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**People of the State of Marshall**

**v.**

**Hunter Robbins**

Case File

Students will use this casefile in accordance with the syllabus, and for the final trials. Information regarding the final trials is contained within.

* Marshall v. Hunter Robbins, was written by: Professor Aníbal Rosario Lebrón of Howard University School of Law, Professor Carlos Concepción Castro of the Interamerican University of Puerto Rico School of Law, and edited by Professors Kelly Navarro and Vicki Peters of The John Marshall Law School. (Copyright 2019). All rights reserved. Use permissions may be granted upon request to the authors.

**FINAL TRIAL INFORMATION FOR STUDENTS**

## The final trials will be held the last two evenings of this course. Students will try People of Marshall v. Hunter Robbins an, attempted murder case. Students are encouraged to bring friends and/or family members to create a “jury.” If you intend to bring a guest juror, you must notify Kelly Navarro via email of the guests name or security will not allow them into the building. In each trial, two students should act as advocates, and two students act as witnesses for their own trial team. Every participant student must advocate at least once night, and act as a witness the other night. You and your trial partner/s must share equally in the preparation and presentation of the case. Attorneys should be dressed in suits and witnesses may be dressed in a suit or the type of dress the witness would wear to court. While witnesses' are gender-specific, attorneys should refer to the witness as the gender indicated in the problem, regardless of the gender of the student playing the role of the witness. Team may call witnesses in either order. The parties must call these two witnesses:

**Prosecution**:(1) Angel Miranda, and (2) Officer Alex Castro

**Defense**: (1) Lou Rivera, and (2) Hunter Robbins (Defendant)

## 

## Each student must conduct one direct examination, one cross-examination, and either the opening statement, opening close or rebuttal closing argument; roles to be decided by the student team members. Witnesses must be prepared to testify and are graded on their performance. On the first night of trials, witnesses are excluded except for when they are testifying. On the second night, a witness may remain in the courtroom to watch the remainder of the trial. Objections during the direct and cross–examination of a witness must be made only by the advocate who is responsible for the direct or cross–examinations of that particular witness. Objections during the opening statement and closing argument must be made only by the advocate who is responsible for handling their team’s opening or closing.

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## Each trial should conclude in approximately 2 ½ hours, followed by a short period of deliberation by the jury, and comments by the judge. Direct and cross examinations will vary in length, depending on the nature of the witness. On average, the directs and crosses should take 10 minutes, however, one witness may take 15 minutes, and another may take 5 minutes. Short, redirect and re-cross examinations are within the discretion of the judge. The trials will proceed in the following manner, and below are suggested time limits, however, the judge has the discretion to ask advocates to abbreviate or to give more time:

## Motions in limine and housekeeping matters: 5 minutes

## Opening statement People: 10 minutes

## Opening statement Defendant: 10 minutes

## Direct of witness 1 10 minutes

## Cross of witness 1 10 minutes

## Direct of witness 1 10 minutes

## Cross of witness 1 10 minutes

## Motion for a directed finding 5 minutes

## Direct of witness 1 10 minutes

## Cross of witness 1 10 minutes

## Direct of witness 1 10 minutes

## Cross of witness 1 10 minutes

## Opening closing argument People/Plaintiff 10 minutes

## Closing argument Defendant 10 minutes

## Rebuttal closing argument 5 minutes

## 

## Each side must present one pre–trial motion, and has five minutes to argue the motion. In order to raise a motion in limine at trial, students must email their opponent in a timely manner (for our purposes, midnight the night before trial), putting them on notice of the issues you plan to argue. You may attach a written motion, but written motions may be no longer than one page, double spaced. Your opponent may, but is not required, to respond in writing. Students will not be graded on the written work product, only the oral argument prior to trial. It’s within the judge's discretion whether to hear motions not filed in a timely manner, and may deny argument of a motion in limine that was not properly served. Motions must be argued orally, judges will not read written motions. During the course of the trial, the arguments on motions and objections are strictly a matter for the judge to rule on.

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The witnesses shall, as best as possible, testify in a manner consistent with the trial materials. If a witness makes a statement inconsistent with a statement the witness has signed, the advocate should impeach the witness. The witnesses are free to make reasonable assumptions about the background and personality of the character the witness is portraying. A motion to exclude witnesses may also be made by the participants, and the court shall grant such motion constructively, meaning that witnesses may remain in the courtroom after testifying.

If asked, the witnesses must admit that the exhibits in the case file are fair and accurate representations of that which they purport to represent on the relevant dates. The parties may not bring in any additional evidence and may only use/enter evidence provided in the case file or authorized by the program director. No outside evidence or exhibits not contained in the problem may be used. In closing arguments, parties may refer to the jury instructions but they will not be read aloud in court. Parties may not refer to any other instructions.

While it is permissible to add facts to make sense of the testimony, it is not permissible to add facts that are intended to unfairly disadvantage your opponent. If a judge perceives a student to be adding facts just to trick their opponent, the judge may take this into consideration when grading. The objective of the final trial is to create a simulated trial to test students’ advocacy skills. We strongly urge student to comply with the rules and **present their case in good faith**.

**ACCELERATED TRIAL ADVOCACY: JUDGES GRADING SHEET**

|  |  |
| --- | --- |
| Judge**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  Night \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Courtroom: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Grade skills without regard to which team would have prevailed at an actual trial.**

**POOR FAIR GOOD EXCELLENT**

**C- C C+ B- B B+ A- A A+**

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| --- | --- | --- | --- | --- |
| **PROSECUTION**  **STUDENT NAME** | **GRADE** | **SKILL** | **DEFENSE**  **STUDENT NAME** | **GRADE** |
|  |  | **Motions in Limine** |  |  |
|  |  | **Opening Statement** |  |  |
|  |  | **Direct** W1 (Prosecution) |  |  |
|  |  | **Cross** W1 (Defense) |  |  |
|  |  | **Direct** W2 (Prosecution) |  |  |
|  |  | **Cross** W2 (Defense) |  |  |
|  |  | **Direct** W1 (Defense) |  |  |
|  |  | **Cross** W1 (Prosecution) |  |  |
|  |  | **Direct** W2 (Defense) |  |  |
|  |  | **Cross** W2 (Prosecution) |  |  |
|  |  | **Closing Argument** |  |  |
| **Name:** | **Overall Grade:** | **OVERALL GRADE FOR EACH ADVOCATE**  **(Considering all skills presented, including evidentiary arguments)** | **Name:** | **Overall Grade:** |
| **Name:** | **Overall Grade:** | **Name:** | **Overall Grade:** |

**Witness 1 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Grade: \_\_\_\_\_\_\_**

**Witness 2 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Grade: \_\_\_\_\_\_\_**

**Witness 3 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Grade: \_\_\_\_\_\_\_**

**Witness 4 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Grade: \_\_\_\_\_\_\_**

**ACCELERATED TRIAL ADVOCACY: JUDGE’S COMMENT SHEET**

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| --- | --- |
| Judge’s Name**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | Student Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |  |
| --- | --- |
| Opening  or  Closing  (Circle the skill the student performed) | CIRCLE ONE: (Weak) (Fair) (Good) (Very Good) (Excellent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Comments: |
| Direct Examination | CIRCLE ONE: (Weak) (Fair) (Good) (Very Good) (Excellent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Comments: |
| Cross Examination | CIRCLE ONE: (Weak) (Fair) (Good) (Very Good) (Excellent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Comments: |
| Evidentiary Arguments | CIRCLE ONE: (Weak) (Fair) (Good) (Very Good) (Excellent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Comments: |
| Overall Advocacy | CIRCLE ONE: (Weak) (Fair) (Good) (Very Good) (Excellent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Comments: |

**City of Marshall Times Articles**

**October 14, 2018**

**Skydiver Clinging to Life**

By L. Barracato

In the early hours of a Saturday morning, Angel Miranda jumped from a plane flying at 4,000 feet without knowing that her equipment was doomed to fail. Miraculously, Miranda survived the fall and now is fighting for her life. Miranda, a young rising star in the marketing world, was a member of the Windy City Skydiver Club, and according to its President, Lou Rivera, Miranda was also an experienced jumper. Police are investigating this terrible accident and the reasons for the parachute malfunction.

**January 13, 2019**

**Apparent Suicide? Not Attempted Murder?**

By Mary Acevedo

On October 13, 2018, Angel Miranda, jumped from 4,000 feet when her parachute failed to open. Amazingly, Angel not only survived the fall, but also managed to recuperate from her injuries. It originally appeared this was a “terrible accident,” - neither her main parachute nor reserve chute deployed. Just days later, police began conducting a criminal investigation, with Angel’s spouse Hunter Robbins, as the main suspect. However, a Times reporter interviewed Robbins, now in custody, who alleges Angel tried to commit suicide. “We didn’t have a perfect marriage, but we loved each other. Angel was depressed, sad, and had stopped taking antidepressants.” Robbins states that he didn’t kill his wife and has given police a journal entry as proof.

