

*2015 Wisconsin High School
Mock Trial Tournament Case
Materials*

State of Wisconsin vs. Jamie Covington

Plaintiff Witnesses

Ronnie C. Kopp

Casey Kramer

Lane Smith

Defense Witnesses

Jamie Covington

Morgan Dexter

Blair Allan

Stipulations for Trial

1. All of the exhibits are authentic and the authenticity of an exhibit is never at issue. Authentic exhibits are not necessarily admissible at trial.
2. All witness affidavits have been properly signed and notarized. A copy of any affidavit which does not bear a signature or is not notarized is to be treated as though it is signed and notarized. This stipulation does not apply to any exhibits attached to those witness affidavits.
3. Each witness has reviewed his or her affidavit the morning of trial, attested that it is true and accurate, and attested that there was nothing that he or she had forgotten or wanted to add.
4. The Clearwater Medical Examiner, Dr. Robin Arizona, declared Dallas Lawson dead on the scene.
5. Dallas Lawson died of exsanguination caused by gunshot wounds.

Disclaimer

The 2015 mock trial case is a hypothetical case. All names used in the mock trial case are fictitious and were created to be gender-neutral. Any similarity to an actual event or to the name of an actual person is strictly coincidental.

Exhibits

Please note that exhibits, including affidavits, are pre-marked. The pre-marking of exhibits is solely a convenience. It is not intended to suggest the order in which exhibits should be used nor is it intended to suggest anything about their admissibility. In addition, the pre-marking of exhibits is not intended to suggest that all exhibits must be or should be used.

Background

This case involves the shooting death of Dallas Lawson, a third year law student at Clearwater University Law School, on April 10, 2014. Lawson's roommate, Jamie Covington, who was also a third year law student, shot and killed Lawson. The Clearwater Police Department responded to the scene and the State of Wisconsin has charged Covington with first degree intentional homicide, contrary to Wisconsin Statutes sec. 940.01(1)(a).

When a criminal case goes to trial, the court is permitted (but not required) to instruct jurors that they can find the defendant guilty of a lesser-included offense instead. The elements of a lesser-included crime include some, but not all, of the same elements as are part of the greater crime. It is impossible to prove all of the elements of the greater crime without proving all of the elements of the lesser crime, but a defendant cannot be found guilty of both the crimes for the same act. First degree intentional homicide is the greater crime in this case.

Second degree intentional homicide, contrary to Wisconsin Statutes sec. 940.05, is a lesser-included offense of first degree intentional homicide. You are to assume that the jury in this case will be instructed that they can find the defendant not guilty of first degree intentional homicide, but guilty of the lesser-included offense of second degree intentional homicide.

Whether a defendant will testify at trial is always the defendant's decision. Defendants, such as Covington, have a right not to be compelled to testify at trial under the Fifth Amendment to the United States Constitution and Article I, Section 8 of the Wisconsin Constitution. But defendants also have a right to testify on their own behalf if they wish to do so under the Sixth and Fourteenth Amendments to the United States Constitution and under Article I, Section 7 of the Wisconsin Constitution.

Only rarely in real life does a defendant chose to testify. Nevertheless, you are to assume that Jamie Covington has chosen to testify at trial; that Covington's attorneys properly have informed him or her of the pros and cons of testifying; and that the judge has properly questioned Covington and determined that the decision to testify is knowing and voluntary and is Covington's alone.

Jury Instructions¹

140 BURDEN OF PROOF

The burden of establishing every fact necessary to constitute guilt is upon the State. Before you can return a verdict of guilty, the evidence must satisfy you beyond a reasonable doubt that the defendant is guilty.

If you can reconcile the evidence upon any reasonable hypothesis consistent with the defendant's innocence, you should do so and return a verdict of not guilty.

The term "reasonable doubt" means a doubt based upon reason and common sense. It is a doubt for which a reason can be given, arising from a fair and rational consideration of the evidence or lack of evidence. It means such a doubt as would cause a person of ordinary prudence to pause or hesitate when called upon to act in the most important affairs of life.

