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The State of Midlands

Vs.

Terry B. Rogers

Senior Project of H. elizabeth Moore

Spring 2002

The State of Midlands vs. Terry B. Rogers is a case written for the use of the American Mock Trial Association. As such, it has been written with AMTA's specifications in mind. There are nine witness affidavits, five exhibits, Midlands' penal code, listed charges, and stipulations. Each witness has points on which to cross-examine, like faulty logic or inconsistent facts. All witnesses are gender neutral. The case takes place in the fictional state of Midlands, which has no constitution.

On April 5, 2002, Pat Hedrick reported seeing a person fleeing his/her next-door neighbor's house with a stolen television. Hedrick called the police. Officer Bobbie Nichols responded to the call and entered the residence, belonging to Terry and Alex Rogers, where s/he found the dead body of Alex Rogers with a gunshot wound to the back. Officer Nichols had Hedrick look at a line-up and mug shots. Hedrick positively identified Joe Harvey.

Harvey agreed to answer questions after speaking with a D.A. and cutting an incredibly good deal. Harvey confessed to killing Alex Rogers after being hired to do so by Alex's spouse, Terry Rogers, at Alden Sweetland's Dance Pavilion on March 12 and being paid \$50,000 up front with a promise of another \$50,000 afterwards. Joe's significant other, Andi Armstrong, works at Sweetland's and testifies to seeing someone (under shady conditions) s/he thinks was Terry Rogers come in and meet with Joe on March 12.

Terry is CEO of Entronics, an electronics company that is now bankrupt because of missing amounts of money. There were several suspicious thefts of shipments, which Entronics's insurance provider paid off until they dropped Entronics's policy. There is

evidence that Sammy King, Joe Harvey's boss, helped Terry's financial problems by arranging to have the shipments stolen. Sammy has a shady past, and reason to dislike Terry. Terry has also had to file for personal bankruptcy.

Alex had a dependence on a lavish lifestyle and had difficulty adjusting to the bankruptcy. There is evidence that Alex threatened to leave Terry. Also several weeks before the murder, Terry had Alex take out a very large life insurance policy. Perhaps Terry had Alex murdered for financial reasons. However, Joe Harvey robbed the Rogers' house at the time of the murder. Perhaps it was a burglary gone wrong. Sammy King had sour dealings with Terry and is a very suspicious character. Perhaps it was a frame-up.

The case has many opportunities for students to demonstrate their knowledge of the federal rules of evidence. There are hearsay, speculation, and relevance objections that can be raised and coherently argued. Both prosecution and defense can choose three witnesses to successfully present a prima facie case. Each witness has several opportunities to earn points for character because the affidavits offer a variety of ways to present colorful, believable personalities on the witness stand. Each piece of evidence can be objected to but successfully admitted under at least one witness.

The Midland's Penal Code is based on Illinois Penal Code, and the true bill is styled accordingly. The stipulations insure that the students focus on the issue of the case instead of a side issue irrelevant to the matter of solicited murder.

State of Midlands

CIRCUIT COURT

**CRIMINAL ACTION
DOCKET NO. CR-02-1079**

MAURY COUNTY, ss.

STATE OF MIDLANDS

V.

TERRY B. ROGERS

**INDICTMENT FOR VIOLATION
OF COUNT I - M.P.C. sec. 8-1.1
SOLICITATION OF MURDER
COUNT II - M.P.C. sec. 8-1.2
SOLICITATION OF MURDER FOR HIRE
COUNT III - M.P.C. sec. 8-2
CONSPIRACY**

THE GRAND JURY DOES HEREBY CHARGE:

COUNT I

On or about March 12, 2002, in Maury County, State of Midlands, Terry B. Rogers intended that the offense of first degree murder be committed and commanded, encouraged or requested Joe O. Harvey to commit that offense in violation of Midlands Code Sec. 8-1.1.

COUNT II

On or about March 12, 2002, in Maury County, State of Midlands, Terry B. Rogers with the intent that the offense of first degree murder be committed, procured another to commit that offense pursuant to a contract, agreement, understanding, command or request for money or anything of value in violation of Midlands Code Sec. 8-1.2.

COUNT III

On or about March 12, 2002, in Maury County, State of Midlands, Terry B. Rogers committed conspiracy when, with intent that an offense be committed, agrees with another to the commission of that offense in violation of Midlands Code Sec. 8-2.

A TRUE BILL OF INDICTMENT

Dated

Foreman of the Grand Jury, Maury County, Midlands

State of Midlands

CIRCUIT COURT

**CRIMINAL ACTION
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COUNT III - M.P.C. sec. 8-2
CONSPIRACY**

STIPULATIONS

COMES NOW the parties and agree to the following stipulations.

1. The body discovered by Officer Bobbie Nichols is that of Alex Rogers.
2. All affidavits are signed and sworn.
3. No material changes have occurred in the affidavits since their writing.

MIDLANDS PENAL CODE

Sec. 8-1.1. Solicitation of Murder. (a) A person commits solicitation of murder when, with the intent that the offense of first degree murder be committed, he commands, encourages or requests another to commit that offense.

(b) Penalty. Solicitation of murder is a Class X felony and a person convicted of solicitation of murder shall be sentenced to a term of imprisonment for a period of not less than 15 years and not more than 30 years, except that in cases where the person solicited was a person under the age of 17 years, the person convicted of solicitation of murder shall be sentenced to a term of imprisonment for a period of not less than 20 years and not more than 60 years

--HELD SUFFICIENT

The evidence was sufficient to sustain a defendant's conviction where: 1) defendant's confession was corroborated; 2) there was evidence that defendant had planned the murder with the trigger man; 3) the defendant attempted to provide the trigger man with bullets and paid him for the murder; and 4) the defendant drove over the victim to ensure that he was dead.

Evidence was sufficient to prove defendant guilty of solicitation of murder, where he requested another person to "look into" getting a third party to perform the murder, was accountable for the other person's actions in asking the third party, and the defendant's own conversation with the third party was a request.

Sec. 8-1.2. Solicitation of Murder for Hire. (a) A person commits solicitation of murder for hire when, with the intent that the offense of first degree murder be committed, he procures another to commit that offense pursuant to any contract, agreement, understanding, command or request for money or anything of value.

(b) Penalty. Solicitation of murder for hire is a Class X felony and a person convicted of solicitation of murder for hire shall be sentenced to a term of imprisonment of not less than 20 years and not more than 40 years.

Solicitation of murder is a specific intent crime; therefore, defendant must have acted with the specific intent that a first-degree murder be committed, which defendant formed after the suggestion that they not leave any loose ends.

Sec. 8-2. Conspiracy. (a) Elements of the offense. A person commits conspiracy when, with intent that an offense be committed, he agrees with another to the commission of that offense. No person may be convicted of conspiracy to commit an offense unless an act in furtherance of such agreement is alleged and proved to have been committed by him or by a co-conspirator.

A person convicted of conspiracy may be fined or imprisoned or both not to exceed the maximum provided for the offense which is the object of the conspiracy.

AFFADAVIT OF AERIN D. MEYERS

After first being duly sworn upon oath, Aerin D. Meyers hereby deposes and states as follows:

My name is Aerin Meyers, and I'm 47 years old. I grew up in Mt. Hill, Midlands where I attended high school. After graduating with honors, I attended Midlands State University, where I double-majored in general business and accounting. I graduated summa cum laude, then decided to take my CPA exam, which I passed with flying colors. I opened my own firm in Columbia City and have been practicing for 25 years. My firm now has fifteen CPA's and is the largest and most prestigious accounting firm in all of Midlands.

Terry Rogers has been a client for the past ten years. I have done both personal work for Terry and work for Entronics. I regret having done Entronics's work. I didn't notice several years ago when large sums of money began to disappear. I lost some clientele when it came to light that I had missed such an obvious problem.

I finally caught it when the stolen shipments made the news. That sent up a red flag that caused me to go back and take a look at Entronics's past history. I noticed unaccounted for missing funds starting about seven years ago. I asked Terry about them, who denied any knowledge about them and seemed very surprised at the discovery. Besides, it is not my place to accuse clients of illegal activities. We worked together on what would be the most profitable course of action for the stolen shipments. There was some risk in reporting it to the insurance company, but Entronics could not swallow the expense of the theft, so we did contact the insurance company. I was very concerned

23 when Entronics's policy was dropped from the insurance company, but luckily the thefts
24 stopped right after that happened.