**CIRCUIT COURT OF MARSHALL**

**MARSHALL COUNTY - CRIMINAL DIVISION**

|  |  |
| --- | --- |
| **PEOPLE OF THE STATE OF MARSHALL**    **V.**    **HUNTER ROBBINS** | **CASE: CR 2019–1946** |

**INDICTMENT**

**ATTEMPTED MURDER**

**––––––––––––––––––––––––––––––––––––––––––––––––––––––––––––**

**TRUE BILL**

**––––––––––––––––––––––––––––––––––––––––––––––––––––––––––––**

**WITNESS**

**Angel Miranda**

**––––––––––––––––––––––––––––––––––––––––––––––––––––––––––––**

FILED on January 8, 2019

Oscar Pagán, **Clerk**

**Bail: $1,000,000.00**

**––––––––––––––––––––––––––––––––––––––––––––––––––––––––––––**

**ARRAIGNMENT DATE: January 14, 2019**

The Grand Jurors chosen, selected and sworn for the State of Marshall, in the name and by the authority of the People of the State of Marshall, upon their oaths present that: on or about October 13, 2018 at and within said state:

Hunter Robbins committed the offense of attempted murder in that he, with the intent to commit the offense of murder, intentionally and knowingly attempted to kill Angel Miranda by tampering with her parachute in violation of Title 18, Section 8–4 of the Marshall Revised Statutes, 2007;

Being contrary to the statutes, and against the peace and dignity of the People of State of Marshall.

**GRAND JURY TESTIMONY OF ANGEL MIRANDA**

**THURSDAY, JANUARY 8, 2019**

PRESENT:

ANÍBAL ROSARIO

Assistant State’s Attorney

ANGEL MIRANDA

WITNESS

Reported by Taylor Swayne

Official Court Reporter

THE WITNESS WAS DULY SWORN

Rosario: Ladies and gentlemen, we are seeking a true bill of indictment against the defendant for attempted murder. The Grand Jury has the right to subpoena and question any person against whom the State’s Attorney is seeking a True Bill of Indictment, or any other person, and to obtain any documents or records relevant to the matter being prosecuted by the State’s Attorney.

Angel Miranda, a witness called before the Grand Jury of Marshall, after having been first duly sworn, testified as follows:

Q: Please state your name and spell it for the court reporter.

A: Angel Miranda. A-n-g-e-l M-i-r-a-n-d-a.

Q: What do you do Angel?

A: Well. . . Since October of last year, I have been recovering from a parachute jump accident and have not been able to work. Prior to the accident I was a VP at a marketing firm and I plan to return once I’m fully recovered.

Q: What happened in October with your jump, Angel?

A: When I jumped, my parachute did not open, and I fell 4,000 feet. I suffered a broken spine, a smashed pelvis, fractured ribs, and damaged a couple of my internal organs. It was a miracle I survived!

Q: I’m sorry, Angel. Let’s back up a little. Are you married?

A: Yes, I’m married to Hunter Robbins.

Q: When did you meet Hunter?

A: It was the summer of 2011. We met at my gym, Hunter was a spin instructor. One day we got talking and realized we were both interested in extreme sports.

Q: Extreme Sports?

A: Yes - sports like hang-gliding bodyboarding, bungee jumping, skydiving, climbing, motocross, freediving . . . That sort of thing.

Q: I see. So, what happened after you realized the two of you had that in common?

A: Well . . . we decided to go skydiving. We didn’t have the "A" license, but we were both level 7; so, we could jump on our own.

Q: Tell us a bit about licenses and skydiving. What is an “A” license?

A: It’s a license from the United States Parachute Association that you get after 25 jumps solo. The "A" license allows you to skydive at most USPA member drop zones by yourself.

Q: Did you ever get the “A” license”?

A: Yes, we both did. We finished our jumps while we were dating. Then, we decided to get married for our 26th jump, we did it while jumping. It was the most romantic thing. This was my second marriage. I had a horrible first marriage that didn’t last very long, less than a year in fact.

Q: Can you tell me more about your first marriage?

A: It was awful. My first spouse was unfaithful and tried to kill me by tampering with the gas valves at our home. I smelled a gas leak and called the gas company, and the tech that came to fix the leak told me the connections were tampered with. I called the police, but was told they did not have enough evidence to proceed. I was astounded because my spouse was the only person with access to the gas lines, and had a motive to kill me because he was about to lose his business because of a bad investment.

Q: So, you had a good relationship with Hunter?

A: Yes, with Hunter things were different. Hunter was charismatic and romantic. We used to go out for our monthly “anniversary” and Hunter would give me a long-stemmed rose every time - I was really happy. We were always doing something fun: paragliding, kayaking. That was the most beautiful time of my life. Things began to change after we adopted our first kid, Dani. That’s when we started having problems. Some people would describe Hunter as intense, he would say things to me like, “If you ever hurt me I will hurt you 10 times over." I know that was a figure a speech. The problems were like problems lots of couples have. They were mainly about money and responsibilities around the house. But Hunter has always loved me. And we were there for each other. It still feels absurd to be testifying. This feels like a never-ending nightmare.

Q: What sort of problems did you have with Hunter?

A: Hunter makes less money than I do. He does not have a college degree and has had problems finding work. He finally found a job as a personal trainer, which was steady work but didn't pay well. Money was always an issue. I made way more money than he did. Hunter loves to gamble, and is into dog fighting, and he spends too much time playing poker with his so called friends. At the end of summer last year, I gave Hunter $3,500 to pay off a poker debt. A few days later, he asked for another $5,000, and I told him no, I was done helping him with gambling debts. Then, last year we adopted a second baby. That was creating a lot of stress. We did not know how to manage so many responsibilities. And Hunter wanted to keep life the same way as when we were dating. Go climbing, paragliding. But life with a toddler and a new baby is different. Hunter did not understand that life was changing. I did not want to add to Hunter’s stress, so I started taking on more responsibilities and neglecting our romantic life and not doing so many extreme sports as before. I hadn’t jumped in almost a year before the jump last October.

Q: Did there come a time when you discovered that Hunter was seeing people outside your relationship?

A: Beginning in June 2018, Hunter was spending a ton of time outside of the house. When I told him I needed help with the kids, he said he had a great new client named Peyton. I suspected that Hunter was “hooking up” with this Peyton person, but I was sure it was nothing serious. We were just going through a rough time.

Q: Did you ever think Hunter was going to leave you?

A: No. I’m sure that if Hunter wasn’t in jail, Hunter would be right beside me.

Q: Do you know if Hunter thought you were having an affair?

A: I’m pretty sure he suspected it. Just because of the way he was acting.

Q: Did Hunter tell you who he suspected?

A: Not in so many words - he was jealous if I spoke to anyone, really. But if he was suspicious of anyone, it would be Lou Rivera. Hunter was mad because Lou Rivera was my friend. I didn't have time to have an affair, and Hunter knew that.

Q: Who is Lou Rivera?

A: He is the President of Windy City Skydiver Club. And we work together at the marketing agency. We are just friends. Hunter knows that.

Q: Ok. So, let’s talk about your accident. When did that happen?

A: It was October 13, 2018.

Q: So, what happened?

A: Well . . . We went to our skydiving club just outside the city. It was a place with a great view.

Q: What’s the name of the club?

A: Windy City Skydiver Club.

Q: So, you got to the club. What jump was this for you?

A: Number? It was my 53rd. After the kids, I wasn’t jumping that much. Actually, that was my first jump in over a year.

Q: Why did you got back to jumping after so long?

A: Hunter asked me to. It was a special surprise. I didn’t know where we were going until we were in the car. He knows how much I like skydiving, and I hadn’t been for so long! It was very special. Hunter prepared everything. We even took the kids. Mariana was just a baby and Dani, my little boy, was with us too.

Q: Can you tell me what happened when you got to the Windy City Skydiver Club’s ground?

A: Yes. We got there around 9:45 in the morning. The weather was perfect for a jump. Bright blue skies, nice and warm, with a light breeze - perfect for landing. I took my parachute into the prep room in Building X to prepare for the jump.

Q: Please describe the prep room?

A: It’s a big hangar with steel divisions like in a locker and each section has a step that you can use to get the gear on your back.

Q: What did you do in the prep room?

A: I inspected my parachute to make sure it was folded properly and in perfect condition for the jump.

Q: I’m showing you Exhibit 1 - what is this?

A: That’s a photo of our prep room in Building X, at the airport.

Q: Who has access to that area?

A: Only the people who are club members and are going to jump on that day.

Q: Who was in the area when you went to prepare your equipment?

A: Lou Rivera and some other new jumpers who I didn’t know - we all were going to jump. After we all prepared our parachutes, we all left the prep room.

Q: While you were in the prep room, what was Hunter doing?

A: Hunter and the kids waited outside. When I came out of the prep room, Hunter asked me to watch the kids for a second. He said there was something in his eye and he wanted to run into bathroom in the prep room to check it out.

Q: How long was Hunter in the prep room?

A: I don’t know, maybe 10 minutes or so?

Q: Then what happened?

A: While Hunter was in the prep room, Lou Rivera made an announcement that radar showed bad weather coming our direction, and the jumps for the day might be cancelled. When Hunter came out of the prep room, I told Hunter I didn't want to risk it, and I said we should leave. Hunter seemed mad, and convinced me to stay. We waited on the benches right in front of the prep room, no one else came or went into the prep room. The next announcement, maybe 10 minutes later was that the jumps were on.

Q: What happened after that?