A reasonable doubt is not a doubt which is based on mere guesswork or speculation. A reasonable doubt is not a doubt such as may be used to escape the responsibility of a decision.

While it is your duty to give the defendant the benefit of every reasonable doubt, you are not to search for doubt. You are to search for the truth.

215 CREDIBILITY OF WITNESSES; WEIGHT OF EVIDENCE

You are the sole judges of the credibility of the witnesses and the weight to be given to their testimony.

In determining the credibility of witnesses and the weight you give to the testimony of witnesses, including expert witnesses, you should consider their interest or lack of interest in the result, their conduct and demeanor on the witness stand, the clarity, or lack of clarity, of their recollections, their ability to observe or to know the matters testified to, their bias or prejudice (if any has been shown), and any possible motives for lying.

There is no magic way for you to evaluate the testimony; instead, you should use your common sense and experience. In everyday life, you determine for yourselves the reliability of things people say to you. You should do the same thing here.

The weight of the evidence does not depend on the number of witnesses on each side. You may find that the testimony of one witness is entitled to greater weight than that of another witness or even of several other witnesses.

¹ These jury instructions are based upon, but not identical to, Wisconsin pattern jury instructions.

112 LESSER INCLUDED OFFENSES

The state in this case charges that Jamie Covington committed the crime of first degree intentional homicide. The defendant has entered a plea of not guilty, which means the State must prove every element of the offense of first degree intentional homicide beyond a reasonable doubt.

If you are satisfied beyond a reasonable doubt that all elements of first degree intentional homicide have been proved and that the defendant did not act lawfully in self defense, you should find the defendant guilty.

If you are not so satisfied, you must not find the defendant guilty of first degree intentional homicide and you should consider whether the defendant is guilty of second degree intentional homicide, which is a lesser included offense of first degree intentional homicide.

Make Every Reasonable Effort to Agree

You should make every reasonable effort to agree unanimously on your verdict on the crime of first degree intentional homicide before considering the offense of second degree intentional homicide. However, if after full and complete consideration of the evidence, you conclude that further deliberation would not result in unanimous agreement on the charge of first degree intentional homicide, you should consider whether the defendant is guilty of second degree intentional homicide.

You are not, in any event, to find the defendant guilty of more than one of the offenses. If you are satisfied beyond a reasonable doubt that the defendant committed first degree intentional homicide, the offense the state charged him or her with, you should find the defendant guilty of first degree intentional homicide and you must not find the defendant guilty of second degree intentional homicide.

If you are not satisfied beyond a reasonable doubt that the defendant committed first degree intentional homicide, but you are satisfied beyond a reasonable doubt that the defendant committed second degree intentional homicide, then you should find the defendant guilty of second degree intentional homicide and you must not find the defendant guilty of first degree intentional homicide.

If you are not satisfied beyond a reasonable doubt that the defendant committed either one of these offenses, then you must find the defendant not guilty.

1010 FIRST DEGREE INTENTIONAL HOMICIDE-- §940.01(1)(a)

Statutory Definition of the Crime

First degree intentional homicide, as defined in § 940.01 of the Criminal Code of Wisconsin, is committed by one who causes the death of another human being with the intent to kill that person or another.

State's Burden of Proof

Before you may find the defendant guilty of first degree intentional homicide, the State must prove by evidence which satisfies you beyond a reasonable doubt that the following two elements were present.

Elements of the Crime that the State Must Prove

1. The defendant caused the death of (name of victim).

“Cause” means that the defendant’s act was a substantial factor in producing the death.

2. The defendant acted with the intent to kill (name of victim) (another human being).

“Intent to kill” means that the defendant had the mental purpose to take the life of another human being or was aware that (his) (her) conduct was practically certain to cause the death of another human being.

When May Intent Exist?

While the law requires that the defendant acted with intent to kill, it does not require that the intent exist for any particular length of time before the act is committed. The act need not be brooded over, considered or reflected upon for a week, a day, an hour, or even for a minute. There need not be any appreciable time between the formation of the intent and the act. The intent to kill may be formed at any time before the act, including the instant before the act, and must continue to exist at the time of the act.

