

EXHIBIT M

Name	Date Reported Missing	Date of Birth
	2012	



3RD
PLACE



JEHAN YOUSRY FARRAG

NUISANCE, SERIAL MURDER, AND SWEET LEMONADE IN SUMMER

“Congratulations,” said Tony to his colleague and best friend as they left the courthouse.

“Thanks. Judge Fredericks loves me. I’ve known him since I was little,” replied Sebastian.

“I’m pretty sure Judge Fredericks doesn’t play favorites in his courtroom.”

“Alright, I got lucky.” Sebastian, an assistant prosecuting attorney for Westchester County, had prosecuted a man for accessory before the fact to armed robbery and two counts of felony murder.

“You want to grab lunch?” asked Tony.

“I can’t. I have to get back to the office. The Kline trial’s in three weeks.”

“Isn’t that Sinclair’s case?”

“It is. He’d never leave a case this big to one of the assistants. But I help with whatever he needs until it’s over.”

The upcoming Kline trial had been the talk of the town. Over the course of 18 months, 14 women were reported missing. Only two bodies were found. Little connection was found among the disappearances besides the women's ages. Roy Kline, the prime suspect, would stand trial in three weeks. The community was rattled. The case was huge, and especially important to Gary Sinclair, the chief prosecutor. He was up for reelection soon, and winning would practically guarantee him another term.

"Hey, Clara," said Sebastian as he walked into the office. "Any messages?"

"No. But Gary wants to see you," answered the legal secretary.

"Uh-oh," joked Sebastian as he grabbed some envelopes from his mailbox and headed down the hallway. He stuck his head in Gary's doorway. Gary, who was on the phone, motioned for Sebastian to sit down.

When he'd finished, Gary went to close the door and then sat down. This made Sebastian nervous. Gary Sinclair was a straight to the point, no-nonsense kind of guy. He rarely wasted time on small talk or pleasantries. "I'm leaving for Africa at the end of the week. You will take over the Kline case."

"Africa?" repeated a confused Sebastian.

"I needn't discuss details. Point is, I must go. So the case is yours. You've been working right alongside me, so you are well-prepared."

Sebastian didn't know what to say. It didn't sound like he had a choice. "Okay," he finally said uncertainly.



"Very good," replied Gary, and Sebastian knew that was his cue to leave. Sebastian walked back to his office and sat down. He shuffled some papers around, then grabbed his briefcase. The coming weeks would be insane, so he decided to leave early and wrap his head around his having been entrusted with trying a multiple-count felony case. Sebastian had been an assistant prosecutor for three years. He had successfully tried felony cases, but nothing of this magnitude. The upcoming elections would only place additional pressure to secure a favorable outcome.

Sebastian pulled up to his house on Vineyard Circle. His worn roof had developed a leak after a storm and needed to be replaced. Archer Roofing was still there when he got home, their equipment sprawled across the driveway, so Sebastian couldn't pull into his garage. He parked on the street between his house and his next door neighbors' on the cul-de-sac. Johnny, the McCalisters' 12-year-old son, was on the driveway. He had a tiki-bar-style hut set up as a lemonade stand.

"Hi Johnny," said Sebastian.

"Hi. Could you please park somewhere else? You're blocking my lemonade stand from street view."

"I can't get into my driveway, Johnny."

"Well I have a business to run."

"The roofers will be gone in a couple of weeks. There'll be plenty of summer left. Tell you what, I'll buy extra lemonade from you in the meantime."

"I was here first."

Trying to keep his cool, Sebastian suggested that Johnny move to the other side of the driveway.

"It's too sunny there."

"So wear a hat and some sunscreen," snapped Sebastian, clearly losing patience.

"The sun will melt the ice cubes. I can't serve warm lemonade."

"Johnny, I have bigger problems to deal with than the temperature of your lemonade. Besides, aren't you a little old to have a lemonade stand?"

Johnny crossed his arms and glared at Sebastian. Sebastian shrugged and said, "Sorry," before going inside.

3 Weeks Later

On the first day of trial, Sebastian woke up and looked at his alarm clock: 4:22 a.m. His alarm was set for 6:30, but he knew he was too anxious to fall back asleep. He got up and went for a run. Although it was mid-August, the early morning breeze was refreshingly brisk. When he returned home, he made coffee and settled at his desk to review his opening statement. He worked until 6:45, then got dressed.