A: I went back into the prep room, alone, the other jumpers had taken their gear, so I got my parachute from the shelf where I had left it, and put on my parachute rig. Then I went up in the plane with the other jumpers and Lou Rivera. He was jumping that day too. About 4,000 ft. I was really happy and excited to be jumping again. I was the last to jump. I stepped out of the plane, free-fell for about three seconds and then pulled the cord. Immediately, I knew there was something wrong. It just didn't feel right. The lines were twisted. I was spinning. I knew what I had to do, so I cut away the main chute and deployed the reserve. It did not work. It was horrible. That’s the last thing I remembered before I fell. My heart was beating so fast I thought I was going to have a stroke. Once I hit the ground, people came rushing to me - and I could see someone had a body bag to collect me! Fortunately, I landed on a soft, recently-plowed field. If it hadn’t been for that field I’m sure I would be dead.

Q: So, you could hear and see the people that came to rescue you?

A: Yes. I was in a lot of pain and I couldn’t move but I heard people yelling, “Oh my God, both parachutes failed!” I heard someone screaming, “Angel is tangled up in the cables - cut the cables!” I could see expressions of horror and surprise at finding me alive. I couldn’t keep up with the conversation. The paramedics had arrived, and they had given me drugs. I was going out of it.

Q: What were you thinking?

A: Among other things, my family, my kids, I was thinking about how bizarre it was for both the main and reserve chutes to fail.

Q: What happened at the hospital?

A: I was in a coma, had three different surgeries, and woke up 5 days later.

Q: Who was there when you woke up?

A: My mother.

Q: Where was Hunter?

A: Hunter never did come to the hospital. I guess he was dealing with some issues with the insurance, I think Hunter was so traumatized from the experience. He was trying to get everything resolved.

Q: What do you know about the insurance policy?

A: In anticipation of jumping again, Hunter insisted that we take out life insurance policy for me, where Hunter was the beneficiary. I know this in morbid, but I think Hunter was trying to line everything up in case I died.

Q: How much was the life insurance policy?

A: It was $500,000. Hunter and I went to SJ Insurance Company to get it. We had Hunter as the beneficiary. That was in September of 2018.

Q: Is he still the beneficiary?

A: No. In the first week of October of last year I changed the beneficiary to my kids because of Hunter’s gambling issues.

Q: Did he know about the change - that he wasn’t the beneficiary?

A: No - I did not tell him.

Q: Let me ask you, did you see Hunter when people came to rescue you?

A: No. I didn’t see Hunter. He later told me he was in the bathroom changing the baby when I jumped.

Q: You look puzzled, is there something else?

A: Well, yes. Looking back I think Hunter tried to kill be before.

Q: What do you mean?

A: Two Mondays before the accident, I was driving to work and felt like the brakes were not working. Hunter is the one that changes the oil, fixes the brakes, deals with the mechanic, that sort of thing. It was early in the morning, like 7:30 or so. I pulled over and called Hunter, but he didn’t respond - I was so mad. I figured he was drunk and tired from the night before. Hunter had been out really late the night before and got home around 2 a.m. I called a mechanic and they towed my car and fixed it. The mechanic told me that there was a missing part from the brake mechanism, causing a very dangerous situation.

Q: Any other issues you’d like to tell us about?

A: Yes, that Monday morning I was already mad at Hunter for staying out so late the night before. I had to leave for work but Hunter was still sleeping, and when I woke him up to tell him I was leaving we got into a big fight about him being so irresponsible. I ended taking the kids to my mom’s and ended up really late for work.

Q: So, you had a big fight early Monday morning?

A: Yeah, in fact he texted “Bye. . . Until the next time I see you.”

Rosario: Are there any questions, ladies and gentlemen?

Juror #6: Are you on any drugs Ms. Miranda?

Miranda: I’m on painkillers and anti-depression medication.

Juror #8: How long have you been in antidepressants?

Miranda: For about two years.

Juror #5: Do you believe your husband tried to kill you?

Miranda: No. I love Hunter and I know Hunter loves me. I cannot bear to think that he tried to kill me. How could two of my spouses have tried to kill me? This makes no sense.

Rosario: If there are no more questions, may the witness step down?

Grand Jury: You may step down.

This concludes the testimony of ANGEL MIRANDA.

I, Taylor Swayne, Official Court Reporter of the Marshall District Court, do hereby state that I reported in shorthand the proceedings had at the hearing of the above–entitled matter. That I thereafter caused to be transcribed into typewriting the foregoing transcript, which I certify, is a true and correct transcript of the proceedings had. Taylor Swayne

Official Court Reporter



**EXHIBIT 1**

**GRAND JURY TRANSCRIPT OF ALEX CASTRO**

**JANUARY 8, 2019**

PRESENT:

ANÍBAL ROSARIO - Assistant State’s Attorney

ALEX CASTRO - WITNESS

Reported by Taylor Swayne - Official Court Reporter

THE WITNESS WAS DULY SWORN

Rosario: Ladies and gentlemen, we now call Officer Alex Castro.

Alex Castro, a witness called before the Grand Jury of State of Marshall, after having been first duly sworn, was examined and testified as follows:

Q: Would you state and spell your name, please?

A: Alex Castro. A-L-E-X C-A-S-T-R-O

Q: What do you do for a living?

A: I’ve been a police officer for 12 years in the Marshall Police Department, and for the last 4 I’ve been assigned to Violent Crimes Division.

Q: What are your duties in that Division?

A: I’m called to scenes to investigate, gather evidence, interview witnesses, write reports, work with the prosecution; you know, that sort of thing.

Q: Before being assigned to the Violent Crimes Division, what were your duties?

A: I was in the “Rapid Action Forces Division” or “RAFD”, as it’s known in the police force.

Q: What is that?

A: RAFD is a division that compares to SWAT; you know, if there is an emergency that needs us to just jump in and deal with emergencies, we are trained to do so. Like, bank robberies or extreme situations like that.

Q: Were you in the military?

A: Yes, until I was 26. It was there I received training in parachuting. I’ve done over 200 jumps. I know all there is to know about parachutes. How to prepare them, jump. I am still licensed by the U.S. Parachute Association. I have a Class A rating, which is the highest one there is.

Q: Let’s talk about this case, officer. When did you become involved?

A: October 13, 2018 at 11:00 am I heard over the police radio that there was a skydiving accident at Windy City and that someone survived a jump from thousands of feet. I relocated to the scene.

Q: What happened once you arrived at the scene?

A: The ambulance was already there. I saw the victim Angel Miranda for the first time. Blood and dirt everywhere. I didn’t think she would survive. It was a real miracle. Amazing. The paramedics had cut her parachute off and I recovered and inspected it.

Q: What did you do next?

A: I secured the evidence, in that I made sure no one touched it. There were at least 4 or 5 people from the Windy City Skydiver Club there, including Lou Rivera, the President of the club. Rivera was demanding to see the parachute. That’s when I saw that there was something wrong with the main chute.

Q: Before we go on, please explain a bit about parachutes.

A: Well, usually in these clubs, if you are experienced, you have your own parachute and you take care of it, meaning you take it and personally prepare it for the jump. When I say parachute, there are really two parachutes -- the main one, and the reserve parachute. The reserve parachute is smaller and is supposed to be used if the main parachute fails to open. Once you are ready to jump, you simply pull a cord on the side to activate the main parachute. If you need the reserve there is another cord, in this particular model -- the one used by Ms. Miranda -- close to the chest.

Q: What did you do with the parachute after it was removed from Ms. Miranda?

A: I inventoried it and took it to the forensics lab. Due to my knowledge and expertise with parachutes, I assisted in the inspection.

Q: What did you observe about the parachute?

A: First, the main parachute was incorrectly prepared for the jump. There were cords wrapped around one side of the chute, which would have prevented it from inflating properly. The reserve chute also had a problem. In order for the reserve to work, you need these particular pieces called, “S-Links,” which we call “Slinks.” Slinks allow the cables to activate and move from the pulling cord to the emergency cords on each side of the skydiver’s body, over the shoulders. The Slinks were missing. That’s when I knew I had an attempted murder in my hands. We then began to look for suspects. It’s usually the spouse or someone close to the victim.

Q: I’m showing you EXHIBIT 2. Can you tell me what these exhibits depict?

A: EXHIBIT 2 is a photograph of the same kind of parachute used by Angel Miranda on October 13. It shows the different parts of a parachute. You see here, where it says “Reserve Parachute”, that’s where you need to install the Slinks in order for the reserve to deploy. On EXHIBIT 3 you see what a Slink looks like. It would only take a minute or two to remove the Slinks.

Q: After examining the parachute, what did you do next in your investigation?

A: I talked with the club president, Lou Rivera on October 20th. Lou told me Angel was an experienced skydiver, so based on what I observed regarding the parachute and this information from Rivera, I concluded this must have been an attempted murder.

Q: Did you ever talk to Angel Miranda?

A: I wasn’t able to talk to her until the doctors cleared her to do so. That was on December 15, I went to her house. I didn’t interview her in great depth because she was still recovering and very tired. But I did learn a few significant facts from her.

Q: Such as?

A: Well, first of all Angel suspected that Hunter was unfaithful to her, and that he was having an affair with someone. I also learned that Hunter had a financial motive.

Q: Could you describe what you mean?