25 Financially, Terry had no reason to kill Alex. Terry was going to come out of
26 bankruptcy ahead. Bankruptcy is a really funny thing; the way the laws are set up, many
27 times people can actually profit from it. That was the case with Terry. All their debts
28 would be wiped clean, and there would still be enough money left over to pay off the
29 house and the Mercedes. Monetarily speaking, Terry isn't really that much better off
30 having collected the insurance money from Alex's death. I'm sure some people view
31 bankruptcy as shameful, and Terry did express that feeling, but really bankruptcy is in
32 place to help people, which is what it did in Terry's case, that is if the bankruptcy had
33 gone through.

34 I reviewed Terry's financial statements for court today and have turned a copy
35 over to both the prosecutors and the defense counsel. Financially, I don't see why Terry
36 would have killed Alex. Also having known both Rogers for ten years, I don't think
37 Terry is the kind of person to off a spouse. Alex could be quite unpleasant, but Terry has
38 never struck me as a killer, in fact far from it.

39 This case has been a nightmare for me. If a jury finds that Terry hired Joe Harvey
40 to kill Alex because of monetary problems, there is a possibility that I will have my
41 license revoked. I mean, just because I missed the unauthorized withdrawals and I helped
42 with filing the insurance claims for stolen shipments doesn't mean that I did anything
43 wrong. If I had found those withdrawals and reported them earlier, that doesn't mean
44 that things would have been different.

45

46 I hereby attest to having read the above statement and swear or affirm it to be my
47 own. By signing this document I swear to or affirm the truthfulness of its content. I
48 understand that I have an opportunity to update this affidavit and that unless such is done
49 prior to such a time whereas I may be called upon to testify in court, and that in such an
50 event a copy of my updated statement is given to all parties involved in this case, I am
51 bound by the content herein.

52
53 _____ Aerin D. Meyers
54

55 Subscribed and sworn before me this day July 1, 2001

56
57 _____ Sarah Dunn
58 Notary Public
59
60

AFFADAVIT OF ANDI C. ARMSTRONG

After first being duly sworn upon oath, Andi C. Armstrong hereby
deposes and states as follows:

My name is Andi Armstrong. I am 33 years old and bartend at Alden Sweetland's
Dance Pavilion. I live at 75A Sewanee Circle in Pleasant Spring, Midlands. I dropped
out of high school when I was a sophomore to work at Hoo-Ha's. The King got me the
job because my parents had been in trouble with the law, and The King knew that I
needed to make some money for my family. The King has been like a parent and a
mentor for me for most of my life. My dad died six years ago, and I started working on
my GED. I am very proud that I was able to get it after my second try. I have been
bartending at Sweetland's for almost six years now. Most of my family's debt died with
my father, so I have been enjoying working less hours, and Sweetland's is less stressful
than Hoo-Ha's. My only complaint is the super-expensive parking meters outside
Sweetland's. Sixty-five cents is nearly twice the regular rate for parking in Columbia
City! That eats into my paycheck.

I met Joe Harvey back when I worked at Hoo-Ha's. We started dating
immediately. We have broken up and gotten back together several times over the years.
We just can't seem to stay away from each other; I think we are meant to be together.
Joe is a wonderful person who just has a bad reputation because of the close-minded
people that populate Columbia City and all of Midlands, for that matter.

I was working on March 12, 2002. I remember that night well because Joe and I
were having a pretty bad fight that night over where I was going to live. Joe's lease was
going to run out at the end of March, and I wanted Joe to move in with me. This

24 suggestion was not something Joe was very amenable to. Anyway, Joe came in around
25 five o'clock that night for a few drinks. I mixed up a Southern Syrup for Joe, which
26 always lifts the spirits. That's when I brought up the move. The fight ensued, and then
27 Joe left.

28 Joe returned a few hours later and took the table next to the door in the back
29 corner where the light bulbs are shot. I kept my distance, but also kept a close eye on that
30 table. About thirty minutes later, someone wearing a baseball hat and dark glasses
31 entered the bar and took a seat at Joe's table. It got really busy at the bar around that
32 time, which I'd say was about 8:30, so I never got to get close to the table while the other
33 person was there. That person stayed with Joe for about thirty minutes, and then hit the
34 door fast.

35 I was asked to go to the police station in April to identify the person who met with
36 Joe that evening. I saw a line-up and some picture head-shots. Both times I was certain
37 as to which person it was I saw that evening. I even had the police officer put caps and
38 glasses on all of the suspects to make sure I was positive. Both times I identified Terry
39 Rogers. I had never met Terry before, so I wasn't swayed by anything. I only reported
40 what I saw.

41 Joe did tell me about what happened that night in March with Terry Rogers
42 coming into the bar to solicit Joe to kill Alex and also about actually killing Alex Rogers
43 in April. But I wasn't told all that until after I had identified the person I saw that night.
44 I didn't want to screw anything up for the Joe in this investigation. I wouldn't want
45 anything bad to happen that was my fault, so I tried to do everything just like the officers
46 told me.

47 I'm so glad Joe is only going to have to serve five years. I'm going to go visit all
48 the time. Joe even promised that we would get a place together when the sentence is
49 over. I couldn't bear it if Joe had to serve more time; I just don't know what I would do
50 if that happened.

51
52 I hereby attest to having read the above statement and swear or affirm it to be my
53 own. By signing this document I swear to or affirm the truthfulness of its content. I
54 understand that I have an opportunity to update this affidavit and that unless such is done
55 prior to such a time whereas I may be called upon to testify in court, and that in such an
56 event a copy of my updated statement is given to all parties involved in this case, I am
57 bound by the content herein.

58
59 _____
60 Andi C. Armstrong

61 Subscribed and sworn before me this day June 7, 2002

62
63 _____
64 Emily Westermeier
65 Notary Public
66

1 AFFADAVIT OF BOBBIE Z. NICHOLS

2 After first being duly sworn upon oath, Bobbie Z. Nichols hereby deposes
3 and states as follows:

4 My name is Bobbie Nichols, and I am a detective with the Columbia City police
5 force. I am 46 years old. After high school, I went to Midlands Community College for
6 two years and majored in psychology. Then I went to the Columbia City police academy,
7 where I graduated with honors in crime scene investigation and ballistics testing. I have
8 been a detective for the past eight years. Before that, I was on the swat team for three
9 years, but had to step down from that position when I could not longer fulfill those duties
10 after getting shot in the knee on a raid of one of Sammy King's garages. Sammy King
11 and his group of associates are a menace to Columbia City, and I will do everything in
12 my power to lock up everyone involved with "The King". I have been on over fifteen
13 raids of Sammy King's properties, but there is always some loophole or technicality that
14 keeps King clean. It's time The King's luck runs out, and I plan to be there when that
15 happens and one of the posse screws-up.

16 I got involved in this case on April 5, when I got a call from one Pat Hedrick who
17 had apparently seen a suspicious individual leaving the next-door neighbor's house with
18 an expensive television. I arrived at the specified location, 214 Winding Way, which is
19 the residence of Alex and Terry Rogers, at approximately six o'clock. The residence
20 appeared empty from the outside, and as I approached, I noticed that the back door
21 appeared to have been jimmied open. At this point, I drew my gun and did a walk-
22 through of the house. It had not been ransacked, but it did appear that items were

23 missing, mostly electronics from what I could tell, and some items had been knocked
24 over.

25 When I got to the kitchen, I saw a body, which was later identified as Alex
26 Rogers, lying face down on the floor in a pool of blood. There appeared to be an exit
27 wound from what I determined to be a single-barreled semi-automatic shotgun in the
28 victim's back. There was no weapon present, only a broken coffee mug on the ground
29 next to the victim. This led me to believe that it was a homicide even though there were
30 no signs of struggle. I called for a forensic team immediately and then proceeded through
31 the rest of the residence. It was empty, and I discovered no physical evidence or
32 remarkable clues.

