

>> ALL RISE.

HEAR YE, HEAR YE, HEAR YE, THE
SUPREME COURT OF FLORIDA IS NOW
IN SESSION, ALL WHO HAVE CAUSE
TO PLEAD, DRAW NEAR, GIVE
ATTENTION AND YOU SHALL BE
HEARD.

GOD SAVE THESE UNITED STATES,
GREAT STATE OF FLORIDA, THIS
HONORABLE COURT.

LADIES AND GENTLEMEN, SUPREME
COURT OF FLORIDA.

PLEASE PROCEED.

>> GOOD MORNING AND WELCOME TO
THE SESSION OF THE FLORIDA
SUPREME COURT.

THE FIRST CASE IS STATE OF
FLORIDA VERSUS GARCIA.

>> GOOD MORNING AND MAY IT
PLEASE THE COURT.

ASSISTANT ATTORNEY GENERAL ON
BEHALF OF THE PETITIONER OF THE
STATE OF FLORIDA.

>> SPEAK UP A LITTLE BIT.

I DON'T KNOW IF WE NEED TO
ADJUST THE VOLUME.

THAT IS BETTER.

>> THE THIRD DISTRICT ERRED IN
DETERMINING THE CONVICTION FOR
SECOND-DEGREE MURDER AND GRAND
THEFT WERE LEGALLY INSUFFICIENT
IN REVERSING THE JURY'S VERDICT.
IT WAS SUFFICIENT UNDER THE
ALTAR DISCONTINUED EVIDENCE
HENRY STANDARD UNDER THE CURRENT
EVIDENCE STANDARD THAT IS
APPLICABLE TO ALL CRIMINAL CASES
FOR WHICH GARCIA'S CONVICTION IS
REVIEWED.

AS FAR AS THE HOMICIDE
CONVICTION CIRCUMSTANTIAL
EVIDENCE WHEN VIEWED IN TOTALITY
WAS SUFFICIENT TO ESTABLISH THE
ELEMENTS, WHAT CONCERNED THE
THIRD DISTRICT IN REVERSING THE
HOMICIDE CONVICTION WAS
IMPERMISSIBLE STACKING OF
INFERENCES.

I WANT TO MAKE SOME INFERENCES.
IN THIS CASE CIRCUMSTANTIAL
EVIDENCE DIDN'T AMOUNT TO
STACKING OF INFERENCES.

WE HAVE A SUBSTANTIAL EVIDENCE

THAT ARE RELATED.

>> ONE ASPECT OF THE EVIDENCE,
DOESN'T EVIDENCE SHOW MISTER
GARCIA LIED IN HIS DESCRIPTION
OF WHAT HE DID OR DIDN'T DO IN
CERTAIN RESPECTS?

>> CORRECT.

>> CASE LAW, ISN'T THE
CIRCUMSTANCE THAT AN ACCUSED HAS
LIED ABOUT WHAT WENT ON OR DID
NOT GO ON, FREQUENTLY AS A BASIS
FOR DISCREDITING THE OVERALL
VERSION OF WHAT TRANSPIRED?

>> CORRECT.

WE HAVE THAT IN THIS CASE AND
DON'T VIEW EACH OF THE CASES IN
ISOLATION.

NOT ONLY DO WE HAVING CONSISTENT
STATEMENTS BUT CELL PHONE
PING'S, DNA EVIDENCE AFTER IT
WAS CLEANED.

WE HAVE THE FINANCIAL
TRANSACTIONS OBTAINED AFTER THE
DISAPPEARANCE, THE NATURE OF
THOSE TRANSACTIONS, IRREGULAR
CIRCUMSTANCES OBTAINING MONEY
THROUGH A CHECK CONTAINING MONEY
THROUGH ATM WITHDRAWAL OR ONLINE
TRANSFER THE DAY AFTER SHE
DISAPPEARED SO COMBINING THESE
CIRCUMSTANTIAL EVIDENCE DOES NOT
AMOUNT TO INFERENCE STACKING BUT
PUTTING PIECES OF THE PUZZLE
TOGETHER IN LIGHT OF THE
DECISION, THIS COURT MADE CLEAR
CIRCUMSTANTIAL EVIDENCE SHOULD
NOT BE TREATED AS SECOND-CLASS
CATEGORY OF EVIDENCE THAT IS
JUST AS RELEVANT OR RELIABLE AS
DIRECT EVIDENCE AND WHAT
ANIMATED THE DECISION WAS THE
PROHIBITION THAT AMOUNTS TO
INFERENCE STACKING OR.