A: Angel told me that she had taken out a $500,000 life insurance policy naming Hunter as the beneficiary, but that unbeknownst to Hunter she had changed the beneficiary to her kids. I also learned from Angel that money was indeed an issue in this relationship and that Angel controlled the money. Hunter, loved to gamble, and was losing money, fast. According to texts messages I later recovered, Hunter owed money left and right, but was not getting money from Angel. Angel refused to give give Hunter $5,000.00 that Hunter was asking for. I also learned from Angel that Hunter tried to kill her a week before the alleged accident.

Q: What do you mean?

A: Angel told me that Hunter tampered with the brakes in Angel’s car. She gave me the receipt during our conversation on December 15.

Q: I am marking this Pep Boys receipt as EXHIBIT 5. Is this what she gave you?

A: Yes.

Q: Did you recover any additional evidence on December 15?

A: Yes, Angel gave me permission to search the car that they had driven to the airport on October 13, and I found two Slinks under the driver’s seat.

Q: Showing you EXHIBIT 4, are these photographs of the Slinks?

A: Yes.

Q: After speaking to Angel on December 15, what did you do?

A: I issued a subpoena to get Hunter’s phone records, including text messages, to see what I could learn about any possible debts or infidelity.

Q: Did you get any information from the phone company in response to the subpoena?

A: Yes. I got this material on December 16, 2018, and on the same day, I arrested Hunter Robbins. He gave a written statement, which I included in my report.

Q: Officer Castro, Is it possible this was an accident?

A: In my opinion, this was no accident. With the amount of experience Angel had, it is highly unlikely that the main parachute would be wrapped like that. Also, a prepped parachute without a Slink is unheard of. That morning, Angel prepped the parachute, but someone altered it. Someone with experience and know-how on how to prep and undo, a parachute. After she jumped, it was not possible for the main parachute to inflate and when she went for the reserve, it partially deployed, but was never in a position to actually open correctly because the Slinks were missing.

Q: Nothing further, Officer. Thank you for your testimony.

(Whereupon, the Grand Jury was left alone to deliberate, after which the following proceedings were then and there had:

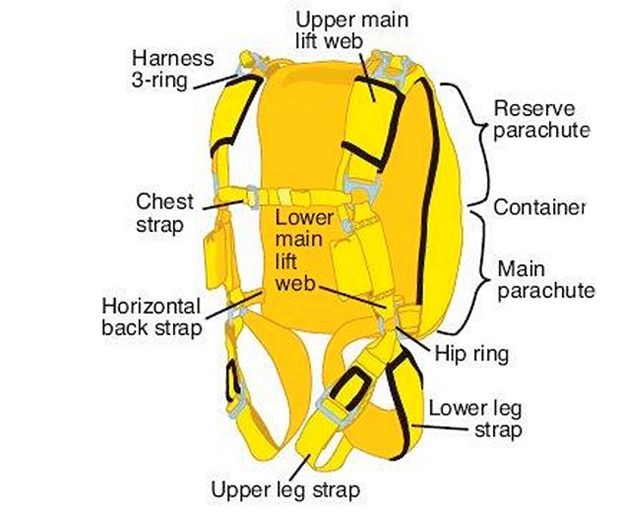
Grand Jury Foreman: True bill.

Rosario: Thank you, sir.

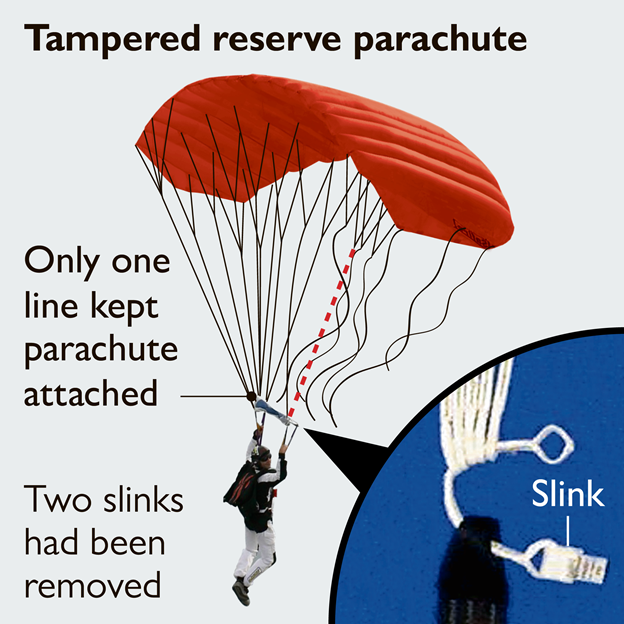
(Which were all the proceedings had in the matter of the above–entitled cause).

This concludes the testimony of ALEX CASTRO before the State of Marshall Grand Jury.

I, Taylor Swayne, Official Court Reporter of the State of Marshall District Court, do hereby state that I reported in shorthand the proceedings had at the hearing of the above–entitled matter. That I thereafter caused to be transcribed into typewriting the foregoing transcript, which I certify, is a true and correct transcript of the proceedings had.



**EXHIBIT 2**



**EXHIBIT 3**

# **MARSHALL CITY POLICE DEPARTMENT**

**Agent’s Name: Witness Name: Victim(s):**

Alex Castro \* 1314 Lou Rivera Angel Miranda

**Date of Report:** 10/20/18 **Date of Incident:** 10/13/18 **Time:** approx.11:00 am

Oral Statement by Witness, transcribed and read by witness for changes/signature.

ORAL STATEMENT OF: Lou Rivera

I am giving this statement because I was a witness to my colleague’s accident a week ago. I was not interviewed that day, because it appeared to be an accident, but now it seems people are not so sure. Anyway, I want to tell you everything I know about this.

I’m the President of the Windy City Sky Divers Club. I’ve been skydiving for about 15 years, I teach skydiving and coach a skydiving team. I’ve been the President for two years and I certify divers for the US Parachute Association.

I’ve known Angel for about 7 years, from the time when Angel and Hunter first came to the club for classes. Angel was a super quick learner. They were married in the air on their 26th jump - it was so beautiful! I served as a witness. The press covered the wedding, it was great publicity. Angel is always on top of a good promotional opportunity and is excellent at what she does. At some point, Hunter stopped coming with Angel to the airport. I suspected they were having marital issues.

About 3 years ago, Angel helped me get a job at Targeted Promos, Inc. the marketing agency where she works. After that, I got to spend a lot of time with Angel and we became very, very close friends. During this time, possibly because of Hunter’s infidelities, Angel was falling into a deep depression and started taking pills, some prescriptions and I suspect some not. I don’t know for sure what she was taking, but I tried to give Angel the support she needed. I started noticing that Angel’s depression was getting worse. I was worried about her. About a week before the accident, I even remember Angel saying that “it was not worth trying anymore.” I thought she was talking about work or Hunter. She was acting a bit weird at work - not telling me about deadlines, that kind of thing almost acting jealous when things went well for me. I tried to ignore it.

On October 13th of last year, I had planned to jump with Angel. I was excited, because Angel hadn’t jumped in a very long time, and I thought that meant things were getting better. Angel and I and a few other jumpers went into Building X and started working on our parachutes. The other divers were Liz, Charlie and Rafe. I remember Gilly was there too, next to us; you should definitely talk with her, because she was always looking at us. I remember Angel having some difficulties with the chute, so I gave a helping hand. Angel’s parachute seemed to be in order, but I wasn't really paying attention to the slinks. Angel said everything was good. All the other jumpers took their parachutes and left Building X, then I took my parachute and left. Angel was still in the prep room when I left. The only other person around was Hunter. He was with the kids and was outside of the building waiting for Angel. I walked over to the plane hangar, checked the weather, and it appeared that a small storm was approaching. I announced that flights may be cancelled, then monitored the weather. Maybe 20 minutes later when I was certain the storm would miss us, I announced the jump was on. All the other jumpers were with me in the hangar. I’m not sure where Angel was, I assumed she was waiting in Building X.

Anyway, Angel and I both got into the plane, and I remember thinking that Angel looked somber, distant; and sad, which was very uncharacteristic of her. I jumped then Angel jumped last, right after me. I did a little free falling for about 10-15 seconds and activated my chute. It was really beautiful, clear skies and you could see for miles. Breathtaking.

All of a sudden, Angel fell past me, much faster than expected. At that moment, I could see Angel’s main chute out, but it was not inflating. Something was very wrong, because it was turning in circles, not having any effect. Angel also was turning around. I couldn’t do anything. It was awful. I saw Angel pull the reserve cord, but Angel kept on twisting around. I could see Angel pulling and pulling on the cord, but the chute would not go out. I saw Angel finally slam to the ground. I thought it was taking me an eternity to come down. I pulled out my radio and signaled the crew in the airport to call 911.