33 The forensic team arrived twenty-five minutes later, and I oversaw their work. I
34 often work with the forensics team and am always made aware of their findings via their
35 official report. When they were finished, I interviewed Pat Hedrick, who gave me a
36 description of the individual seen leaving with the television. I immediately knew it had
37 to be Joe Harvey, who is one of Sammy King's top associates. The department has had
38 numerous run-ins with Harvey, a very undesirable character. I wasn't terribly surprised
39 since there were rumors that Terry Roger's business, Entronics, was involved with The
40 King. Just to make sure there weren't any questions about my investigation, I had
41 Hedrick look at some mug shots and a line up. Not surprisingly, Harvey was positively
42 identified both times.

43 I got an interrogation room and took Harvey in it to begin questioning. I made it
44 known that there was an eyewitness and that I knew about Harvey's past. Harvey seemed
45 very confident, almost scripted, and asked for a public defender. I brought one in, and

the questioning went very smoothly after that point. Harvey said that someone paid a great deal of money for the murder and would give me all the details as soon as a deal was cut. I arranged a meeting between Harvey's attorney and a D.A. I recommended that Harvey not be given a deal because a confession was inevitable, since there was no way Harvey would take the heat for a murder, but the D.A. paid me no heed. I am outraged that Harvey only has to serve five years. I know that there will be more criminal activity from Harvey as soon as Harvey gets released and most likely during the five years served in the penitentiary as well. I understand that we really need to lock up solicitors, but Harvey's deal is just too good. If I had my way, we'd execute him now. Harvey is a repeat offender and this is not the first murder for hire or armed burglary on the rap sheet.

Harvey's story makes sense to me. I saw Alex Rogers flashing money all over town even though everyone knew that Terry's business was bankrupt. There was really no need to investigate anyone else, so I brought Terry Rogers in for questioning. Rogers wouldn't answer any questions, only stare at me all glassy-eyed and sad. I think it was an act. Roger's attorney came in and stopped questioning, citing that her client was under mental duress.

I did some looking around into Terry Rogers's past. I spoke with the CPA, Aerin Meyers and also the best friend, Chris Snead who says that Rogers was not with Harvey on March 12. I know that there are inconsistencies in Harvey's story, but a person like that can't be expected to remember everything. Chris has a vested interest in keeping Terry out of jail, which makes any alibi highly suspect. Roger's has tons of motive to get Alex out of the picture, and there is always opportunity to get a hit man lined up, it only

69 takes a quick, simple meeting, especially with someone who has the reputation of Joe
70 Harvey. Terry has been seen around Sweetland's, which corroborates Harvey's story
71 completely.

72 This has been a clean investigation, and Terry Rogers is clearly guilty of
73 solicitation for murder. This is especially heinous because the victim is Rogers's spouse.
74 Alex Rogers was a good person, who deserves justice. It is sad that Corey Rogers will be
75 without parents, but that was Terry's choice.

76
77 I hereby attest to having read the above statement and swear or affirm it to be my
78 own. By signing this document I swear to or affirm the truthfulness of its content. I
79 understand that I have an opportunity to update this affidavit and that unless such is done
80 prior to such a time whereas I may be called upon to testify in court, and that in such an
81 event a copy of my updated statement is given to all parties involved in this case, I am
82 bound by the content herein.

83
84 _____
85 Bobbie Z. Nichols

86 Subscribed and sworn before me this day July 1, 2002

87
88 _____
89 Richard Collins
90 Notary Public
91

AFFADAVIT OF CHRIS D. SNEAD

After first being duly sworn upon oath, Chris D. Snead hereby deposes and states as follows:

My name is Chris Snead and I live at 1221 Winding Way in Columbia City, Midlands. I am 39 years old. I received my Bachelor of Science degree from Midlands State University in biochemistry. I pursued that further at Midlands State and got my Master's degree, also in biochemistry. A local pharmaceutical company, SNUBAR (Synthetic Narcotic Utilization Beating Allergic Reactions), hired me upon my graduation as a researcher testing the safety and effectiveness of a new synthetic painkiller, syndone, which is a codeine substitute for those allergic to it. The job is interesting and pays well, so I really can't complain.

I have known Terry since we were in elementary school. We grew up and still live on the same street, so we played together as children. We became pretty close in high school and decided to go to the same college and get an apartment together. Terry was a great roommate and is a great friend in general, but I sure wouldn't want to cross Terry. It's not really a temper, more like a Count of Monte Cristo-type fuse. If you wrong Terry, you can be sure that Terry will take time and go out of the way to get revenge, even if it takes years.

I remember one time when some guy cut Terry off in traffic, Terry followed him for over thirty miles, hanging back so as not to be noticed, and then got out of the car when the other car stopped. Terry very coolly approached the man. I couldn't hear what was said, but watching the guy's face, it was some heavy stuff. The guy fell all over

23 himself apologizing and cowered back into his car. Terry's face never changed from a
24 cool gaze.

25 Another time about five years ago, Terry was going to our high school reunion.
26 There was this girl who mercilessly made fun of Terry back in the day, using the
27 nickname "Scary Terry" constantly and spreading rumors. Anyway, she was being
28 honored as an outstanding alumna at the reunion and given a plaque. Terry had an
29 identical plaque made and several hundred identical programs made that replaced the
30 woman's name, Rhonda Legg, with the words "Raunchy Legg" then switched the
31 original plaque and programs.

32 Terry is not violent though. In all the years I've known Terry, I have never seen
33 any sort of violence displayed even in retribution. Terry is more of a Good Samaritan
34 than anything. A few months ago, while I was at work, my house burned to the ground in
35 a suspected arson. Terry was there almost instantly and went into the already flaming
36 house to save my 10 year old daughter and her cat. I owe Terry their lives.

37 I remember when Terry and Alex met. It was at Terry's MBA graduation, which
38 I was attending. I had never seen Terry act that way over anyone. It must have been
39 immediate love. I heard all about the feelings Terry felt for Alex. Terry talked about it
40 non-stop. Believe me, they were all good things that were said, and this continued
41 throughout the relationship and then the marriage. I talk to Terry everyday. I have never
42 once had Terry say a negative thing about Alex, and we have had some quite intimate
43 discussions about very serious and personal problems either of us might be having.
44 That's why I know that there's no way that Terry could ever hire someone to kill Alex, or
45 even have any dealings with someone like Joe Harvey. Plus, there's no way Terry would

46 even set foot in somewhere like Sweetland's. Terry won't even go into a fast food
47 restaurant if the place doesn't look entirely spotless. I did drive by there in early March
48 and saw a Mercedes there that looked like Alex's though. There are a couple of them in
49 town, however, and Terry didn't usually drive the Mercedes. I was quite surprised when
50 Terry kept that car and got rid of the Ford after Alex's death

51 Another way I know that Terry couldn't have committed this crime is because
52 Terry was with me the night that Harvey says they met at Alden Sweetland's Dance
53 Pavilion to set up the "deal" and every night that week for that matter. See, Terry and I
54 are on a basketball team together and our play-offs were March 18th so we spent the
55 whole week of the 12th practicing our game from 7 p.m. to 11 p.m. It was worth it
56 because we won the play-offs. Anyway, Terry's Ford was in the shop, so I was driving
57 the both of us all week to and from the basketball court. Terry did not have the
58 opportunity to set up such a meeting. Why anyone would believe the word of a person
59 like Joe Harvey is beyond me. Joe is clearly trying to get out of a tight situation by lying
60 about Terry.

61 If you had been at Alex's funeral, you would know that this crime is not at
62 Terry's feet. I had to hold Terry up for the whole ceremony. I have spent so much time
63 at Terry's house trying to be a consolation. Corey has also been very upset. Terry cares
64 so much for little Corey; it is ridiculous to think Terry would do this to that little angel of
65 a child.

66

67 I hereby attest to having read the above statement and swear or affirm it to be my
68 own. By signing this document I swear to or affirm the truthfulness of its content. I

69 understand that I have an opportunity to update this affidavit and that unless such is done
70 prior to such a time whereas I may be called upon to testify in court, and that in such an
71 event a copy of my updated statement is given to all parties involved in this case, I am
72 bound by the content herein.

73
74
75

Chris D. Snead

76 Subscribed and sworn before me this day April 20, 2002

77
78
79
80
81

J. Dan Duran
Notary Public

1 **AFFADAVIT OF J.A. BLACK**

2 After first being duly sworn upon oath, J.A. Black hereby deposes and
3 states as follows:

4 My name is J.A. Black. I live at 1501 Cherokee Trail and am 67 years old. I am
5 professor emeritus at Midlands University, where I taught for 35 years. I got both my
6 Bachelor of Arts in sociology and my PhD. in criminology with a concentration in
7 contract killing at the University of Chicago. I have published hundreds of papers on the
8 subject and am currently writing a textbook to be used at the graduate level. I have been
9 on several television news shows discussing the newly popular problem of contract
10 killing and have testified in trials for both prosecution and defense using my proven
11 solicitor/hit man theory.