"All rise," instructed the bailiff as the judge entered the courtroom at 8:30 a.m. "The Honorable Judge Carlisle presiding." Everyone stood, then took their seats again once the judge was settled.

"*People v Kline*. Would counsel state their appearances for the record?"

"Sebastian Taylor, on behalf of Westchester County."

The defense attorney stood next. "Lynn Gordon, on behalf of the defendant."



Sebastian gave an opening statement, followed by Ms. Gordon's. And so the long-anticipated trial began.

"I'd like to admit exhibits A through K," said Sebastian. The exhibits consisted of personal belongings, including sunglasses, hair barrettes, watches, and other items believed to belong to the missing women.

"Objection," said defense counsel. "These items were recovered by police without a warrant."

"They're crime scene evidence," retorted Sebastian. "Police were responding to an emergency—a serial killer on the loose—they were not expected to obtain a warrant under these circumstances."

Sebastian saw the judge raise an eyebrow.

"The items were found weeks, sometimes months, after a victim disappeared," persisted Lynn. "Further, these items allegedly belong to women whose bodies were never found. The prosecution has yet to prove that these women were even murdered, let alone where. Therefore, no discernible crime scene existed."

"Sustained," agreed the judge.

The day continued in this manner. So did the next day, and the next, and the following week. Sebastian's arguments, proffers of evidence, all became the target of objections sustained.

Sebastian sat in his office one afternoon after court had let out, staring out the window. Marcia, another assistant prosecutor appeared in the doorway. "How's the trial?"

"Terrible," said Sebastian.

"You'll turn it around," consoled Marcia.

"The evidence isn't strong enough to convict. There's some DNA evidence, but it's questionable. Everything else has been inadmissible hearsay, irrelevant, you name it. The defense attorney's a shark!"

"Don't get discouraged. Anything helpful from the Alabama case?"

"Sinclair requested that information weeks ago. Nothing ever came," said Sebastian.

"It came the day before Gary left. It's probably in his office," offered Marcia.

"Sorry to interrupt," said Clara. "Should I get your hearing with Judge Fredericks adjourned until the Kline trial is over?"

Sebastian looked confused for a moment, then said, "Oh, that. No, it's okay. It'll be just across the hall. I'll ask for a recess and take care of it."

"Sure that's a good idea?" chimed in Tony.

"Yeah. It'll get dismissed before it even gets started." Everyone chuckled, then dispersed.

On his way out, Sebastian retrieved the bundle they'd been waiting for, which was buried in a mass of files on Gary's desk. He tucked it into his briefcase and headed out. Sebastian sat in his home office that evening going over the case. His closing statement felt like an exercise in futility. He turned his chair to face the back hutch of his U-shaped

desk, where there was a stack of pictures of all 14 women. Sebastian picked up a photo of Alyssa Jones, the woman who was reported missing the most recently. He opened the accompanying police report, scanned it, then put it down. He picked up the next photo. This one was of the first woman to disappear. He again studied the accompanying police report. He had examined these numerous times. As he studied the report now, something caught his attention. He looked closer, then swiftly put it down to snatch the one he'd held a moment ago. Sebastian gasped, then took a deliberate deep breath. Maybe it's nothing, he thought. Coincidence. Sebastian's pulse quickened as he frantically flipped through the remaining police reports. He reached for a pen and legal pad. Twenty minutes later, Sebastian's jaw dropped as he examined his discovery:

<u>Name</u>	<u>Date Reported Missing</u>	<u>DOB</u>
Jennifer Lorenzo	9/6/2012	12/22/1974
Mindy Henderson	12/18/2012	11/2/1977
Tracy Larson	1/28/2012	10/14/1975
Carrie Teller	3/27/2012	9/15/1976
Caroline Ludwig	4/30/2012	8/2/1973
Gertrude James	6/20/2012	7/8/1972
Sheila Watkins	8/16/2012	6/23/1974
Paula Mercer	9/2/2012	5/19/1976
Ellen York	10/4/2012	4/18/1973
Heather Singer	12/8/2012	3/22/1975
Nancy Patricks	1/11/2013	2/15/1970
Alyssa Jones	2/4/2013	1/18/1974

This killer had played a sick game. He had sought out these women and killed them in descending chronological order of the calendar months according to their month of birth. "That son of a . . ." He realized these were the 12 missing women. He shuffled through the piles for the reports associated with the last two victims, whose bodies had been found. His jaw dropped and a cold shiver ran down his spine. "Unbelievable" he said out loud.