Deciding About Intent

You cannot look into a person’s mind to find intent. Intent to kill must be found, if found at all, from the defendant’s acts, words, and statements, if any, and from all the facts and circumstances in this case bearing upon intent.

Intent and Motive

Intent should not be confused with motive. While proof of intent is necessary to conviction, proof of motive is not. “Motive” refers to a person’s reason for doing something. While motive may be shown as a circumstance to aid in establishing the guilt of a defendant, the State is not required to prove motive on the part of a defendant in order to convict. Evidence of motive does not by itself establish guilt. You should give it the weight you believe it deserves under all of the circumstances.

805 PRIVILEGE: SELF-DEFENSE: FORCE INTENDED OR LIKELY TO CAUSE DEATH OR GREAT BODILY HARM-- § 939.48

Self Defense

Self-defense is an issue in this case. The law of self-defense allows the defendant to threaten or intentionally use force against another only if:

- the defendant believed that there was an actual or imminent unlawful interference with the defendant's person; and
- the defendant believed that the amount of force the defendant used or threatened to use was necessary to prevent or terminate the interference; and
- the defendant's beliefs were reasonable.

The defendant may intentionally use force which is intended or likely to cause death or great bodily harm only if the defendant reasonably believed that the force used was necessary to prevent imminent death or great bodily harm to (himself) (herself).

Determining Whether Beliefs Were Reasonable

A belief may be reasonable even though mistaken. In determining whether the defendant's beliefs were reasonable, the standard is what a person of ordinary intelligence and prudence would have believed in the defendant's position under the circumstances that existed at the time of the alleged offense. The reasonableness of the defendant's beliefs must be determined from the standpoint of the defendant at the time of the defendant's acts and not from the viewpoint of the jury now.

State's Burden of Proof

The State must prove by evidence which satisfies you beyond a reasonable doubt that the defendant did not act lawfully in self-defense.

1052 SECOND DEGREE INTENTIONAL HOMICIDE: SELF-DEFENSE

Second degree intentional homicide, as defined in § 940.05 of the Criminal Code of Wisconsin, is committed by one who causes the death of another human being with the intent to kill that person or another.

You must also consider whether the defendant's conduct was privileged under the law of self-defense.

Elements of the Crime That the State Must Prove

1. The defendant caused the death of (name of victim).

“Cause” means that the defendant’s act was a substantial factor in producing the death.

2. The defendant acted with the intent to kill (name of victim) (another human being).

“Intent to kill” means that the defendant had the mental purpose to take the life of another human being or was aware that (his) (her) conduct was practically certain to cause the death of another human being.

3. The defendant did not reasonably believe that (he) (she) was preventing or terminating an unlawful interference with (his) (her) person or did not reasonably believe that the force used was necessary to prevent imminent death or great bodily harm to (himself)(herself).

Reasonable Belief That the Force Used was Necessary

The third element of second degree intentional homicide requires that the defendant did not reasonably believe that (he) (she) was preventing or terminating an unlawful interference with (his)(her) person or did not reasonably believe the force used was necessary to prevent imminent death or great bodily harm to (himself) (herself). This requires that the State prove *any one* of the following:

- 1) that a reasonable person in the circumstances of the defendant would not have believed that (he)(she) was preventing or terminating an unlawful interference with (his)(her) person; or
- 2) that a reasonable person in the circumstances of the defendant would not have believed (he)(she) was in danger of imminent death or great bodily harm; or
- 3) that a reasonable person in the circumstances of the defendant would not have believed that the amount of force used was necessary to prevent imminent death or great bodily harm to (himself)(herself).

The reasonableness of the defendant’s belief must be determined from the standpoint of the defendant at the time of (his)(her)acts and not from the viewpoint of the jury now. The standard is what a person of ordinary intelligence and prudence would have believed in the position of the defendant under the circumstances existing at the time of the alleged offense.

