON HIS OWN "TRAGEDY"; AND
THAT THE STATE'S CASE AGAINST LAZOR WAS A
MALICIOUS AND FRAUDULENT FABRICATION, NOT
"AN EXCELLENT JOB"**

**(COULD ACQUITTAL EVEN BE POSSIBLE, IN ANY
CASE, WITH THESE ARGUMENTS FROM THE
ACCUSED'S OWN ATTORNEY? [SEE EXHIBIT P,
FOR MORE])**

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ALL
M.,

Defense Attorney Schroeder arguing to jury, supposedly for Lazor:

1649

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POLICE FOUND IT AFTER JANUARY 10TH.

NOW, I THINK THE MORE CONSIDERATION, THOUGH, WITH RESPECT TO THIS NOVEMBER COND SITUATION IS WHAT DOES IT ALL MEAN?

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AND
TO
PUL
THA
KIN

ADDED COMMENTARY
HERE, SCHROEDER ESSENTIALLY OUTRIGHT CALLS LAZOR A LIAR TO THE JURY, AS LAZOR DENIED COMMITTING THIS ACT, WHICH SCHROEDER FALSELY CONCEDES HERE LAZOR DID COMMIT, AND FURTHER ATTACKS LAZOR'S CHARACTER AND MORAL QUALITIES FOR COMMITTING THE CRIME...

EANS
WAY
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AD
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USLY

TRIGGER... LET'S

NOW, I WANT TO EMPHASIZE AT THIS POINT I AM NOT GOING TO STAND UP HERE -- MR. LAZOR IS NOT ON TRIAL FOR WHAT HAPPENED ON THE 22ND OF NOVEMBER AND I AM NOT GOING TO STAND UP HERE AND TELL YOU THAT HIS REACTION WAS ADVISABLE AND WORTHY OF SOME KIND OF COMMENDATION MEDAL BECAUSE IT WASN'T. I AM NOT SAYING THAT IT WAS A SMART THING TO DO, BUT

THAT MR. LAZOR WAS

GUNNING FOR MR. ALLRED AND HAD SOME METICULOUS SCHEME THAT HE WAS UNFOLDING AS MR. HAMES IS TRYING TO ARGUE TO YOU THAT

WOULD C.
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THESE W
ON ONE
FROM TH
LIKE TH

ADDED COMMENTARY
(GO BACK AND COMPARE WITH RT 1647, THIS EXHIBIT, SCHROEDER'S PRAISE FOR PROSECUTION WITNESSES' HONESTY, WHEN HE KNEW AND HAD PROOF THEY DID "GET TOGETHER AND COLLABORATE" TO CONCOCT THEIR PERJURY AGAINST MR. LAZOR

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T

ONE TIME WITH BRAD OAKES. THERE WAS TESTIMONY FROM OUR WITNESSES; SPECIFICALLY MR. LAZOR AND MR. OAKES THAT THERE HAD