12 I became interested in contract killing after I watched the classic Hitchcock movie
13 *Dial M for Murder* in high school. I went to college in Chicago because of its rich
14 history of organized crime, which often goes hand-in-hand with contract killing and
15 because the University of Chicago is thought of as the birthplace of sociology.

16 I began my Contract Killer project by first reading several scholarly books on the
17 subject and then going to prisons and interviewing both hit men and solicitors. I noted
18 several trends that both display, and thus the beginnings of my theory were born. I
19 further developed the theory over the past thirty-five years and now have a cohesive
20 profile for both hit men and solicitors. I have interviewed over 2,000 solicitors, and over
21 1,500 hit men, most of whom are repeat offenders. I can now interview a criminal and
22 tell you if that person is capable of or at one time has been either a hit man or a solicitor.
23 I have an 85.8% accuracy rate and rising.

My interviews are not terribly complicated or difficult to understand. I have developed several sets of questions to be interchanged as relevant to the facts of the case. There are three main sections with which I always deal. The first section deals with the relationship between the suspect and the victim. It is 30 yes/no questions that give insight into the relationship. I tailor this section's questions based on the nature of relationship like parent/child, spouse, business partner, etc. The second section is 30 yes/no questions that I tailor for the alleged motive of the certain case, like money, revenge, jealousy, etc. The third section is about the suspect's morality and views on revenge, violence, or killing. It is 35 yes/no questions. Certain responses to each question (either a yes or a no) get one point, while the opposite answer gets no point. At the end of the interview, I add up the points which yields a number that I put into my standard formula. This keeps everything uniform and allows less room for error because it is mathematical instead of subjective or psychologically interpretive. That is why it doesn't matter that I am not a psychologist or psychiatrist. These questions were developed throughout my years of sociological research and do not require medical interpretation.

I was approached by the defense counsel to interview Terry Rogers. I agreed to do so at my standard rate of pay. Terry arrived at my office on May 1, 2002. Terry appeared to be emotionally distressed, but agreed to answer my questions.

First I asked Terry questions about Alex. These questions were answered in a very frank manner. Terry acknowledged problems that the couple had been having, mostly centering on money and Alex's demand for a lavish lifestyle. We discussed arguments that the couple had, and Terry admitted to a very heated one about a week

47 before Alex's death, during which Alex threatened to leave Terry for good. I also asked
48 about the insurance policy that Terry had taken out on both of them. Terry said that
49 lately there had just been a feeling like something bad was going to happen to one of
50 them, most likely Alex. That was why Terry had insisted on insurance, for the sake of
51 their child Corey, to whom Terry seems to be very attached.

52 Then we began talking about Terry's business affairs. Terry seemed very
53 optimistic about the future of Entronics, saying that pulling out of these troubles was
54 going to be easy with a new product that Entronics had sole rights to. Terry admitted that
55 the bankruptcy proceedings involving the company have been very embarrassing and a
56 hurt to the ego, but that it was uplifting when Terry was able to overcome personal
57 bankruptcy.

58 We discussed Terry's moral stance on killing and vengeance. Terry expressed
59 several things to me that made me realize that Terry does place a high emphasis on
60 vengeance as a means to justice, but Terry also indicated several times that killing is
61 morally inexcusable, as is violence. Terry told me that there have been no instances
62 when Terry personally has resorted to violence. Terry did speak to an instance that
63 occurred during childhood when a bully was being merciless. Terry found an older child
64 who agreed to beat up the bully in exchange for homework.

65 Throughout the interview, Terry constantly returned to the topic of love for Alex
66 and the overwhelming sense of loss that is felt. The interview lasted for three hours, and
67 the format and questions were consistent with those I ask the solicitors I have spent years
68 interviewing in jail. I was able to form an opinion about Terry Rogers's likelihood of
69 hiring a contract killer.

70 While Terry is capable of revenge, I found Terry to be incapable of violence.
71 This does not necessarily correlate to convicted solicitors, though many of them have a
72 high capability for violence and resort to contracting killers for fear of getting caught.
73 Terry expressed much love for the deceased spouse, which is also not uncommon for
74 convicted solicitors, but Terry expressed it to an almost obsessive degree. I feel that this
75 makes it very unlikely that Terry would cause Alex's death. Also, though Terry is
76 concerned by finances, it is not a driving force in life. That was more the focus of Alex's
77 desires. Terry is optimistic about the financial future, and seems optimistic in general,
78 which tells me that money would not be a motive strong enough to drive Terry to hire a
79 killer.

80 It would be possible for Terry to skew the answers to questions if Terry has read
81 my articles. However, there is no evidence to show that is the case, so I feel that this was
82 a clean evaluation that tells us a lot about Terry Rogers. I am 80% positive that Terry
83 Rogers is incapable of hiring a contract killer and 95% positive that Terry Rogers is
84 incapable of doing so against a loved spouse.

85
86 I hereby attest to having read the above statement and swear or affirm it to be my
87 own. By signing this document I swear to or affirm the truthfulness of its content. I
88 understand that I have an opportunity to update this affidavit and that unless such is done
89 prior to such a time whereas I may be called upon to testify in court, and that in such an
90 event a copy of my updated statement is given to all parties involved in this case, I am
91 bound by the content herein.

92
93

J.A. Black

94

95 Subscribed and sworn before me this day May 12, 2002

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Keith Morton
Notary Public

1 **AFFADAVIT OF JOE O. HARVEY**

2 After first being duly sworn upon oath, Joe O. Harvey hereby deposes and
3 states as follows:

4 My name is Joe Harvey. I'm 37 years old and live at Route 1 in Mt. Hill,
5 Midlands. I dropped out of Mt. Hill High School as soon as I turned 18. That's when I
6 started working for Sammy King. It wasn't too hard for me to get a job in the outfit. I
7 already had quite a reputation as a tough character. The King has several business
8 enterprises, all based in nearby Columbia City. I started working in the garage right out
9 of school and was quickly promoted to running the cash register at the club. Five years
10 ago I achieved my dream of being promoted to a director in The King's sanitation
11 department. I oversee many operations that are important to both my boss and Columbia
12 City.

13 I met Terry Rogers several years ago. The King did some business with
14 Entronics, which is how we met. Aside from business dealings, we would have drinks
15 together at Alden Sweetland's Dance Pavilion once a month or so. Sweetland's is a
16 country-western bar that is close to Mt. Hill and has a pretty bad reputation. People go
17 there to shoot pool, ride the mechanical bull, drink a lot, and basically not be seen. It
18 isn't the same type place as The King's club, Hoo-Ha's, so it's okay for employees to go
19 there also. Terry and I would meet up to talk business some, but mostly just to hang out.
20 We always had a pretty good time together and were friends until Terry started lying
21 about this whole situation with Alex's untimely death.

22 Terry was constantly complaining- about business, most often about Alex, and
23 once in March even about The King. I put a stop to that immediately of course, and it

24 never happened again, but it did result in some unpleasantness. Terry came to me on
25 March 12 with a request to kill Alex. I think Terry was unhappy with the way Alex was
26 spending money and acting in general. There was mention of Alex's possible infidelity
27 as well. Terry knew I had done some of that type of work for The King in the past since
28 Terry always wanted to hear my old stories- just couldn't seem to get enough of them. I
29 think Terry had a secret criminal streak and was seduced by the underworld of crime, but
30 couldn't participate overtly since Terry had a good job and a family. Terry was getting
31 away with as much "business crime" as possible though; let me assure you of that. Some
32 of Entronics business dealings were not always above the table. All of the Rogers'
33 money wasn't exactly legitimate.

34 Anyway, the plan was for me to be at the Roger's house at 5:00 on April 5, which
35 is what time Alex gets home from the weekly golf game. Terry had just gotten more
36 insurance on Alex, and it would take several weeks to process and not look too
37 suspicious. I was to make it look like Alex arrived in the midst of a burglary and was
38 killed, which was fine with me, because Terry told me that I could keep what I stole to
39 make it look more convincing. The Rogers were big spenders, so I made off with some
40 good loot. In addition to that, Terry paid me \$50,000 up front and promised the same
41 amount after the job was done. That money was never delivered, though I'm sure The
42 King will collect it for me.