AMIDING OF INFERENCES.

IN LIGHT OF THE BUSH DECISION,
THE COURT SAID.

AMID STACKING IS INTERTWINED
WITH CIRCUMSTANTIAL EVIDENCE
THAT IS DEFUNCT.

IN LIGHT OF THAT DECISION THE
INFERENCE STACKING DOES NOT
SURVIVE, THE STANDARD OF REVIEW
WAS TO PREVENT CONVICTIONS BASED
ON SPECULATION AND THIS COURT

SAID THE INSTRUCTION THAT
COMPELS THE JURY TO CONVICT,
BEYOND A REASONABLE DOUBT
PROTECTS AGAINST THAT.
IN THE SAME RESPECT THE JURY
INSTRUCTION REQUIREMENT THAT A
JURY COULD ONLY CONVICT IF THE
STATE HAD NO EXPERT AND PROTECTS
AGAINST OBTAINING CONVICTION
BASED ON MERE SUSPICION.

>> COULD I HEAR THE STATE'S
POSITION?

THAT WE HAVE DOUBTS ABOUT THE
STRENGTH OF AN APPEARANCE OF
CIRCUMSTANTIAL EVIDENCE AS
OPPOSED TO DISABILITY AND
FEDERAL RULES OF EVIDENCE OF
LONG HAD THIS SETTLED
DISTINCTION BETWEEN GIVING A
PIECE OF EVIDENCE WHETHER IT IS
CIRCUMSTANTIAL OR NOT BEING
BIFURCATED OR NOT.

>> AS FAR AS THIS JURISDICTION
WHEN IT VIEWS CIRCUMSTANTIAL
EVIDENCE IT IS VIEWED IN
ISOLATION.

IT'S NOT THE ROLE OF THE REVIEW
IN COURT WHEN IT IS SUFFICIENT
EVIDENCE TO GET INTO WEIGHING
THE EVIDENCE.

IT ASKS IF THE EVIDENCE WAS
SUFFICIENT, COULD WE FIND ALL
THE MEANS OF DEFENSE BEYOND A
REASONABLE DOUBT AND WE MAINTAIN
THE PERSPECTIVE OF REVIEWING
REASONABLE INFERENCES IN
SUSTAINING THE VERDICT.

>> WHEN THE STATE SOUGHT REVIEW,
BUSH IS NOT BEEN DECIDED.

SO THE ARGUMENT, WHEN THE
JURISDICTIONAL BRIEFING WAS
COMPLETED, BUSH HAD NOT BEEN
CITED.

>> YES.

>> SO THE ARGUMENT FOR
JURISDICTION WAS THE OPINION WAS
INCONSISTENT WITH PRECEDENT
UNDER THE OLD CIRCUMSTANTIAL
EVIDENCE STANDARD.

>> YES.

CAN YOU EXPLAIN THE BASIS FOR
JURISDICTION UNDER THAT
STANDARD?

MY QUESTION IS MORE IT IS CLEAR

ONCE BUSH CAME OUT THE OPINION BELOW IS IN CONFLICT WITH THE BUSH BECAUSE THEY APPLY DIFFERENT STANDARD.

WOULD BE APPROPRIATE TO CONSIDER THAT A BASIS FOR JURISDICTION IF I HAVE QUESTIONS ABOUT JURISDICTION AS IT WAS ARGUED ORIGINALLY IN THE BRIEFING?