When I finally touched down, I ran to Angel. She seemed to be unconscious. There was some blood around, mostly coming from her face and she was covered in dirt. Some of the other divers were landing close by. It was chaos, with the other divers screaming. Someone was screaming, “I think she’s alive!” I didn’t want to touch anything, in case I would make it even worse. I stood there in that field for about 5 minutes. I didn’t see any movement, so I called the crew again, and repeated the 911 instructions. About 5 minutes later, paramedics arrived and took Angel. After the paramedics had taken Angel away, I noticed the parachute. I asked to see it but the police wouldn’t let me. I wish I could have gotten a better look. When I had seen the parachute in the prep room, it looked OK. Angel said the parachute was OK. As the president of the club, I know if people think this was just a freak accident or an equipment malfunction, it will have a major chilling effect on the club. I’m sad to say this, but I really think that either Angel was suicidal that day and removed the slinks, or she was just distracted and didn’t connect the slinks. I don’t like to think that but it’s the only logical explanation. People are funny - if it was a suicide or even an attempted murder, they are OK with jumping, but an unexplained accident scares them off. I don’t want the club to close because of this. I feel really bad. On top of that, the next day I was given a promotion at Targeted Promos and asked to take over Angel’s position. I think she’s going to be angry about that.

I have read the above report, and I agree with the above in all respects.

Lou Rivera

October 20, 2018

13:30 hours

**MARSHALL CITY POLICE DEPARTMENT**

Case Number: 18–951 Person Interviewed: N/A

Investigative Officer: Alex Castro Date: December 15, 2018

Badge 1314

**SUPPLEMENTAL INCIDENT REPORT**

On December 15, 2019, I relocated to Angel Miranda and Hunter Robbins’s residence. Despite numerous attempts to interview Angel Miranda, the physicians requested I wait until Angel return home to conduct investigative interviews. Angel Miranda agreed to speak to me, and although her physical and emotional state are positive, the interview was somewhat abbreviated.

Before I spoke to Angel Miranda, she gave me permission to search the BMW registered to her. Underneath the driver’s seat I recovered 2 parachute equipment parts known as “s-links.”

Angel Miranda stated the following: She had not been in the vehicle, and to the best of her knowledge, no one been in her vehicle since the accident, but it was the same vehicle they took to the airport on October 13, 2018.

Angel states that before the fall, her relationship with Hunter Robbins was somewhat strained and that he was having an affair with someone named Peyton. She stated that Hunter had been trying to get her to give him money and that he was in debt because he gambled. She had a life insurance policy, which originally had Hunter as the beneficiary but she changed it to the kids without Hunter knowing it.

Angel recalled the details of the day she fell. Robbins was not at the hospital, and she has really only spoken to Robbins a few times since. Robbins told her it’s just too difficult to see her this way.

After the accident, Hunter Robbins moved into a separate apartment, and Angel’s mother moved in to take care of Angel and the kids, for no particular reason other than it was just easier that way.

Angel gave me a receipt from Pep Boys that she had found, which I placed into inventory. She says that she thinks that Hunter had tried to tamper with her brakes and that the receipt was evidence of that, but she did not go into details. Angel states she is feeling better and better each day, she can already walk a bit. I indicated that we would likely be arresting Hunter for attempted murder, and she and agreed to testify before a grand jury. Angel seemed fatigued, so I then ended the interview.

I prepared and sent a subpoena for phone records.

I spoke to SJ Insurance Company and confirmed that on September 5, 2918, a life insurance policy had been taken out in the name of Angel Miranda, and that the beneficiary was Hunter Robbins. On October 10, Angel Miranda submitted a form to change the policy to her children.



**EXHIBIT 5**

|  |  |
| --- | --- |
|  | |
| Wednesday September 26, 2018 10:37 a.m.  Marshal City | |
| Duralast Brake Pads- Front | $47.99 |
| Engine Oil 5qt | $18.99 |
| Engine Filter | $4.97 |
| Sub-Total | $71.95 |
| Oil Recycling Tax | $2.25 |
| IVU | $4.32 |
| Municipal Tax | $1.44 |
| Total | $79.96 |

**EXHIBIT 5**

**MARSHALL POLICE DEPARTMENT**

**SUPPLEMENTAL INCIDENT REPORT**

Report Submitted by Alex Castro on December 16, 2018 5:23 p.m. After serving a warrant to the Marshall Telephone Company, Luis F. Colón, from the Marshall Telephone Company, provided me text messages and a call log relevant to the investigation. The records are incorporated herein.

**Telephone of Marshall, Inc.**

Account Number: 898.65.3453 Phone Number (312) 296-4420 Name: Hunter Robbins Dates: Sep/Oct and Oct/Nov 2018

**Itemized Calls**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date** | **In / Out** | **Time** | **Number** | **Name** | **Duration (mins)** |
| 10/11 | OUT | 1:23 PM | 312-736-9832 | Peyton García – Cell Phone | 25 |
| 10/12 | IN | 8:41 PM | 312-238-1234 | Angel Miranda – Cell Phone | 1 |
| 10/12 | OUT | 7:54 PM | 312-736-9832 | Peyton García – Cell Phone | 10 |
| 10/13 | IN | 8:29 AM | 312-736-9832 | Peyton García – Cell Phone | 11 |
| 10/13 | OUT | 11:46 AM | 312-736-9832 | Peyton García – Cell Phone | 3 |
| 10/13 | OUT | 1:07 PM | 312-736-9832 | Peyton García – Cell Phone | 10 |
| 10/14 | OUT | 9:35 AM | 312-245-9864 | SJ Insurance – Landline | 35 |
| 10/14 | OUT | 10:02 AM | 312-736-9832 | Peyton García – Cell Phone | 12 |
| 10/15 | OUT | 10:59 AM | 312-245-9864 | SJ Insurance – Landline | 45 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 10/16 | OUT | 11:09 AM | 312-245-9864 | SJ Insurance – Landline | 17 |
| 10/16 | OUT | 2:18 PM | 312-245-9864 | SJ Insurance – Landline | 53 |
| 10/16 | IN | 4:07 PM | 312-736-9832 | Peyton García – Cell Phone | 9 |
| 10/17 | OUT | 8:51 AM | 312-736-9832 | Peyton García – Cell Phone | 18 |
| 10/17 | IN | 10:59 AM | 312-245-9864 | SJ Insurance – Landline | 45 |
| 10/18 | OUT | 8:31 AM | 312-736-9832 | Peyton García – Cell Phone | 11 |
| 10/18 | OUT | 10:20 AM | 312-410-2598 | Ash Ríos – Cell Phone | 12 |
| 10/19 | IN | 9:46 AM | 312-736-9832 | Peyton García – Cell Phone | 3 |
| 10/20 | IN | 5:22 PM | 312-410-2598 | Ash Ríos – Cell Phone | 7 |
| 10/21 | OUT | 10:25 AM | 312-736-9832 | Peyton García – Cell Phone | 5 |
| 10/22 | IN | 10:02 AM | 312-736-9832 | Peyton García – Cell Phone | 12 |
| 10/23 | OUT | 11:31 AM | 312-736-9832 | Peyton García – Cell Phone | 7 |

**EXHIBIT 6**

**Text Messages between Hunter Robbins and Ash Ríos**

10/03/2018; 10:14 a.m. (312) 410-2598 – U still owe me 2k from June. U only paid me $1,500. I haven’t forgotten. If U still want to keep your pretty face pay what you owe. Interest is accruing.

10/03/2018; 10:17 a.m. (312) 296-4420 – Give me a month! Working on something.

10/03/2018; 10:21 a.m. (312) 410-2598 – U better deliver, or I’ll go all gangster on U!

10/03/2018; 10:40 a.m. (312) 296-4420 – You will not be disappointed. You’ll be paid.

10/11/2018; 9:14 a.m. (312) 410-2598 – Now u owe me 2k more. I’ll tell Angel ur business, if you don’t pay.

10/11/2018; 10:03 a.m. (312) 296-4420 – I’m working on the plan. This week I’ll pay you. Don’t you dare talk to Angel!!!! That will complicate the matter. Call let’s talk and I’ll explain.

10/11/2018; 10:04 a.m. (312) 410-2598 – This is not joke.

10/16/2018; 3:04 p.m. (312) 296-4420 – I should have your money in a couple of days!

10/18/2018; 8:42 a.m. (312) 296-4420 – I’ll have your money!! I’ll call you later.

10/18/2018; 9:14 a.m. (312) 410-2598 – Wow! u didn’t even have to kill Angel. Impressed.

10/18/2018; 9:15 a.m. (312) 296-4420 – $%t#

10/19/2018; 7:14 p.m. (312) 410-2598 – Thanks 4 the money! Glad you delivered!

**Text Messages between Hunter Robbins and Peyton García**

10/11/2018; 10:37 a.m. (312) 296-4420 – Ciao, amore! I’m done. I’m putting an end to this and moving with you. I just want to be with you. I’m tired of Angel. I’ll do whatever it takes.

10/11/2018; 10:38 a.m. (312) 736-9832 – I’ll be waiting here for you, amore.

10/11/2018; 10:38 a.m. (312) 736-9832 – But what will you do - money wise.

10/11/2018; 10:39 a.m. (312) 296-4420 – No worries. I have that figured out. We will be fine.

10/11/2018; 10:39 a.m. (312) 736-9832 – I can’t wait to be with you.

10/13/2018; 11:33 a.m. (312) 736-9832 – I just saw the news. What happened? Are you ok?

10/13/2018; 11:34 a.m. (312) 296-4420 – Yep. Angel is alive - totally insane.

10/17/2018; 7:44 p.m. (312) 296-4420 – Would have been so much easier if Angel had died. She’s in rough shape, let’s see what happens - things may be way easier. I can’t wait to move in with you!!

10/17/2018; 7:56 p.m. (312) 736-9832 – That’s great!!