43 I carried out Terry's plan to perfection. Alex was just standing there holding a
44 cup of coffee. I don't think I was ever even seen before I fired the single shot at Alex's
45 back. Except that nosy next-door neighbor, Hedrick apparently saw me leaving with the
46 flat screen television and decided to investigate. I really think it would have come off

47 like an unsolvable robbery had it not been for that. I do good work, and this was some of
48 my best.

49 Once I was identified at the police station by Hedrick, I knew it was over for me.
50 The police had my rap sheet, which isn't exactly squeaky clean, so I knew they weren't
51 going to believe that Hedrick was mistaken. I had to go on and tell them the truth if I
52 didn't want to spend the rest of my life in prison. Cops are more interested in getting the
53 solicitors than the hit men, so I knew cooperation was in my best interest. I told them
54 everything- about Terry's business, the insurance, our meeting on March 12, and Terry's
55 plan. That was after I had spoken with a D.A. of course.

56 The cops cut me a deal. I told them everything and agreed to testify, and they
57 assured me I would only serve five years in the state pen. That's not bad considering my
58 past. Plus, The King told me that I could do some recruiting while I'm locked up and
59 will be paid for it when I get out. I think this situation has earned me some points in The
60 King's eyes and has generally worked out pretty well for me.

61 I know I have a criminal past, but if anyone looks at my rap sheet or my file, they
62 will know that I own up to what I do and have never lied. None of my crimes have ever
63 been dishonest ones except for fake i.d.s in high school. Even I have some shred of
64 morality. Being a killer doesn't make me a liar, and I am not lying about this. Terry
65 Rogers hired me to kill Alex. I bet if you check Terry's bank statements, you will see a
66 large amount missing.

67

68 I hereby attest to having read the above statement and swear or affirm it to be my
69 own. By signing this document I swear to or affirm the truthfulness of its content. I

70 understand that I have an opportunity to update this affidavit and that unless such is done
71 prior to such a time whereas I may be called upon to testify in court, and that in such an
72 event a copy of my updated statement is given to all parties involved in this case, I am
73 bound by the content herein.

74
75
76

Joe O. Harvey

77 Subscribed and sworn before me this day June 12, 2002

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79
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81
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David Grimmatt
Notary Public

1 **AFFADAVIT OF PAT J. HEDRICK**

2 After first being duly sworn upon oath, Pat J. Hedrick hereby deposes and
3 states as follows:

4 My name is Pat Hedrick. I am 55 years old and worked at Entronics as Executive
5 Programmer for eleven years. I got my undergraduate degree from Princeton, where I
6 graduated summa cum laude. After that, I got my Master's of information sciences from
7 Massachusetts Institute of Technology, and then went to Stanford for my Doctoral degree
8 in computer programming. I am currently working as a greeter at the Columbia City Buy-
9 n-Save. Things have been rough since Entronics went under. No one really wants to hire
10 someone of my age, even with my qualifications, and there's also that whole stigma that
11 now goes with being an employee of Entronics. Its name has been ruined in all of
12 Midlands. Luckily I don't have a family to support, or I would be in serious financial
13 trouble.

14 I've known the Rogers' for eight years now, ever since they moved in next door.
15 It was a nice house to begin with, but they immediately began adding to it and installing a
16 pool and hot tub. They were scheduled to break ground on their tennis court right around
17 the time that Entronics had to file for bankruptcy. Of course, that didn't stop Alex from
18 going forward with the tennis court.

19 Even though I didn't agree with the way that Terry ran the company, and its
20 down-fall was ultimately because of Terry, I never held a grudge. The Rogers were good
21 neighbors, and I'm very sorry about Alex's death. I did hear them fighting sometimes
22 when I left my windows open, but I don't think Terry is the kind of person who would
23 hire someone to kill Alex.

24 If you ask me, Sammy King is setting Terry up for past dealings with Entronics. I
25 have my own suspicions about those "stolen shipments". Either that or Joe Harvey is just
26 such an unsavory character that robbery seemed like a good idea. The Rogers' were
27 known to have lots of expensive possessions. Harvey wouldn't think twice about killing
28 someone. I remember back about five years when Harvey killed a guy who worked at a
29 seedy bar because he refused to keep serving drinks to the clearly intoxicated Harvey. I
30 was there picking up Terry, whose car had broken down nearby. Harvey got off on a
31 technicality; Sammy King always hires the best attorney's for the cronies when they get
32 in trouble.

33 Late one night, about a week before Alex's death, there was a really bad fight at
34 the Rogers'. It wasn't a whole lot worse than the others, but some of the things they said
35 sounded more serious than usual. Usually I just hear Terry yelling about all of the money
36 Alex spends. But that night I heard Alex threaten to leave Terry for good if Terry
37 couldn't fix their money problems. Terry replied, "Those problems will be fixed very
38 soon and then I won't have to put up with your constant nagging!" There was more
39 yelling, and then someone got in the Mercedes and left. I wasn't sure it was coming
40 back, but the next day, the Mercedes was back in the driveway. I heard everything
41 because I was in the yard working in my flowerbed, which is right next to the Rogers'
42 bedroom.

43 I don't know if Terry was at home on March 12 or not because I was visiting my
44 mother in Pleasant Springs that week. Terry didn't spend a whole lot of time at home
45 from my observation, so I'm sure there was nothing unusual if Terry wasn't home that
46 night. There was some talk in the community that Terry might have a drinking problem

47 and frequented some very seedy locations. I didn't really believe all that, but come to
48 think of it, I did see the Rogers' Ford at Alden Sweetland's Dance Pavilion one night, I
49 think it was in February, when I went to drop my Cadillac off at the dealership.
50 Sweetland's reputation is pretty bad. There are always newspaper articles in *The Daily*
51 *Herald* about illegal activities that go on there. It has the reputation of a place you would
52 go if you had some illegal need to fill. I was shocked to see Terry's Ford there, but I
53 know that's what it was because Terry has a vanity plate that reads RICHCEO. It is
54 unmistakable.

55
56 I hereby attest to having read the above statement and swear or affirm it to be my
57 own. By signing this document I swear to or affirm the truthfulness of its content. I
58 understand that I have an opportunity to update this affidavit and that unless such is done
59 prior to such a time whereas I may be called upon to testify in court, and that in such an
60 event a copy of my updated statement is given to all parties involved in this case, I am
61 bound by the content herein.

62
63 _____
64 Pat J. Hedrick

65 Subscribed and sworn before me this day July 13, 2002

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67 _____
68 Glen Calkins
69 Notary Public
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1 **AFFADAVIT OF SAMMY W. KING**

2 After first being duly sworn upon oath, Sammy W. King hereby deposes
3 and states as follows:

4 My name is Sammy King, and I am 53 years old. I live at 931 Ruel Ellis
5 Boulevard and have lived in Columbia City all my life. I currently operate several
6 businesses that are very important to the well-being of Columbia City. Among them is
7 the best mechanic shop in town, Shelbourne Garage, my fine club, Hoo-Ha's, and the
8 sanitation department for the entire county. I also do some business consultation through
9 my consultation service Sucessco.

10 I attended high school at Central Columbia City High, then after graduation began
11 working in my father's garage. He died seven years later, and at that time, I took over the
12 operation of the garage and the sanitation department. I added to my father's enterprises
13 when I opened Hoo-Ha's twenty years ago and Successco eight years ago. I have been
14 married for thirty years and have one child, a son who has disgraced me by moving to
15 California to be a police officer on San Francisco's vice squad.

16 Joe Harvey has been working for me for many years. Joe does quality work and
17 is one of my most valued employees. I was made aware of the job Joe was doing for
18 Terry Rogers and gave my blessing. It's not that I condone murder, but I try not to
19 interfere with my employees' other business enterprises unless they somehow pose a
20 conflict of interest with my business. Joe was going to make a good profit, and I felt that
21 Joe would not be connected to the crime, but if that did happen, Joe would not have to
22 serve much time. Cops are very interested in nailing solicitors and don't view hit men as
23 a priority.