>> IT WOULD BE APPROPRIATE TO CONSIDER THE DECISION IN LIGHT OF JURISDICTION.

THIS PACE -- THIS CASE WAS PENDING DIRECT REVIEW.

THERE WAS NEVER A STAGE OF BEING FINAL SO THE FACT THAT IT WAS PENDING DIRECT REVIEW ANOTHER CONFLICT JURISDICTION ISSUE IN LIGHT OF THE BUSH DECISION WE DID PETITION FOR APPLICATION DOCTRINE THE THIRD DCA DECISION MISAPPLIED THE PRECEDENT INTERPRETING THE CIRCUMSTANTIAL EVIDENCE STANDARD OF REVIEW BUT THE FACT THE DECISION HAS BEEN PENDING FOR THE DURATION OF THE TIME BUSH WAS ISSUED, IT IS A PIPELINE CASE IN THAT SENSE AND ANOTHER BASIS FOR CONFLICT JURISDICTION.

>> THANK YOU.

AGAINST IMPERMISSIBLE INFERENCE STACKING IS INTERTWINED WITH CIRCUMSTANTIAL EVIDENCE TEST AND IN LIGHT OF THE BUSH DECISION THAT ABANDONING THAT STANDARD OF REVIEW, THAT ALSO HAS TO GO. IT DIDN'T OCCUR IN THIS CASE AND ASSUMING IT DID IT IS NO LONGER VALID IN LIGHT OF THE DECISION IN BUSH VERSUS STATE.

IF THERE ARE NO FURTHER QUESTIONS I RESERVE THE REST OF MY TIME FOR REBUTTAL.

>> MY COUNSEL NOTES YOU NEVER CONVICT ON MERE SPECULATION.

IS THIS BETTER?

IT MAY BE MY HEARING.

>> I AM WITH YOU.

YOUR HONORS, THE STATE DOESN'T HAVE TO EXCLUDE EVERY REASONABLE HYPOTHESIS OF INNOCENCE UNDER BUSH.

WE KNOW THAT BUT THE STATE STILL

HAS TO PRESENT AND ALWAYS HAVE
TO PRESENT SUBSTANTIAL EVIDENCE
FOR A JURY TO RATIONALLY
CONCLUDE BEYOND REASONABLE DOUBT
THE DEFENDANT IS GUILTY OF THE
CRIMES THE DEFENDANT IS CHARGED
WITH.

HOWEVER WAY YOU LOOK AT THIS
CASE, FROM WHATEVER DIRECTION
WHEN YOU ARE EXAMINE THE
EVIDENCE WHICH IS STILL
AVAILABLE TO DO UNDER BUSH IN
LIGHT MOST FAVORABLE TO THE
STATE, ALL YOU HAD IS GUESS WHAT
HAPPENED.

>> LET ME WALK THROUGH THAT
ACCORDING TO THE ELEMENTS.
THE FIRST GENTLEMEN, THE VICTIM
IS DEAD AND UNDER CRANE I DON'T
THINK YOU EVER ARGUED THERE
WASN'T SUFFICIENT EVIDENCE TO
SHOW SHE WAS DEAD, IS THAT
CORRECT?

>> WE BELIEVE, WE DON'T CONCEDE
THAT THEY PROVED THAT.
THE DISTRICT SAID HER APPARENT
DEATH BASED ON THE LENGTH OF
TIME EVERY DISAPPEARANCE.

>> NOBODY WAS RECOVERED, THE
STATE MUST PREVENT -- PRESENT
EVIDENCE OF US CHANGE OF THE
VICTIM'S BEHAVIOR, HABITS AND
PLANS.

I WOULD ADD EVERY CASE IS
DIFFERENT BUT SO OUT OF THE
ORDINARY GIVEN THOSE HABITS THAT
YOU CAN CONCLUDE BASED ON THAT
ALONE THAT THE VICTIM IS DEAD.

>> THAT IS THE LAW IN FLORIDA.