10/18/2018; 8:03 a.m. (312) 296-4420 – I wish she was dead. This makes things complicated.

10/18/2018; 8:05 p.m. (312) 736-9832 – We’ll figure it out. Call me, love.

**Text Messages between Hunter Robbins and Angel Miranda**

10/06/2018; 11:22 a.m. (312) 238-1234 – Where are you H? Are you with that tramp again?

10/06/2018; 11:45 a.m. (312) 296-4420 – “Bye. . . Until the next time I see you.”

10/06/2018; 11:46 a.m. (312) 238-1234 – I can’t live without you! Don’t leave me or you’ll pay.

10/07/2018; 8:23 a.m. (312) 238-1234 – What did you do to my brakes? Did you try to kill me?

10/07/2018; 11:57 a.m. (312) 238-1234 – I’m still alive. Thank God! Pick up your damn phone.

10/07/2018; 12:01 p.m. (312) 296-4420 – What the hell are you talking about?

10/08/2018; 2:14 p.m. (312) 238-1234 – I love you, don’t leave me or I’ll kill Peyton and then myself!

10/09/2018; 3:44 p.m. (312) 238-1234 – You are mine.

10/11/2018; 10:17 a.m. (312) 296-4420 – I can’t go on like this. I’ll put a stop to this once and for all.

**EXHIBIT 7**

**MARSHALL CITY POLICE DEPARTMENT**

**HUNTER ROBBINS - ARREST REPORT**

**AND TRANSCRIPTION OF ORAL STATEMENT**

|  |  |
| --- | --- |
| **Case Num.:** 18–951  **Investigating Officer:** Alex Castro  **Police Station:** Marshall  **Date of Incident:** October 13, 2018  **Time of Incident:** 11:06  **Date of the Statement:** December 15, 2018  **Time of Statement:** 14:25 hrs. | **Date of Arrest**: December 16, 2018  **Time of Arrest**: 12:10 hrs.  **Arrested:** Hunter Robbins  **Address:** 254 Norse Street  **Phone:** 312–423-3953 |

My name is Hunter Robbins. I have been arrested and read my rights. I’ve decided to give this statement voluntarily. I understand I have a right to an attorney, but I have voluntarily waived my right to an attorney. I don’t need one because I have nothing to hide. I can’t be silenced while people attack me - I’m tired of newspapers saying that I tried to kill my spouse. This has to stop.

I am a parent and a freelance personal trainer. I married Angel Miranda 7 years ago. I have never met someone that loved extreme sports as much as I do. People did warn me that Angel was a bit intense, and I knew that she had accused her husband of trying to kill her by cutting the gas line at their apartment. I’m now convinced that Angel made the whole thing up.

Anyway, when we were married, we signed a prenup, which stated if I died, the money went into a trust account for our kids, and that was fine with me. I knew that Angel listed me as the beneficiary on her life insurance policy. She wanted to make sure that the kids were going to be well taken care of.

From the beginning, Angel made it clear that she was going to take primary care of the kids. I knew that having a family was what Angel wanted above everything. I made it clear to Angel from the beginning that our relationship was not going to be exclusive. I did not want Angel to be hung up on traditional notions of love. Sometime after we adopted our first child, I met another woman named Peyton. It was purely physical, and Peyton loved extreme sports. I was able to go paragliding, hiking, and climbing again. After our second child, Angel did not want to do anything except take care of the kids. Angel has always suffered from depression and I think the stress of a new child and her new position as VP of Marketing put too much pressure on her. She didn’t want to see a doctor or take pills because she thought someone would find out about her depression. She lies whenever it is convenient or hides things. Angel is also very competitive - even with her good friends. She got the idea that Lou Rivera was trying to get her job and it became very tense, and they tried to undermine each other - they’d give either the wrong deadlines, would badmouth each other, and they were friends - it was weird..

Lou Rivera is the president of our group. Lou is an expert skydiver and knows the ins and outs of parachutes. When we were all together, Lou and Angel would fake it to make it look like they are the best of friends. They are very sneaky, if you ask me.

In any case, the situation with Lou made Angel very tense. The depression was getting worse. Angel had started having suicidal thoughts. I told her to see a doctor, but she wouldn’t. She started sending me messages about wanting to die. Also, Angel thought that if people at the office knew her depression was that bad, she would get fired, and Lou Rivera would get her at the marketing agency where they worked. So I tried to do my best to help Angel. We were having a lot of problems. And she was getting worse. For example, Angel started thinking I was after her money. I couldn’t get as many training jobs as before. Also, I didn’t get the release I needed at home, so I was spending more time with Peyton. You know? I wasn’t making a lot of money, so I had to ask Angel for money. It’s not a situation that I liked. But when you are in love you do stupid things. I thought of leaving, but Angel was at her lowest. I stayed with her even though it was difficult because she was not taking care of her depression. It was hard to be around her.

To complicate matters, I do love to gamble. Angel and I were fighting about money. I needed some money to pay a small betting debt and Angel started yelling saying that she was tired of me living off of her. I was so mad. That was Sunday September 30th. I had spent the whole day fixing Angel’s car. She had a 2014 BMW but didn’t want to spend the money on maintenance and she expected me to take care of it. I finished with her car as fast as I could, and left to go to Peyton’s. We were an open couple, but we were not allowed to sleep outside the house. I was still mad, but I decided to come back, but it was pretty late.

In the morning, Angel texted me a bunch of times accusing me of killing her - something about her brakes not working. She said a mechanic told someone sabotaged her brakes. I told her how stupid that would have been -- how would I have known to make them fail at that exact moment, only people in movies did that. I told her I didn't touch her breaks. She was like “I know what you did. I’m not going crazy.” Then she said, “If I wanted to kill you, I know exactly how to do it.” I had no idea what she meant by that, but that’s when I realized Angel was literally psychotic and I needed to do something. That’s when I thought about skydiving. That would shake her out of this funk. I decided to prepare everything for a jump the next Sunday October 13th. The next day I called the club and spoke to Lou Rivera to make the reservation.

The morning of the jump, I woke up Angel with breakfast in bed and told her that I had a surprise for her. I put everything in the car, buckled the kids and we went off to the skydiving club. Angel’s face lit up. It was a beautiful day. We got there and Angel went to prepare her parachute. I stayed with the kids while Angel set up. I took care of the children so she could enjoy herself. All of a sudden, Lou announced there might not be a jump because of the weather - which was crazy because it was a beautiful day. Looking back I feel terrible because I insisted that Angel should wait. I saw how happy she was and saw glimpses of her old self. So, as you know, the jump was back on.

I had something in my eye and told Angel to take care of the children while I went into the bathroom in Building X. I walked past her parachute and thought about how happy she’d be. I came out and Angel went back in, grabbed her chute and what came next was a hellish nightmare.

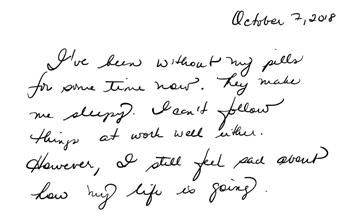
I waited a bit for the jump, but was actually in the bathroom changing the baby’s diaper when Angel fell. I could hear people screaming and when I came out of the bathroom I saw people running to the field. I started asking people what happened, and someone said that one of the jumper’s parachute did not open. My heart sunk. I heard someone say it was Angel - I didn’t want the kids to see anything, I wanted to go to Angel but I just couldn’t. Lou Rivera finally came over to where I was and right away he said that it looked like someone tampered with the parachute. It was such a weird thing to say at the time. In retrospect, I think he was worried about the club being held liable. I took the kids and left.

When I got home, I started dealing with the life insurance company to get money to take care of the kids. I was surprised to find out that I wasn’t listed, only the kids were the beneficiaries. I was able to get an initial payment of $12,000 during that first week, but there was an issue receiving more because of technicalities about her potential disabilities, and the question of whether she was going to live. I had to take care of the children, I needed the money. I was so busy and heartbroken. I couldn’t even go to the hospital. I still questioned whether she was going to make it at all, and about how terrible it would be if she was disabled, or not able to walk again. It’s a miracle that she’s OK. I just want to be back with my kids, not in jail. I had nothing to do with this. I tore out a journal entry from Angel’s diary, and brought it with me as proof, which the police just took and marked as EXHIBIT 8.