24 It seemed like a win-win position for Joe, and myself also, because Joe agreed to
25 do some recruiting for my garage and sanitation department if Joe had to serve time. It is
26 difficult to find people who will do the type work that the garage and sanitation
27 department demand. In the past, I have found that ex-convicts are just happy to have
28 employment and will work. I would never put Joe up to a murder; that was just going to
29 be a fringe benefit for me.

30 I know about Terry's money problems first-hand. I was enlisted as a business
31 consultant for Entronics by Terry and reviewed many business documents as well as
32 letters. Entronics was faltering because Terry was skimming money to support Alex's
33 lavish lifestyle. Terry came to me with this problem. I was happy to help out; I knew of
34 some thugs that would steal shipments so Terry could collect insurance money and have a
35 cut of the merchandise also. All I did was arrange the meeting. It was supposed to be a
36 one-time thing, but Terry got greedy and contacted the thugs several more times. I told
37 Terry that insurance companies weren't stupid and would figure out what was going on if
38 it kept happening. Sadly, Terry did not follow my advice and paid the professional price.
39 Terry only quit when the insurance carrier dropped Entronics's policy. Entronics is
40 synonymous with scandal in Columbia City. *The Daily Herald* has run several articles on
41 its demise and the role Terry played in it. Though it has not been proven, Terry's
42 reputation is one of an embezzler.

43 I feel bad for Terry. I know it was Alex that drove Terry to Entronics's ruin. I
44 met Alex on a few occasions and was always struck by the demanding nature and need
45 for money that Alex exhibited. I remember one party that I attended that the Rogers'
46 hosted. Alex saw that the caterers were using jugs of purified water from Buy-n-Save to

47 make the ice cubes shaped like different cuts of diamonds instead of Toidi, the expensive
48 imported water from the Netherlands. Alex started screaming at the caterers, when Terry
49 approached and yelled back that the water switch was one that was made on purpose to
50 cut the costs of the already frivolous party that Alex had demanded. Alex pulled Terry
51 aside, and I could not hear what went on, but I saw Alex gesticulating and stomping
52 about. Terry returned and told the caterers to destroy the ice that had been made and start
53 over with Toidi. I know it cost a pretty penny to do so, especially on top of the extra
54 Terry had to pay for the way Alex treated the caterers. If my spouse acted that way, I
55 might turn to a contract killer also.

56 I'm not sorry to see Terry go to jail. Terry bad-mouthed me on a number of
57 occasions, which is something that I simply will not tolerate. I do too much for this city
58 to have people talk about me the way they do. Terry is someone that I considered a
59 friend and a business partner. It is a stab in the back to have such a person talk about me
60 negatively. I hope Terry gets the maximum sentence.

61

62 I hereby attest to having read the above statement and swear or affirm it to be my
63 own. By signing this document I swear to or affirm the truthfulness of its content. I
64 understand that I have an opportunity to update this affidavit and that unless such is done
65 prior to such a time whereas I may be called upon to testify in court, and that in such an
66 event a copy of my updated statement is given to all parties involved in this case, I am
67 bound by the content herein.

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Sammy W. King

71 Subscribed and sworn before me this day June 28, 2002

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76

Don Bloch
Notary Public

1 **AFFADAVIT OF TERRY B. ROGERS**

2 After first being duly sworn upon oath, Terry B. Rogers hereby deposes
3 and states as follows:

4 My name is Terry Rogers. I'm 42 years old and live at 214 Winding Way in
5 Columbia City, Midlands. I have lived there my entire life. I attended high school at
6 Central Columbia City High School and then went on to Midlands State University where
7 I received my bachelor's degree in business. I have always had a keen interest in
8 business. I set up my first lemonade stand when I was a wee seven years old. Anyway, I
9 got a full ride to Midlands State's Masters of Business Administration program, and in
10 two years, I had my MBA. It was during commencement that I first laid eyes on Alex. It
11 was love at first sight. Alex's brother was also graduating, and after the ceremony was
12 over, I went up and introduced myself. We began dating that night and a year and a half
13 later we were married.

14 I got a job in low-level management at Entronics, an up-and-coming electronics
15 company and began working my way up the corporate ladder. The pay wasn't great, but
16 there was lots of room for my own personal input, which I knew would pay off soon. I
17 had to deal with some unscrupulous characters to do so, but it was worth it. The
18 electronics business is very cutthroat and there are some real pieces of work that run
19 competing companies. In seven years I became CEO. That was also the year that our
20 first child Corey was born. We added a whole new wing onto the house and had a pool
21 dug in the backyard. Things were going great.

22 My company continued to flourish for five years, and then it hit its first snag.
23 Several shipments of our new DVD players were stolen. This was a big loss for the

24 company, but the police did nothing. Luckily the shipments were insured, so we didn't
25 lose money, only part of our reputation for excellence. It was rumored that the theft was
26 mob-related. Over the next two years, thefts of shipments continued to occur. The police
27 never caught anyone. After the fifth theft, Entronics was dropped by our insurance
28 carrier, who had previously been covering the losses. That, along with some missing
29 funds, caused me to have to file for bankruptcy for the company. It has been quite an
30 embarrassing ordeal.

31 Alex was very supportive through all of this. Even when I had to file for personal
32 bankruptcy, Alex was understanding. Sure, Alex spent some of our money on things, like
33 a weekly golf game at Midland's most exclusive golf club and a veritable wardrobe of
34 new clothes, only top designer brands, but I never held Alex accountable for our money
35 problems. I did have to sell my Jaguar for a used Ford when Alex refused to drive
36 anything but the newest Mercedes. Alex did not want to make the adjustment from the
37 luxury-filled life we had been living to our new bankrupt one. It wasn't easy for me
38 either.

39 I know what people are saying about me hiring a hit man to kill Alex after we
40 both took out big insurance policies at my insistence. I wanted us to take out the
41 insurance policies because of all the crazy things that have been going on in the world
42 lately. Both Alex and I traveled quite frequently. I wanted there to be a future for Corey
43 if anything happened to either me or Alex.

44 It is true that I had met Joe Harvey before, one time at a bar. I don't remember
45 when it was, but I think it was a year or two ago, definitely not the March in question. It
46 was not a reputable establishment, but it was the only place close to work, and I had had a

rough day and needed to unwind. However, it was not Alden Sweetland's. I would never go there after that scandal with Coney Webber a few years ago. Going to Sweetland's is asking for trouble. Anyway, Joe was sitting next to me, and we talked for a while. I only remember it because of the crazy stories Joe told about crimes and adventures from Joe's life. They weren't the type of things you forget.

I know Pat Hedrick has heard lots of fights between Alex and me and particularly the one the first week of March. It wasn't that bad though; Alex was very dramatic, so maybe Pat got the wrong impression from some yelling that was overheard, but that's really all the fight was. Of course we were fighting about money and Alex got loud, but at no point did either of us leave, we simply went to separate wings of the house to cool off. I hate that Corey had to hear us yell.

There is no way I would ever hire someone to kill Alex. Alex was the best thing in my life. Every day that goes by, Corey and I miss Alex. I know that Alex would be glad that the insurance money is going toward Corey's education. The money is going towards that and is also paying off the rest of the house, since I was about to lose it in the bankruptcy proceedings. That insurance policy was a really good idea in hindsight. Now I have been able to pull myself out of the bankruptcy and pay off my debts. At least something good can come from our tragedy. I have been through enough with my business failing and Alex's death. There is no connection between Sammy King and me and there never has been. This is absolutely ridiculous, there is no reason to believe Joe Harvey who has a horrible reputation over me, who has never done anything wrong.

I hereby attest to having read the above statement and swear or affirm it to be my own. By signing this document I swear to or affirm the truthfulness of its content. I understand that I have an opportunity to update this affidavit and that unless such is done prior to such a time whereas I may be called upon to testify in court, and that in such an event a copy of my updated statement is given to all parties involved in this case, I am bound by the content herein.

Terry B. Rogers

Subscribed and sworn before me this day May 31, 2002

Elizabeth Lovell
Notary Public

EXHIBITS

Midlands Mutual Insurance Company

Serving midlands since 1959

11/21/00

Terry Rogers
CEO Entronics
1378 Industrial Park Road
Columbia City, Midlands 55672

Dear Terry:

I regret to inform you that after nearly two decades as your company's insurance carrier, we are forced to drop your policy. We have paid for five costly shipments of merchandise over the past two years without asking any questions. This has cost our company over two million dollars. We feel that the circumstances surrounding these thefts prevent us here at Midlands Mutual from further insuring Entronics in good faith. I know you have been working with the police to stop the thefts and have been thus far unsuccessful in apprehending the perpetrators. I wish you the best of luck in the future to bring such persons to justice and also in finding a company to insure you. If you have any questions about our decision or want recommendations for other companies, please give me a call at 555-8130.