>> FOLLOWING HER FAMILY
REGULARLY, ROUTINES, ANYTHING
CLOSE TO LIKE THIS, SHE
DISAPPEARED.

>> THE JURY IN THE THIRD
DISTRICT SAID --

>> I AM ASKING WHAT IS YOUR
ARGUMENT IS NOT SUFFICIENT TO
ALLOW JURY --

>> THE EVIDENCE WAS THERE WAS
COUNTERVAILING AND FOR AND
AGAINST THE ELEMENT THAT MET THE
MINIMUM THRESHOLD TO DEMONSTRATE
HER APPARENT DEATH.

>> I WILL SUMMARIZE FOR SYMPATHY

SAKE THE LAST TWO ELEMENTS CAN BE SUMMARIZED AS DID MISTER GARCIA -- IS HE RESPONSIBLE FOR HER DEATH?

>> THIS IS THE NUMBER OF THIS CASE AND WE AGREE, IS THERE SUFFICIENT EVIDENCE FROM WHICH A JURY COULD RATIONALLY CONCLUDE UNDER REASONABLE DOUBT --

>> LITERALLY --

>> A LITTLE AGENCY OF MISTER GARCIA.

>> LITERALLY EVERYTHING POINTS TO HIM.

THE DNA IN THE CAR, THE FACT THAT WAS SCRUBBED DOWN AND HE ENDED UP WITH ALL OF HER MONEY BY CHECK, THE CELL PHONE INFORMATION, THE VIDEO OF HIM IN THE CAR AT THE ATM WHERE HE WAS WITHDRAWING HER FUNDS AFTER SAYING HE NEVER DROVE HER CAR, ALL OF THOSE CIRCUMSTANCES EVERY PIECE OF VETERANS POINTS TO HIM AND HIM ALONE?

>> I DISAGREE RESPECTFULLY.

THEY HAD A MURDER FOR MONEY THEORY.

THAT WAS THEIR ENTIRE CASE. MURDER FOR MONEY.

>> TO POSIT AND REFLECT, WAS THEIR ENTIRE CASE BECAUSE HE TOOK ALL OF HER MONEY AND ENDED UP WITH ALL OF HER MONEY AND WE KNOW HE DID IT.

>> THEIR OWN EVIDENCE DISPROVED THEIR MURDER FOR MONEY.

MISS BUTLER, THE FDA REALLY EXAMINER SAID SHE PROBABLY WROTE THE TWO CHECKS.

ONE WAS JUNE 5TH, ONE WAS JUNE 10TH.

THERE WAS NO EVIDENCE TO THOSE ONLINE TRANSFERS SO THE STATE DIDN'T PROVE A THEFT.

>> WOULD YOU AGREE THE EVIDENCE SUGGESTS SHE SIGNED THOSE CHECKS AND THEY WERE CASHED AT A TIME WHEN A JUROR REASONABLY ASSUMED SHE WAS DEAD?

>> WE DISAGREE.

THEY SAY THE WAY THIS HAPPENED WAS ON JUNE 4TH HE KILLED HER AT HIS HOUSE AND DISPOSED OF THE

BODY.

THEY SAY THAT BECAUSE ON JUNE 4TH, HER OLD PHONE, THE USAGE CHANGES, THEY DON'T ACCOUNT FOR HER NEW PHONE. THEY SAY THE HOUSE, THE CAR, ALL THE EVIDENCE AND THEY TRIED TO PROVE THAT BUT THEY DIDN'T.

YOU NEED ONLY LOOK AT THE FORENSIC TESTIMONY IN THIS CASE TO SEE THAT EVERY TIME THEY TESTED THE CAR IT CAME OUT NEGATIVE FOR BLOOD.

THREE MONTHS BEFORE TRIAL THE DETECTIVE RETESTED THE CAR, TORE IT APART.

HAD THEM GO THROUGH THE QUOTIENTS BECAUSE THE CAR WAS SO CLEAN THAT THE EVIDENCE, THEY CAN'T DO THAT AND IT CAME UP NOTHING.

