

CLOSING ARGUMENT COMPETITION FACT PATTERN

You client is Richard J. Wolf, AKA, “The Big Bad Wolf.” He has been charged with kidnapping, stalking, burglary of a dwelling, and criminal mischief for his alleged involvement in a crime spree which occurred on or about December 25, 2013.

The following evidence was presented at trial:

Bailey Riding Hood is an 11 year old, red-haired girl, nicknamed “little red” who testified that she was on her way to her grandma’s home. Grandma lives deep in the forest in a quaint little one bedroom home.

As Bailey was on her way to visit her grandma, she sensed something was not right, for as she walked along the beaten path, she noticed in the distance, on two separate occasions, what appeared to be homes that had been destroyed. They looked as though they have been blown away by a tornado. The first home was made of straw and had been completely destroyed. The second home was made of wood and, while some portions of the home remained upright, it had largely been decimated.

Just a few moments before arriving at her grandmother’s house, Bailey noticed a third house made of brick. That home remained upright. Outside the home were three police officers who seemed very upset. Bailey did not know why they were upset, but she continued on her way to grandma’s house, as she promised her she would be there by noon and she was already late.

When she arrived at grandma’s house, Bailey noticed the front door was open. She entered the home calling out for her grandmother.

Hearing no response, Bailey searched around the house. While nothing seemed out of place, Bailey noticed a backpack on the ground by the kitchen door. Sticking out of the backpack were two pieces of straw and what appeared to be part of a 2X4.

As Bailey entered her grandmother's bedroom, she saw a person laying in her bed, dressed in her grandmother's nightgown. She immediately realized this was not her grandmother and began screaming. The person in the bed, who had been sleeping, awoke. The intruder was startled and instantly jumped out of the bed and ran toward the bedroom window. At this point Bailey noticed the person was a man with very hairy arms and a beard. She otherwise did not get a good look at him. The hairy armed man jumped out of the window and ran off into the forest.

The police officers by the brick house heard Bailey's screams and came running to the house. When they arrived, they asked Bailey what happened and she told them, providing a description of the man she saw and pointing out the bag by the kitchen door.

Officer Donothing searched the home for grandma, finding her in the basement. She was not injured, but she was tied up and gagged with some wonderful baked goods she had been making before the hairy armed man arrived.

Officers Dolittle and Doless immediately began a search of the forest for the hairy armed man. They contacted other officers in the area and established a perimeter. Within 20 minutes, Officer Dolittle saw a man matching the description jogging through the forest. He was off the beaten path. Officer Dolittle stopped him and the man identified

himself as Richard J. Wolf. Upon running a warrants check, Officer Dolittle learned that Wolf was also known as “The Big Bad Wolf.”

Officer Donothing brought Bailey and her grandmother to where Wolf was being detained. Bailey could not make a positive ID, but told the officers the man looked very similar to the person she saw in the house. Grandma immediately said Wolf was the person who had tied her up.

At trial, Grandma testified that the bag found in her home did not belong to her and that the first time she noticed it was after she was untied by the police. She told the jury that the hairy armed man walked through her unlocked front door as she was baking cookies for Bailey’s visit. He grabbed her, tied her up, stuffed a cookie in her mouth and put her in the basement. All the while, the man was saying something about the little red haired girl.

In addition to testifying about his investigation, Officer Dolittle testified that he lived in a straw house not far from Grandma’s house and that earlier that day, he was eating some donuts when he heard someone yelling from outside. He couldn’t quite make out what was being said, but it sounded like a threat to blow down his home. Moments later, he found himself sitting at his kitchen table and the home around him had been blown away. He ran to Officer Donothing’s wooden house to tell him what had happened.

Moments after he arrived, the two officers heard that same voice again yelling about blowing down the house. As they made their way to the front door, the wooden house around them was blown down. Scared, both Officers ran to Officer Doless’ home made of brick. The three officers again heard a commotion. When they came outside, they saw the person they later learned was Bailey Riding Hood skipping through

the forest toward her grandmother's house. As the officers discussed what had happened to their homes, they heard Bailey screaming for help and immediately rushed to grandma's house.

At trial, a brief statement from Mr. Wolf was played for the jury. Mr. Wolf explained to the police that he had nothing to do with the destruction of their homes and he was never inside grandma's house. He admitted the backpack in the house was his, but that it had been stolen two days earlier from his car. He never reported the burglary because he doesn't like police officers. He has had some bad experiences with the police in the past and had a pending lawsuit against the very department that had arrested him in this case.

DNA belonging to Mr. Wolf was found on the bag as part of a mixture of two or more people. The other DNA was not identified. Though the police looked for fingerprints, none were found at the scene.

Mr. Wolf has been charged with Stalking of Bailey Riding Hood, Burglary of Grandma's house, Kidnapping of Grandma, and two counts of criminal mischief for the destruction of the homes of Officers Dolittle and Donothing.