The first woman whose body had been recovered was Andrea Zymanski. Then Sienna Yules. “Zymanski...Yules...the sick assassin was starting all over again, with the alphabet this time.” It was clear that the killer liked to tweak his modus operandi. He wanted the “alphabet bodies” to be found.

The following day, Sebastian walked into court feeling hopeful but anxious nonetheless. The proceedings began as usual. Sebastian could feel hundreds of eyes watching him. “I’d like to admit into evidence Exhibit M,” he said, and described the nature of his illustration. “And Exhibit N,” he continued, “defendant’s prior conviction in Alabama state court for five counts of first-degree murder, carried out under very similar circumstances as the homicides in question here.”

“Objection,” shot back the defense. “I object to both exhibits. The first is nothing more than a compilation of information about the victims. Anyone can take a group of people, scribble their birthdays on paper, and fabricate a pattern within. As for the prior conviction—impermissible character propensity purposes,” she said confidently.

“Sus—”

“Your Honor, please,” interrupted Sebastian. “Respectfully, this falls under nearly every exception in the Rules—Exhibit M is highly relevant as it shows intent, preparation, a plan, even the killer’s identity. It connects incidents alleged to be unrelated and shows the likelihood that they were carried out in accordance with a single plan by one individual.”

Judge Carlisle looked thoughtful.

Sebastian continued “I’d also like to admit Exhibit O—a binder found by Alabama police containing profiles of each of the defendant’s victims. All of this evidence will show that the accused scrutinizes his victims and selectively chooses his next prey.”

Roy Kline had been convicted in Alabama, was serving his sentence, and escaped during a prison riot. Police arrested him in the basement of an abandoned home here in Georgia and he’d been held in custody of Georgia authorities pending this trial. Sebastian knew that if this evidence wasn’t admitted, it would be over. “Your Honor, may I request a recess at this time?”

The judge looked puzzled but acquiesced. “Very well. We’ll reconvene in 30 minutes.”

When the session resumed, Judge Carlisle announced, “I’ll admit Exhibits M, N, and O with a conditional relevancy instruction.” Then, addressing the jury, “If you find by a preponderance of the evidence that the defendant could have purposefully collected personal facts about the victims with an intention to use them to orchestrate the crimes in question, then you may consider the prosecution’s Exhibits M, N, and O. However, if you cannot make such finding by a preponderance, then you must disregard all three exhibits in your deliberations.”

“I have nothing further, Your Honor.” Sebastian feigned optimism, but you never could tell with juries.

“You may proceed to closing arguments.”

“The accused has committed multiple heinous crimes,” began Sebastian. “Not by accident. Not in the heat of passion. Not while under the influence of any substance. Not even by reason

of insanity. These crimes—murders—were the product of meticulous, calculated scheming, repeated over and over again. The taking of innocent lives was nothing more than a sick game to him.” Sebastian named each woman, painting a heartwarming picture of her life. “The evidence speaks for itself. There is only one reasonable conclusion that is mandated, and I believe that you know beyond a reasonable doubt what that conclusion must be.”

Sebastian stepped out during jury deliberations. He used the restroom, got a bottle of water from the vending machine on the main floor, then returned to it for a soda. “What’s taking so long?” thought Sebastian, sitting on a bench in the hallway. Finally, the bailiff summoned Sebastian back. “Jury, do you have a verdict?” inquired Judge Carlisle.

“We do, Your Honor,” responded the head juror. Sebastian had never heard such silence in the courtroom as he did now. His heart thumped in anticipation. Drops of perspiration formed on his forehead.

The juror cleared his throat loudly before proceeding. “We find the defendant—” He paused for dramatic effect and looked around the courtroom eagerly observing the suspense that he was creating. Sebastian bit his lip nervously. “—guilty” continued the juror, “of 14 counts of first-degree premeditated murder.”

Thunderous cheering erupted. The families of each of the victims were present, along with members of the close-knit



community. The defendant remained seated, eyes glazed over, stone cold, until two armed court officers came to escort him out.

Sebastian was overcome with relief. Then, glancing at his watch, he dashed across the hallway to Courtroom C.

"All rise, the Honorable Judge Fredericks presiding," said the bailiff.

"*McCalister v Taylor*," said the judge. "Parties, please state your appearances."