CADAVER DOG AT THE CAR, AT HIS APARTMENT, NOTHING.

EVERY THEORY THEY POSITED AS TO HOW THIS HAPPENED FELL APART.

>> WITH RESPECT TO THE BLOOD SOMEONE HAD THOROUGHLY CLEANED THE CAR WITH BLEACH.

>> THAT IS AND -- THAT'S NOT WAS WHEN THE CAR WAS RETURNED ON JUNE 10TH AND OPENED UP ON JUNE 18TH IT SMELLED LIKE IT HAD BEEN CLEANED.

IT IS SITTING OUT IN THE SUMMER SUN IN MIAMI HOWEVER THAT IS BUT THE JURY IS ENTITLED TO INFER THE CAR HAD BEEN CLEANED AND WHO CLEAN THAT WE DON'T KNOW.

HE WAS IN POSSESSION OF THE CAR.

>> HE WAS FILMED DRIVING THE CAR.

NO QUESTION.

YOU DON'T HAVE --

>> LET'S LOOK AT THE CAR.

IF NOT HIM, WHO ELSE?

USING THE OLD STANDARD WHAT THE REASONABLE HYPOTHESIS THAT IT WAS ANYBODY BUT HIM?

>> THE REASONABLE HYPOTHESIS IS THE EVIDENCE SHOWS THAT THE THEORY THAT HE STOLE HER MONEY IS NOT TRUE BECAUSE SHE WROTE 40,\$000 WORTH OF CHECKS TO HIM.

>> I UNDERSTAND WE HAVE EXPERT

TESTIMONY ABOUT THE SIGNATURES
BUT ALSO WE HAVE EVIDENCE AS I
RECALL WAS FOUND IN THE
DEFENDANT'S HOME OF SOMEONE
HAVING REPETITIVELY TRACED THE
SIGNATURE OF THE VICTIM AND LEFT
AN IMPRESSION FROM REPETITIVELY
TRACING A SIGNATURE.

COULDN'T A JURY MAKE INFERENCES
FROM THAT?

>> IF THAT HAD BEEN THE EVIDENCE
BUT IT ISN'T THE EVIDENCE AND I
AM GOING TO MOVE HERE.

KATIE BUTLER JUST TO CLARIFY THE
DOCUMENT TO WHICH YOU ARE
REFERRING IS THE ORIGINAL
HANDWRITTEN NOTE BY LARISSA
UNDISPUTED BY THEIR OWN EXPERT
WITNESS IN HER OWN HANDWRITING.
THEY TOOK THE PROMISSORY NOTE,
AND RAN IT THROUGH THIS
ELECTROSTATIC DETECTION ANALYSIS
THING THAT THEY DO IN HER
TESTIMONY WAS ON PAGE 820 IT DID
NOT INDICATE EVIDENCE OF
TRACING.

THERE WERE IMPRINTS THAT
SUGGESTED THERE WERE DOCUMENTS
ON TOP OF THAT PROMISSORY NOTE
SHE MAY HAVE BEEN WRITING ON AND
EVENTUALLY GETS TO THAT PIECE OF
PAPER LIKE THE OLD DAYS WHEN YOU
TAKE A PENCIL AND GO OVER
SOMETHING BUT IT IS
INCONCLUSIVE.

>> WHO GIVES THE PROMISSORY NOTE
ONE DAY AND PAYS IT THE NEXT DAY
OR A SHORT PERIOD THEREAFTER?

IT IS AN EXTRAORDINARILY
IMPROBABLE SEQUENCE?

THE TIMING ON THAT AND TO TURN
AROUND AND WRITE THE CHECKS.

>> THAT'S THE THING ABOUT THIS
CASE.

THERE'S MORE QUESTIONS THAN
ANSWERS.

LARISSA WRITES \$7,000 WORTH OF
CHECKS TO ANOTHER GENTLEMAN.
WE DON'T KNOW WHY SHE IS GIVING
HER MONEY AWAY.