Sincerely,

Dustin Roskind
President,
Midlands Mutual Insurance Co.

INSURED ALEX E. ROGERS

AGE 38

POLICY NUMBER 54 402 505

CLASS OF RISK - STANDARD
(NON-SMOKER DISCOUNT)

POLICY DATE FEBRUARY 27, 2002

DATE OF ISSUE

MARCH 4, 2002

OWNER INSURED

PLAN WHOLE LIFE WITH
 ACCIDENTAL DEATH BENEFIT (ADB) AND
 DISABILITY WAIVER OF PREMIUM (WP)

AMOUNT	FACE AMOUNT	\$1,000,000.00
	ACCIDENTAL DEATH BENEFIT	\$1,500,000.00
	(ADB, WHEN PAYABLE IN ADDITION TO ANY OTHER INSURANCE BENEFIT)	

BENEFICIARY
(subject to change) FIRST – TERRY B. ROGERS, SPOUSE OF INSURED
 SECOND - CHILDREN BORN OF MARRIAGE OF INSURED TO
 TERRY B. ROGERS

SEE CONTINUATION ON PAGE 2.

POLICY DATA

MIDLANDS MUTUAL INSURANCE COMPANY

RIDER

ACCIDENTAL DEATH BENEFIT (ADB)

Benefit We will pay this benefit to the beneficiary when we have proof that the Insured's death was caused directly, and apart from any other cause, by accidental bodily injury, and that death occurred within one year after that injury and while this rider was in effect.

When Benefit Not Payable We will not pay this benefit if death is caused or is contributed to by any of these items.

1. Disease or infirmity of mind or body.
2. Suicide, while sane or insane.
3. Travel in or descent from an aircraft, if the Insured at any time during the aircraft's flight acted in any role other than as a passenger.
4. Any kind of war, declared or not, or by any act incident to a war or to an armed conflict involving the armed forces of one or more countries.

We will not pay this benefit if the Insured dies prior to his or her first birthday, or dies after the anniversary on which he or she is age 70.

Values: This rider does not have cash or loan values.

Contract: This rider, when paid for, is made a part of the policy, based on the application for the rider.

Incontestability of Rider We will not contest this rider after it has been in force during the lifetime of the Insured for one month from its date of issue.

Dates and Amounts When this rider is issued at the same time as the policy, we show the amount of ADB and the rider premium amount on the front page of the policy. The rider and the policy have the same date of issue.

When this rider is added to a policy which is already in force, we also put in an add-on rider. The add-on rider shows the date of issue and the amount of AD13. The rider premium amount is shown in a new Premium Schedule for the policy.

When Rider Ends You can cancel this rider as of the due date of a premium. To do this, you must send the policy and your signed notice to us within 31 days of that date. If this rider is still in effect on the anniversary on which the Insured is age 70, it will end on that date.

This rider ends if the policy ends or is surrendered. Also, this rider will not be in effect if the policy lapses or is in force as extended or paid-up insurance.

When this rider is part of an endowment policy, the rider will end on the day just before the endowment date, and will not be in effect if that date is deferred.

MIDLANDS MUTUAL LIFE INSURANCE COMPANY

Beryl Scott
President

Requested by: Bobbie Z. Nichols
Midlands Department of Criminal Investigation

Sent to: Bobbie Z. Nichols, Columbia City, Midlands

FBI CRIMINAL RECORDS REPORT

SUBJECT: Joe O. Harvey

SS # 555-71-8696

D/O/B 8-21-64

CONTRIBUTOR	ARRESTED OR RECEIVED	C - CHARGE D - DISPOSITION
Columbia City, ML	10/2/80	C – Petty Larceny D – Juvenile probation
Columbia City, ML	6/8/84	C – Assault D – 6 Months probation
Mt. Hill, ML	4/20/87	C - Murder- solicited D - Dismissed
Columbia City, ML	8/12/89	C – Armed Robbery D – 1 year prison- served
Columbia City, ML	4/3/92	C- Perjury D- Dismissed
Columbia City, ML	11/14/92	C- Aggravated assault D- 2 Years probation
Pleasant Springs, ML	7/17/94	C – Murder -solicited D - 5 Years prison - parole 3/11/96
Columbia City, ML	6/7/99	C – Possession of Narcotics D - Dismissed

FBI CRIMINAL RECORDS REPORT

SUBJECT: Andi C. Armstrong
SS# 555-52-9291
D/O/B 12/24/68

CONTRIBUTOR	ARRESTED OR RECEIVED	C - CHARGE D - DISPOSITION
Columbia City, ML	8/12/89	C – Accessory to Robbery D - 1 year probation
Columbia City, ML	6/7/99	C – Possession of Narcotics D - Dismissed

Requested by: Bobbie Z. Nichols
Midlands Department of Criminal Investigation

Sent to: Bobbie Z. Nichols, Columbia City, Midlands

Balance Sheet

Description

Entronics Business Transactions for March 1-15, 2002

Starting Balance

Date	Item Description	Received	Payment	Balance
3/1/02	Pay-roll			\$135,112.59
3/3/02	Merchandise inventory			\$115,112.59
3/5/02	Utilities			\$102,780.47
3/8/02	Revenue from sales of DVD shipment			\$182,780.47
3/8/02	Rent			\$174,780.47
3/10/02	Revenue from sales of Laserdisk shipment			\$214,780.47
3/10/02	Revenue from sales of Flatscreen Television shipment			\$259,780.47
3/10/02	Revenue from sales of DVD shipment			\$262,980.47
3/11/02	Cash			\$212,979.82
3/15/02	Office supplies			\$197,869.82
3/15/02	Revenue from sales of SNB CD Writers			\$209,869.82
3/15/02	Interest expense on outstanding loans			\$192,169.82

Receivable	\$180,200.00
Payables	\$243,142.77
Current Balance	\$192,169.82

AUTOPSY REPORT

To: Bobbie Z. Nichols
Decedent. Alex Rogers
Case No. 02 SME 830
Date of Autopsy. April 6, 2002
Performed by: Vidalia Webber, M.D.

FINAL ANATOMIC DIAGNOSIS

- I. Gunshot Wound of the back, with exit.
 - a. Entrance wound on back
 - b. Internal pulmonary and cardiac hemorrhages.
 - c. Exit wound on anterior chest wall

EXTERNAL EXAMINATION

The body is that of a well-developed, well-nourished, adult who weighs 155 pounds, 67 inches in height and appears compatible with the stated age of 38 years.

The body is clad in a gray suit jacket and slacks and black shoes. Personal effects accompanying the body include a platinum ring on the left ring finger and a Rolex watch.

Visual identification of the body was made by spouse.

The body is cool to touch. Rigor mortis is fully fixed. Fixed purple livor mortis extends on the anterior face and posterior aspect of the body except in areas exposed to pressure.

The scalp hair is blonde. The irises are green and the pupils are bilaterally equal at 0.5 cm. The corneas are translucent. The sclera and conjunctiva are unremarkable. The nose is unremarkable. The ears are not unusual. The teeth are natural and in good repair.

The neck is unremarkable. The thorax is well developed and symmetrical. The abdomen is flat. The anus is unremarkable.

The upper and lower extremities are well developed and symmetrical, without absence of digits.

There is no evidence of medical intervention.

EVIDENCE OF INJURY

DESCRIPTION OF GUNSHOT WOUND

TORSO: On the right aspect of the back 5 inches below the top of the shoulder is an entrance gunshot wound consisting of a 7/8 inch in diameter – wound consistent with semi-automatic shotgun fired from several feet away. No soot deposition is visible around the entrance defect.

The hemorrhagic wound track sequentially perforates the right back, right lung, heart, left lung, and left chest.

On the left anterior chest approximately seven inches below the shoulder is an exit gunshot wound consisting of a 3-inch stellate laceration without marginal abrasion.

The wound track travels from the decedent's back to front, right to left.