A well-dressed young boy approached the podium. "Johnny McCalister. I'm representing myself."

Sebastian jumped to his feet. "Your Honor, this is a waste of time!" he cried. "He can barely reach the podium! I'd like to make a motion to dismiss."

"I, um, I can't afford a lawyer," started Johnny cautiously. "I've been saving my allowance to pay the court costs. I can do it—if that's okay."



Sebastian scoffed.

"I'll allow it," announced the judge. "You may proceed, young man."

"I am suing the defendant for private nuisance. He has unreasonably interfered with the use and enjoyment of my family's property," began Johnny. "Setting up a lemonade stand in the driveway during my summer vacation is a reasonable way for me to use and enjoy our property. I enjoy seeing my neighbors and I get to supplement my allowance. I ask that the tortfeasor stop parking so as to block my lemonade stand from street view." Sebastian rolled his eyes at the boy's unlikely knowledge of the word "tortfeasor." Johnny continued and when he'd finished, even Sebastian was surprised at how well researched and articulate Johnny's argument sounded.

Sebastian's mouth opened, but nothing came out. He'd been under such intense stress over the last few weeks with the murder trial, his mind couldn't now recall any law that was noncriminal.

The judge looked exasperated yet amused that a 12-year-old was making a fool out of an otherwise skilled attorney.

"I...uh...move for dismissal," Sebastian stuttered.

"On what ground?" inquired the judge.

"On the ground that...that...this *child* has no case!" exclaimed Sebastian indignantly.

The judge tilted his head forward and glared menacingly down at Sebastian over the rims of his glasses. "This *child* has presented a case, and you haven't said an intelligent word in defense. At least he's prepared. If you have nothing further, I am ready to rule. I find in favor of the plaintiff. I am ordering a temporary injunction stating that Mr. Taylor shall park on the north end of the street, off the cul-de-sac until such time as the work on his roof is complete. Defendant to pay court costs."

Sebastian was speechless.

"Mr. Taylor, I reckon that you'll think twice before coming into my courtroom unprepared again. You're lucky I didn't find you in contempt."

The judge looked at the boy, smiled, and said, "You could make a fine lawyer someday, young man."

"Judge Fredericks loves you, huh?" Tony said, joining Sebastian. "Don't worry. It's just a bit of nuisance, that's all," he mocked, trying to keep a straight face.

"You're a jerk," said Sebastian. "Let's go eat." They walked to Jackie's Diner. The place was packed. When Sebastian entered, people clapped and cheered.

"You're quite the celebrity," said Jackie, the owner. She was an elderly woman with graying hair that she wore in a neat bun. "Have a seat and order anything you want. It's on the house."

"Thanks, Jackie," said Sebastian. They ordered burgers, fries, and Jackie's famous chili. They ate and celebrated while patrons approached to congratulate and thank Sebastian for bringing peace back to their community.



It was still daylight when Sebastian arrived home. He was irritated by the afternoon's events, but parked on the north end of the street to comply with the injunction. He parked behind a black Mercedes that he recognized. Sure enough, as he walked toward the house, he saw Judge Fredericks standing at Johnny's lemonade stand.

"What are you doing here, Judge?" asked Sebastian.

"I thought I'd get some lemonade. Have you tried it? Sweet lemonade. The very best kind."

"I'll take a cup," said Sebastian curtly to his neighbor as he dug in his pocket for change.

"It's been quite the day," said the judge.

"Yes," said Sebastian.

"Sebastian, can I come to court with you sometime, just to watch?" asked Johnny.

Judge Fredericks chimed in. "Perhaps Mr. Taylor should be getting pointers from you."

Sebastian looked down sheepishly.

"I congratulate you on your big win,

Mr. Taylor," continued Judge Fredericks.

"You may be a big shot prosecutor one day, but don't you ever let it go to your head."

Sebastian nodded in agreement. The day, while a success, had certainly humbled him. The three of them laughed and sipped their perfectly ice-cold sweet lemonade. ■



Jehan Yousry Farrag grew up in East Lansing. She obtained her undergraduate degree in business management from Michigan State University in 2004 and her law degree from MSU College of Law in 2011. She has passed the Michigan bar exam and is seeking full-time employment in the law field. Currently, she teaches English as a second language. She lives in East Lansing with her father. Jehan enjoys reading, scrapbooking, and Zumba®.