THERE IS ALL MANNER OF.
I STILL HAVE TIME.

WHAT WE ARE TALKING ABOUT.

>> YOU ARE FINE ON YOUR TIME.

9 MINUTES LEFT.

>> I'M USED TO 10 MINUTES.

YOU HAVE TO GUESS HOW THIS HAPPENED AND WE'VE NEVER ALLOWED JERRY'S TO JUST GUESS, PROCESS OF ELIMINATION.

WE DON'T HAVE FORENSIC EVIDENCE.

>> LET'S PAUSE.

I AGREE THAT YOU HAVE TO SPECULATE HOW SHE WAS KILLED, ALL THE CIRCUMSTANCES SURROUNDING THAT AND THERE WAS SUFFICIENT EVIDENCE THAT A JURY COULD DETERMINE THAT SHE WAS DEAD AND THERE IS NO REQUIREMENT THE STATE PROVE HOW SOMEONE DID THE CRIME.

THE ONLY QUESTION IS WHO, CORRECT?

>> WHO DID IT?

>> THAT IS SPECULATION, HE TORTURED HER OR HAD TO WRITE THE CHECKS AND THE PROMISSORY NOTE, THAT WOULD BE ALL SPECULATION BUT DON'T YOU SPECULATE MORE TO SUGGEST IF IT WAS ANYBODY ELSE BUT HIM ISN'T THAT SPECULATIVE DOUBT?

>> IT IS A REASONABLE DOUBT BUT WE HAVE TO ENTERTAIN.

IF YOU LOOK AT THE MISSING PERSON CASES, THEY DON'T CITE A SINGLE ONE THAT IS REMOTELY LIKE THIS, THEY ARE NOT BROUGHT WHEN THERE IS NO SUBSTANTIAL EVIDENCE.

IN THE MISSING PERSON CASES THEY DO SITE, MYERS'S CONFESSION, EVEN CRANE, A SMALL CHILD GOES MISSING, YOU HEARD THE CHILD'S DNA FOUND ON THE DEFENDANT'S BOXER SHORTS AND GOUGE MARKS FROM FINGERNAILS OF A SMALL CHILD.

THE VIRGINIA MISSING PERSONS CASE, THERE WAS DOGS AND EVIDENCE TRACKED FROM THE CRIME SCENE TO THE DEFENDANT'S FRONT DOOR AND IN BUSH THERE WAS NO GUESSWORK BECAUSE THE JURY NEW THAT BUSH WAS RESPONSIBLE, THERE WAS SOLID EVIDENCE OF COMMON AGENCY.

DNA ON THE MURDER WEAPON AND

BLOODY FOOTPRINTS MATCH THE 5
FOOTPRINTS MATCHING HIS FAVORITE
BOOTS AND THAT IS WHAT WE WERE
TALKING ABOUT.

WHAT IS IT IN OUR JURISPRUDENCE,
WHERE ARE WE GOING TO DRAW THE
LINE?

ARE WE GOING TO ALLOW A VERDICT
TO STAND ON SPECULATION WHEN THE
MURDER FOR MANY THEORY COLLAPSES
UNDER THEIR OWN EVIDENCE THAT
SHE DID WRITE THESE CHECKS, WE
DON'T KNOW WHY SHE GIVES MONEY
TO OTHER MEN BUT SHE DOES AND IT
IS REASONABLE TO INFER THAT SHE
HAS PLENTY OF IT BEYOND WHAT SHE
HAD IN THOSE BANK ACCOUNTS.
WE UNDERSTAND THAT THIS, THE
THIRD DISTRICT SAID THE SAME
THING.

AWFULLY SUSPICIOUS BUT SUSPICION
ALONE HAS NEVER BEEN ENOUGH TO
CONVICT AND WE ASK THIS COURT TO
AFFIRM THE THIRD DISTRICT IF THE
COURT HAS ANY OTHER QUESTIONS.

I'M HAPPY TO ENTERTAIN THEM.
THANK YOU FOR YOUR TIME AND
ATTENTION.