INTERNAL EXAMINATION

BODY CAVITIES:

No adhesions or abnormal collections of fluid are in any of the body cavities. The subcutaneous fat layer of the abdominal wall is 3 cm. thick.

HEAD:

The brain weighs 1380 grams. The cerebral hemispheres are symmetrical. The structures at the base of the brain, including cranial nerves and blood vessels are without abnormalities. The cerebral ventricles are of normal caliber. Sections through the brain stem and cerebellum are unremarkable.

NECK:

Examination of the soft tissues of the neck, including strap muscles and large vessels, reveals no abnormalities. The hyoid bone and larynx are intact. The tongue is normal.

HEART:

The lower lobe of the heart has suffered major damage and hemorrhaging. The aorta appears to be still intact and unremarkable.

RESPIRATORY SYSTEM:

The right lung is damaged to the point beyond recognition. The right lobe of the left lung is similarly damaged. The pulmonary parenchyma is dark red to purple and exudes moderate amounts of blood and frothy fluid. The pulmonary arteries are normally developed and patent.

LIVER AND BILIARY SYSTEM:

The liver weighs 1500 grams. The hepatic capsule is smooth, glistening and intact, covering a red-brown parenchyma. The gall bladder contains viscid bile.

ALIMENTARY TRACT:

The esophagus is lined by gray white mucosa. The small and large bowels are unremarkable. The appendix is present. The pancreas has a normal pink to tan lobulated appearance, and the ducts are clear.

GENITOURINARY TRACT:

The right and left kidneys weigh 120 and 110 grams respectively. The renal capsules are smooth, thin, semitransparent, and strip with ease from the underlying, smooth red-brown, firm cortical surfaces. The cortices are sharply delineated from the medullary pyramids. The calyces, pelves and ureters are unremarkable. The urinary bladder contains 100 ml of yellow urine.

RETICULOENDOTHELIAL SYSTEM:

The spleen weighs 150 grams and has a smooth intact dark red-purple capsule covering a red-purple moderately firm parenchyma.

ENDOCRINE SYSTEM:

Pituitary, thyroid, and adrenal glands are unremarkable.

MUSCULOSKELETAL SYSTEM:

The bony framework, supporting musculature, and soft tissues are not unusual.

X-RAY DESCRIPTION:

X-ray film of the torso reveals no radio-opaque objects consistent with a bullet or bullet fragments.

MICROSCOPIC EXAMINATION:

SKIN (ENTRANCE WOUND): Nuclear streaming of epidermal nuclei consistent with entrance abrasion. No particles consistent with soot are identified.

HEART: Massive damage to heart. Severe hemorrhaging

LUNGS: Massive damage to the right lung and part of the left. Severe hemorrhaging

KIDNEYS, SPLEEN: No histopathological abnormalities.

PANCREAS: Autolysis.

BRAIN: nothing remarkable

TOXICOLOGICAL EXAMINATION:

Blood: nothing remarkable.

Urine: nothing remarkable

OPINION:

This person, Alex Rogers, died of a gunshot wound that entered the back and exited the chest, doing massive internal damage and causing immediate death.

According to police the body was found lying face down on the decedent's kitchen floor on April 5, 2002. There was no bullet recovered.

Autopsy revealed a gunshot wound to the back. The bullet passed through the right lung and heart and exited the anterior chest wall.

The manner of death is homicide.

Dr. Vidalia Webber, MD

J.A. Black, Ph.D.

To: Counsel for the State of Midlands and Defense Counsel for Terry Rogers
From: Dr. J.A. Black
Date: 5/11/02

Evaluation of Terry B. Rogers 5/1/02

Background:

Terry is 42 years old and has lived in Columbia City all 42 of those years. Terry is college educated and has a graduate degree in business from Midlands State. Terry married Alex 16 years ago, and they have one child, Corey. Terry is CEO of Entronics, which has had some financial trouble for the past few years. This financial trouble has carried over to Terry's personal life as well causing both professional and personal bankruptcy.

Crime:

Terry has been charged with hiring Joe Harvey to kill Alex. Alex was found dead on April 5 in the Rogers' kitchen, having sustained a gunshot wound to the back. Joe Harvey was seen fleeing the scene with some of the Rogers' possessions and later confessed to killing Alex after being paid \$50,000 by Terry on March 12. Joe Harvey has previously been implicated as a hit man. The police have been satisfied with this explanation.

Demeanor:

Terry arrived at my office looking rather disheveled- hair uncombed, wrinkled clothing. Terry seemed distracted and depressed but agreed to answer my questions. Throughout the session, Terry frequently looked at the floor or out the window.

Interview:

Relationship: I asked my standard thirty yes/no questions regarding the relationship between the suspect and victim. Terry answered these questions quite emotionally, showing a genuine attachment and signs of grief. I would later match these findings against the results from the morality portion of the interview. The first ten questions, dealing with the positive aspects of the relationship were answered ~~efficiently~~ ^{effectively} which focus on the problems, or negative aspects of the relationship, were answered erratically, with the answers to some questions contradicting the answers to previous questions in both this section and the previous section.

The last ten questions focus both on the relationship's past and future. The answers relating to the past were very concrete, but less so for the future. It didn't seem like Terry had a totally clear picture of the couple's future. This cloudiness could be attributed to the trauma of the situation. Terry's total score for this section was a twenty-six.

Motive: The motive portion of my questioning focused on finances because of the nature of this particular case. Financial motive is my third most common question set, right after revenge and sexual infidelity (for either victim or suspect), so this was not unusual questioning for my interview. This section consisted of thirty yes/no questions. The first ten dealt with the suspect's emphasis on money as a goal in life. I found that this was not one of Terry's goals, but was more one of Alex's.

The next ten questions dealt with the suspect's personal finances. Terry's financial status is currently good, because of the insurance money, but was previously in rather dire straits. There was a good chance that the Rogers' were going to lose their house before Alex's death. That prospect did trouble Terry, not because Terry liked the house a great deal, but more the shame attached to having a bank repossess one's home. Terry does feel that the financial situation is much better because of Alex's death.

The last ten questions focused on professional finances. Entronics was having some serious problems because of Sammy King putting pressure on Terry to hand over large amounts of Entronics's profits for some sort of consultation service performed by King. There were also problems related to stolen shipments that caused Entronics to lose its insurance carrier. I never could get a clear idea as to whether or not this was related to the "consultation" of Sammy King or not. The total score for this section was twenty-one.

Morality: This is perhaps the most telling portion of the interview. It deals with how people see the world in terms of consequences for actions and what they think is right or wrong. It consists of forty yes/no questions or hypothetical situations. The first twenty hypothetical situations and questions relate to revenge/consequences. Terry showed what I would call a highly moralized view of life. There are definite consequences to definite actions in Terry's view of the world. When people carry out certain actions, they deserve certain consequences. Whether these consequences naturally occur or not, Terry feels that they should be carried out upon that person. This shows a high potential for revenge in Terry.

The next twenty questions and hypothetical situations were about killing and violence. Hypothetical situations posed that involved violence were answered negatively, showing an aversion to revenge through violence. Terry said that there had been no time when physical violence had been resorted to and seemed to find it repugnant, as if it was something that lowly people resort to. It was as if Terry felt to be above violence. Terry did feel that killing was too severe a consequence except for capital punishment, which people were aware of that consequence because of the legal system. The total score for this section was thirty-three.

Opinion: Terry Rogers does not possess the sociological profile of a solicitor. This is with 79% of professional certainty. This probability is made less when you factor in the victim as Terry's spouse. There is a 95% probability that Terry would not hire someone to kill Alex. My findings in Terry's case are significantly different from all the other solicitors I have interviewed. Terry does not consistently fit the pattern developed by my years of research.

It is true that Terry focuses on revenge; however, that is not a motive that figures into this case. I found that Terry had no need to seek vengeance Alex, and finances were not a driving factor for Terry to commit such a crime. Death would not be a consequence for any of Alex's actions.

I found that it would be possible for Terry solicit murder, but that it is not probable that it would be against Alex Rogers.

J.A. Black, Ph.D.

J.A. Black, Ph.D.

Bill for Services

Consultation fee	\$700.00
Section one	\$200.00
Section two	\$200.00
Section three	\$250.00
Report compilation	\$1000.00
Court testimony	\$1500.00
	<u>Total</u>
	\$2850.00