I have read the above statement and it is true and complete. I understand that I am subject to prosecution for violating the False Official Statement Act if I have intentionally or willfully misrepresented any of the above facts

*Officer Ada Molina*, Marshall City P.D. Hunter Robbins

Signed: *Ada Molina*  Signed: Hunter Robbins



**EXHIBIT 8 - JOURNAL ENTRY**

**MARSHALL CITY DEPARTMENT OF CORRECTIONS**

# Criminal History of: Lou Rivera

Date: 14 July 2016

Date of Birth: 1 February 1986

SS #: 177–00–6363

|  |  |
| --- | --- |
| Date | Charges/Disposition |
| 11-22-2014 | Possession of Marihuana – Misdemeanor Offense  1 yr. probation |
| 01-06-2014 | Tax Fraud – Felony Offense  Plead Guilty  2 Days MDOC (time considered served) $2,500 restitution and $300 fine |
| 02-01-2017 | Disorderly Conduct |
| 03-10-2017 | Not guilty |

**CIRCUIT COURT OF MARSHALL**

**MARSHALL COUNTY - CRIMINAL DIVISION**

**PEOPLE OF THE STATE OF MARSHAL )**

**v. ) CASE: CR 2019–1946**

**HUNTER ROBBINS )**

**PRETRIAL ORDER**

It is hereby ordered that the following have been stipulated by the parties:

1. If Luis F. Colón were called to testify, he would testify that he is an employee and the keeper of the records at the Marshall Telephone Company. On December 16, 2018, he received a subpoena from the Marshall City Police Department seeking all phone records and text messages between Hunter Robbins and each of the following parties: Peyton Garcia, Angel Miranda, S.J. Insurance and Ash Rios between October 3, 2018 and October 23, 2018. Mr. Colón would testify that:

312-296-4420 Belongs to Hunter Robbins

312-736-9832 Belongs to Peyton Garcia

312-238-1234 Belongs to Angel Miranda

312-245-9864 Belongs to S.J. Insurance

312-410-2598 Belongs to Ash Rios

Mr. Colón would identify Exhibit \_\_ A as a record of incoming and outgoing phone calls between the parties, and Exhibit \_\_ B as a record of text messages between the parties.

2. The Marshall City Department of Corrections Criminal History Report is a certified copy of that report.

3. If Daisy Dunlap from S.J Insurance were called to testify, she would testify that she issued an insurance policy for Angel Miranda in the amount of $500,000. In this policy, Hunter Robbins was initially the sole beneficiary but Angel Miranda amended beneficiaries to Dani and Mariana Robbins.

4. All reports, transcripts, photos, and writings, including the diary entry, are true and accurate representations of what the proponents claim them to be.

5. In the event witnesses deny making statements attributed to them in a report or grand jury transcript, the party may impeach with an oral stipulation of the verbatim contents of the prior statement. Either party may enter such verbatim statement only for the purpose of perfecting impeachment.

*Carlos C. Castro*

PRESIDING JUDGE

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| **PEOPLE OF THE STATE OF MARSHALL**    **v.**    **HUNTER ROBBINS** | **CASE: CR 2019–1964** |

# **JURY INSTRUCTIONS**

PRELIMINARY INSTRUCTIONS BEFORE TRIAL

Members of the Jury:

Before we begin, I would like to explain how the trial will proceed, and what each participant's role in the trial will be – you, the lawyers for both sides, and myself. At the end of the trial I will give you more detailed guidance on how you are to go about reaching your decision. But for now, I simply want to explain how the trial will proceed.

This criminal case has been brought by the People of the State of Marshall. I will sometimes refer to the People as the Prosecution. The People are represented here by /\_\_\_\_\_\_\_\_\_\_\_\_\_ and / \_\_\_\_\_\_\_\_\_\_\_\_\_. The Defendant, Hunter Robbins, is represented by his lawyers, / \_\_\_\_\_\_\_\_\_\_\_\_\_and / \_\_\_\_\_\_\_\_\_\_\_\_\_.

The Defendant has been charged by the Prosecution attempted murder. This charge against the Defendant is contained in what is known as the Indictment. The Indictment is not evidence of anything, but rather is simply the description of the charge brought by the Prosecution against the Defendant. The Defendant has pleaded not guilty to the charge; that is, the Defendant denies committing the offense of attempted murder. The Defendant is presumed innocent and may not be found guilty by you unless all twelve of you unanimously find that the Prosecution has proved his guilt beyond a reasonable doubt.

The first step in the trial will be the opening statements, to be given by each side. Just as the indictment is not evidence, neither is the opening statement evidence. Its purpose is only to help you understand what the evidence will be and what the Prosecution will try to prove. The Prosecution in its opening statement will tell you about the evidence which it intends to put before you, so that you will have an idea of what the Prosecution's case is going to be.

After the Prosecution's opening statement, the Defendant's attorney will make an opening statement. At this point in the trial, no evidence has been offered by either side.

Next the Prosecution will offer evidence that it says will support the charge against the Defendant. The Prosecution's evidence in this case will consist of the testimony of witnesses as well as exhibits. Some of you have probably heard the terms "circumstantial evidence" and "direct evidence." Do not be concerned with these terms. You are to consider all the evidence given in this trial.

After the Prosecution's evidence, the Defendant's lawyer may present evidence on the Defendant's behalf but is not required to do so. I remind you that the Defendant is presumed innocent and it is the Prosecution's burden to prove the Defendant's guilt beyond a reasonable doubt, and that burden remains with the Prosecution throughout the trial. The Defendant does not have to prove anything.

After you have heard all of the evidence, the Prosecution and the defense will each be given time for their final arguments. I just told you that the opening statements by the lawyers are not evidence. The same applies to the closing arguments. Closing arguments are not evidence. In their closing arguments the lawyers for the Prosecution and the defense will be attempting to summarize their cases and help you understand the evidence that was presented.

The final part of the trial occurs when I instruct you about the rules of law which you are to use in reaching your verdict. After hearing my instructions, you will leave the courtroom together to make your decision. Your deliberations will be secret. You will never have to explain your verdict to anyone.

You should not form any definite or fixed opinion on the merits of the case until you have heard all of the evidence, the argument of the lawyers, and the instructions on the law by the judge. Until that time, you should not discuss the case among yourselves.

The case must be tried by you only on the evidence presented during the trial in your presence and in the presence of the Defendant, the attorneys, and the judge. You must not discuss this case with anyone, and you must not speak with the attorneys, the witnesses, or the Defendant about any subject until your deliberations are finished.

Now that I have described the trial itself, let me explain the roles that each of us has to perform during the trial. It is the judge's duty to determine which rules of law apply to this case. This determination is made after consultations with the lawyers for both sides. These rules will be given to you during the trial in response to questions raised by the attorneys and in the final instructions I will give to you after the evidence and arguments are completed. You will decide whether the Prosecution has proven, beyond a reasonable doubt, that the Defendant has committed the crime of murder. You must base that decision only on the evidence in the case and my instructions about the law.

If you find the Defendant guilty, it will then be my job to decide what punishment should be imposed. In considering the evidence and arguments that will be given during the trial, you should not guess about the punishment. It should not enter into your consideration or discussions at any time.

At times during the trial, a lawyer may make an objection to a question asked by another lawyer, or to an answer given by a witness. This simply means that the lawyer is requesting that I make a decision on a particular rule of law. Do not draw any conclusion from such objections, as it is the lawyer's duty to make objections deem appropriate, nor should you draw any conclusions from my rulings on the objections. These only relate to the legal questions that I must determine and should not influence your thinking. If I sustain an objection to a question, the witness may not answer it. Do not attempt to guess what answer might have been given had I allowed the question to be answered. Similarly, if I tell you not to consider a particular statement, you should put that statement out of your mind, and you may not refer to that statement in your later deliberations.

Finally, let me clarify something you may wonder about later. During the course of the trial I may have to interrupt the proceedings to confer with the attorneys about the particular rules of law which should apply here. Sometimes we will talk here, at the bench. But some of these conferences may take time. So, as a convenience to you, I will excuse you from the courtroom. I will try to avoid such interruptions as much as possible, but please be patient even if the trial seems to be moving slowly because conferences often save time for all of us.

Now we will begin the trial, and I thank you for your attention.

**IN THE CIRCUIT COURT OF THE MARSHAL**

**MARSHALL CRIMINAL DIVISION**

|  |  |
| --- | --- |
| **PEOPLE OF THE CITY OF Marshall**    **V.**    **HUNTER ROBBINS** | **CASE: CR 2019–1964** |

# **INSTRUCTIONS TO BE GIVEN AT THE END OF TRIAL**

Members of the Jury:

You will soon leave the courtroom and begin your deliberations and discussions about this case.

It is your duty to determine the facts from the evidence in this case. You are to apply the law given to you in these instructions to the facts and in this way decide the case.

It is your duty to follow all of the instructions as given by me. You must not question any rule of law stated by me in these instructions. Regardless of any opinion you may have as to what the law ought to be, you must base your verdict upon the law given by me.

It is your job to decide if the Prosecution has proven the guilt of the Defendant beyond a reasonable doubt. An important part of that job will be making judgments about the testimony of the witnesses, including the Defendant, who testified in this case. You are the sole judges of the credibility of the witnesses, and of the weight to be given to the testimony of each of them.

In considering the testimony of any witness, you may take into account that witness's intelligence, ability to observe, opportunity to observe, age, memory, manner while testifying, any interest, bias or prejudice the witness may have, and the reasonableness of the witness's testimony considered in the light of all the evidence in the case.

You should judge the testimony of the Defendant in the same manner as you judge the testimony of any other witness.

You should decide whether you believe what each person had to say, and how important that testimony was. In making that decision I suggest that you ask yourself a few questions: Did the person impress you as honest? Did (s)he or (s)he have any particular reason not to tell the truth? Did (s)he or (s)he have a personal interest in the outcome of the case? Did the witness seem to have a good memory? Did the witness have the opportunity and ability to observe accurately the things (s)he or (s)he testified about? Did (s)he or (s)he appear to understand the questions clearly and answer them directly? Did the witness's testimony differ from the testimony of other witnesses? These are a few of the considerations that will help you determine the accuracy of what each witness said.