>> REBUTTAL.

>> THIS COURT REVIEWED THE FACTS
AT LENGTH BUT TO TOUCH ON A
COUPLE THINGS JUST AS LAWSON
DISCUSSED.

AS FAR AS CHECKS IN THE
PROMISSORY NOTE THE JURY DIDN'T
JUST HERE TWO LINES OF TESTIMONY
FROM THE EXAMINER.

WE KNOW THAT THE FDL THE
EXAMINER QUALIFIED HER OPINION
AS TO THE TWO CHECKS AND SAID IT
IS PROBABLY WRITTEN BY THE
VICTIM BUT I AM LOOKING AT
MACHINE COPIES SO THERE'S
QUALIFICATION.

AS FOR THE PROMISSORY NOTE IT
WAS THE DAY BEFORE, THAT
RESPONDENT RECEIVED THE SOUND OF
THE PROMISSORY NOTE.

IT WAS UNHEARD OF TO WRITE A
PROMISSORY NOTE FOR \$2,000 AND
THEN REPAY IT.

THERE WERE SIGNIFICANT OTHER
FACTORS THAT COME INTO PLAY
SHOWING SOMETHING NEFARIOUS

GOING ON WITH TRANSFERS OF MONEY.

THERE IS NO WAY TO RESPONDENT TO REFUND THIS AMOUNT.

BANK STATEMENTS FROM THE PAST 4 OR 5 YEARS, NO SIGNIFICANT DEPOSITS OTHER THAN ANNUAL TAX REFUNDS MATCHING THE SUM WENT TO THE VICTIM.

WE KNOW FROM INTERACTION WITH HIS WIFE AT THE POLICE STATION THERE IS NO WAY HE COULD HAVE FUNDED THIS AMOUNT OR OPEN SOME SORT OF BUSINESS WITH THE VICTIM.

EVERYTHING ELSE REFUTED THAT. ALL THE EVIDENCE THE STATE HAD REFUTED THAT.

WE DON'T JUST LOOK AT THE EXAMINER'S TWO LINES OF TESTIMONY.

IF THEY DID THERE MIGHT BE LEGITIMACY TO THESE TRANSACTIONS BUT THEY HEARD A PLETHORA OF EVIDENCE THAT THERE IS NO LEGITIMATE OR VALID REASON FOR RESPONDING TO RECEIVE THESE FUNDS AND THEY ESTABLISHED THAT SIGNIFICANTLY.

AS FAR AS THE CAR, ROUGHLY A MONTH AFTER IT WAS SITTING IN THE SUN THAT IS THE EXTENT OF THE CLEANING.

ADRIA HARPER PERSON'S PRESENCE WAS FOUND IN THAT CAR.

WE KNOW HE WAS SEEN DRIVING THE CAR THE DAY AFTER THE VICTIM DISAPPEARED WITHDRAWING MONEY FROM HER ATM ACCOUNT AND A WEEK LATER THE CAR HAD BEEN DROPPED OFF AND FOOTAGE FROM THE SECOND ATM TRANSACTION IT WAS ALREADY DROPPED OFF.

HE IS SEEN STANDING ALONE.

THE ONLY SPECULATION THAT A HERE IS IF SOMEONE ELSE WAS RESPONSIBLE.

NO ONE ELSE IS RESPONSIBLE AND WE KNOW IT IS NOT WITHIN THE PROVINCE OF THE REVIEW IN COURT WHEN MAKING DETERMINATION TO SUSTAIN CONVICTIONS APPLYING EVEN UNDER THE OLD STANDARD BUT UNDER THE APPLICABLE STANDARD IT

WAS SO WE WOULD ASK THIS COURT
TO REVERSE IF THERE ARE NO
FURTHER QUESTIONS THEY QUESTION
THE DECISION BELOW AND REINSTATE
RESPONDENTS CONVICTIONS.
THANK YOU.
>> THANK YOU FOR YOUR ARGUMENTS
IN THIS CASE TODAY.