During the course of the trial you have received all the evidence that you may properly consider for deciding this case. Your decision in this case must be made solely on the evidence presented at the trial. Do not be concerned about whether evidence is "direct evidence" or "circumstantial evidence." You should consider all the evidence that was presented to you.

At times during the trial you saw lawyers make objections to questions asked by other lawyers, and to answers by witnesses. This simply meant that the lawyers were requesting that I make a decision on a particular rule of law. Do not draw any conclusion from such objections or from my rulings on the objections. These only related to the legal questions that I had to determine and should not influence your thinking. When I sustained an objection to a question, and the witness was not allowed to answer a question asked, you must not attempt to guess what answer might have been given had I allowed the question to be answered. Similarly, when I told you not to consider a particular statement, you were told to put that statement out of your mind, and you may not consider that statement in your deliberations.

It is the court's role to determine what rules of law apply to the case. Some of these rules have been explained to you in the course of the trial, and I will be explaining others of them to you before you go to the jury room. This is my job; it is not the job of the lawyers. So, while the lawyers may have commented during the trial on some of these rules, you are to be guided only by what I say about them. You must follow all of the rules as I explain them to you. You may not follow some and ignore others. Even if you disagree or don't understand the reasons for some of the rules, you are bound to follow them.

If you decide that the Prosecution has proven beyond a reasonable doubt that the Defendant is guilty of the crime charged, it will also be my job to decide what the punishment will be. You should not try to guess what the punishment might be. It should not enter into your consideration or discussions at any time.

The decision you reach in the jury room, whether guilty or not guilty, must be unanimous; that is, all twelve of you must agree. Your deliberations will be secret. You will never have to explain your verdict to anyone.

STIPULATIONS OF TESTIMONY

During the course of the trial you were told that the Prosecution and the Defendant agreed, or stipulated that \_\_\_\_\_\_\_\_\_\_\_ would be a witness’s testimony if he/she were called as a witness. You are to consider that to be the testimony of \_\_\_\_\_\_\_\_\_\_\_\_\_ as if he/she were in court and testifying here.

STIPULATIONS OF FACT

While we were hearing evidence, you were told that the Prosecution and the Defendant agreed, or stipulated, that [stipulation]. This means simply that they both accept the fact that [stipulated fact]. There is no disagreement over that, so there was no need for evidence by either side on that point. You must accept that as fact in your deliberations, even though nothing more was said about it one way or the other.

EVIDENCE ADMITTED FOR A LIMITED PURPOSE: JURY TO LIMIT ITS CONSIDERATION

Several times during the trial I told you that certain evidence was allowed into this trial for a particular and limited purpose. [Describe evidence.] When you consider that evidence, you must consider if for that limited purpose only.

Circumstantial evidence is the proof of facts or circumstances which give rise to a reasonable inference of other facts which tend to show the guilt or innocence of the Defendant.

Circumstantial evidence should be considered by you together with all of the other evidence in the case in arriving at your verdict.

PRESUMPTION OF INNOCENCE–REASONABLE DOUBT–BURDEN OF PROOF

As I have said many times, the Defendant is presumed innocent of the charge. This presumption remains with the Defendant throughout every stage of the trial and during your deliberations on the verdict and is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that the Defendant is guilty. The Prosecution has the burden of proving the guilt of the Defendant beyond a reasonable doubt and this burden remains on the Prosecution throughout the case. Some of you may have served as jurors in civil cases, where you were told that it is only necessary to prove that a fact is more likely true than not true. In criminal cases, the Prosecution's proof must be more powerful than that. It must be beyond a reasonable doubt.

CHARGES

The Defendant is charged with the crime of attempted murder. The Defendant has denied that he is guilty of this charge.

ATTEMPTED MURDER

A person commits the offense of attempted murder when he, with the intent to commit the offense of murder, does any act which constitutes a substantial step toward the commission of the offense of murder.

The offense attempted need not have been committed.

For purposes of determining whether the defendant was attempting to commit murder, a person commits the offense of murder when he kills an individual without lawful justification and, when performing the acts which cause the death, he intends to kill that individual.

To sustain the charge of attempt, the prosecution must prove the following propositions:

First, that the defendant performed the act which constituted a substantial step toward the commission of the offense of murder; and

Second, that the defendant did so with the intent to commit the offense of murder.

If you find from your consideration of all of the evidence that each one of these propositions has been proven beyond a reasonable doubt, then you should find the defendant guilty of attempted murder.

If you find from your consideration of all the evidence that any one of these propositions has not been proven beyond a reasonable doubt, then you should find the defendant not guilty of attempted murder.

PROOF BEYOND A REASONABLE DOUBT

Proof beyond a reasonable doubt is proof that leaves you firmly convinced the Defendant is guilty.

REASONABLE DOUBT

A reasonable doubt is a doubt based upon reason and common sense and is not based purely on speculation. It may arise from a careful and impartial consideration of all the evidence, or from lack of evidence.

IMPEACHMENT BY PRIOR CONVICTION (WITNESS OTHER THAN DEFENDANT

Evidence that a witness has been convicted of an offense may be considered by you only as it may affect the truthfulness of the witness.

IMPEACHMENT BY PRIOR INCONSISTENT STATEMENTS, NOT UNDER OATH

You will recall that\_\_\_\_\_\_\_ testified during the trial [description, if needed]. You will also recall that it was brought out that before this trial he/she made statements about this matter. These earlier statements were brought to your attention to help you decide if you believe \_\_\_\_'s testimony. You cannot use these earlier statements as evidence in this case. However, if said something different about this matter earlier, and the two stories were conflicting, then there may be reason for you to doubt\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 's testimony here. That's up to you to decide.

IMPEACHMENT BY PRIOR INCONSISTENT STATEMENTS, UNDER OATH

You may recall that\_\_\_\_\_\_\_\_\_\_\_\_ testified during the trial [description, if needed]. You will also recall that it was brought out that before this trial he/she made statements concerning the subject matter of this trial. Even though these statements were not made in this courtroom they were made under oath at\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [e.g.: at a hearing to determine bond, or at the time (s)he presented evidence to the grand jury]. Because of this you may consider these statements as if they were made at this trial and rely on them as much, or as little, as you think proper.

DEFENDANT'S TESTIMONY: IMPEACHMENT BY OTHERWISE INADMISSIBLE STATEMENT

You will recall that the Defendant, Hunter Robbins, testified during the trial on his own behalf. You will also recall that it was brought out that the Defendant was questioned at an earlier time and made certain statements. These earlier statements by Hunter Robbins were brought to your attention only to help you decide if you believe what he has testified to here in court. If the Defendant said something different earlier, and the two stories were conflicting, then it will be up to you to decide if what the Defendant said here in court was true. You should not, however, consider what was said earlier as proof or evidence of the Defendant's guilt. The Prosecution must use other evidence to prove, beyond a reasonable doubt, that the Defendant committed the crime.

[This instruction is for use only when the prior statement that is inconsistent with statements made at trial was given under oath at a previous trial, hearing, or other proceeding, or in a deposition. See Fed.R.Evid. 801(d)(1)(A). If these standards are not met, the instruction about impeachment by prior inconsistent statements that were not under oath should be given.]

AVAILABILITY OF EXHIBITS DURING DELIBERATIONS

During the trial several items were received into evidence as exhibits. These exhibits will be sent into the jury room with you when you begin to deliberate. Examine the exhibits if you think it would help you in your deliberations.

SELECTION OF FOREPERSON; COMMUNICATION WITH THE JUDGE; VERDICT FORMS

When you go to the jury room to begin considering the evidence in this case, I suggest that you first select one of the members of the jury to act as your foreperson. This person will help to guide your discussions in the jury room. Once you are there, if you need to communicate with me, the foreperson will send a written message to me. However, don't tell me how you stand as to your verdict – for instance, if you are split 6–6 or 8–4, don't tell me that in your note.

As I have mentioned several times, the decision you reach must be unanimous; you must all agree.

I want to read to you now, what is called the verdict form. This is simply the written notice of the decision that you reach in this case.

The Court here reads the verdict for:

When you have reached a decision, each of you should sign the verdict form, put the date on it, and return it to me.

**VERDICT FORMS**

We, the jury, find the defendant Hunter Robbins:

\_\_\_\_\_\_\_ Not Guilty.

\_\_\_\_\_\_\_ Guilty of Attempted Murder.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Foreperson

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Lines for eleven other jurors)

**MARSHALL PENAL CODE**

**Article 6 – ATTEMPT**

(a) Elements of the offense.

A person commits the offense of attempt when, with intent to commit a specific offense, he or she does any act that constitutes a substantial step toward the commission of that offense.

(b) Impossibility.

It is not a defense to a charge of attempt that because of a misapprehension of the circumstances it would have been impossible for the accused to commit the offense attempted.

(c) Sentence.

A person convicted of attempt may be fined or imprisoned or both not to exceed the maximum provided for the offense attempted.

**Article 7 – FELONY**

Felony means an offense for which a term of imprisonment in a penitentiary for one year or more is provided.

**Article 8 – MISDEMEANOR**

Misdemeanor means an offense for which a term of imprisonment in a penitentiary for less than six months is provided.

**Article 92 – MURDER**

A person is guilty of a felony when, with intent to cause the death of another person, he causes the death of such person or of a third person.