STATE OF WISCONSIN,
Plaintiff,

DA Case No. 13DA5503

Court Case No. 14-CF-914

v.

JAMIE COVINGTON,
107 University Place, Apt. 1
Clearwater, WI
Defendant

COMPLAINT

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE

The above-named defendant, on or about April 10, 2014, at approximately 10:30 p.m. on 107 University Place, Apartment 1, in the City of Clearwater, Clearwater County, Wisconsin, did cause the death of Dallas Lawson with intent to kill Lawson, contrary to sec. 940.01(1)(a) Wis. Stats., a Class A felony, and upon conviction may be imprisoned for a life term.

Benny N. Thejets of the City of Clearwater Police Department, being first duly sworn on oath, upon information and belief, states that:

I am a City of Clearwater Police Officer and have reviewed the official City of Clearwater Police Reports, which I have relied upon in the past and found to be truthful and reliable.

On April 10, 2014, Detective Ronnie Kopp of the City of Clearwater Police Department was dispatched to 107 University Place, Apartment 1 at around 2300 hours in response to a 911 call. That call indicated there had been a shooting. When Detective Kopp arrived, Officer Bugg Winchester of the City of Clearwater Police Department was already present on the scene. The officers observed a body, subsequently identified as that of Dallas Lawson, lying in the bathroom by an open window, and another person, identified as Jamie Covington, lying on the ground with a gun in his/her hand.

Detective Kopp spoke with Jamie Covington at the scene. Covington said that Lawson was one of his/her roommates and admitted to shooting Lawson, but insisted it was in self-defense. Covington said he/she and another roommate heard noises at the window in one of the bedrooms and feared a break-in, so Covington picked up a handgun from under his/her pillow and went to investigate. Covington has a concealed carry permit for this gun. Covington said he/she saw a person climbing through the window and warned them to "freeze" because he/she was armed, but the person kept coming and reached for an object in his/her jacket. Covington said he then fired several times. Covington said he/she only recognized the victim as Lawson when the roommate turned on the light after the shooting. Covington also admitted to having had a heated argument with Lawson some time prior to the shooting, in which Covington accused Lawson of sabotaging a job opportunity Covington had applied for.

Detective Kopp also spoke with Lane Smith at the scene. Smith said that he/she was a friend of Lawson who had driven Lawson home that evening and witnessed the shooting. Smith said

he/she had often observed Covington and Lawson arguing over school and job prospects. Smith said he/she saw Lawson climb into the apartment through a window, then saw the light in the room go on. Smith said he/she next heard gunshots followed by Lawson screaming “no.”

END OF COMPLAINT

Subscribed and sworn to before me
and approved for filing on this 12th
day of May, 2014

/s/ Donald A. Stait
DISTRICT ATTORNEY

/s/ Benny N. Thejets
COMPLAINING WITNESS

STATE OF WISCONSIN,
Plaintiff,

Court Case No. 14-CF-914

v.

JAMIE COVINGTON,
Defendant.

VERDICT

We, the jury, find the defendant, Jamie Covington , guilty of first degree intentional homicide, contrary to Wisconsin Statutes sec. 940.01(1)(a).

Jury Foreperson

STATE OF WISCONSIN,
Plaintiff,

Court Case No. 14-CF-914

v.

JAMIE COVINGTON,
Defendant.

VERDICT

We, the jury, find the defendant, Jamie Covington, guilty of second degree intentional homicide, contrary to Wisconsin Statutes sec. 940.05.

Jury Foreperson

STATE OF WISCONSIN,
Plaintiff,

Court Case No. 14-CF-914

v.

JAMIE COVINGTON,
Defendant.

VERDICT

We, the jury, find the defendant, Jamie Covington, not guilty of first degree intentional homicide, contrary to Wisconsin Statutes sec. 940.01.

We, the jury, also find the defendant, Jamie Covington, not guilty of second degree intentional homicide, contrary to Wisconsin Statutes sec. 940.05.

Jury Foreperson

STATEMENT OF RONNIE C. KOPP

1 I, Ronnie C. Kopp, being first duly sworn upon oath, states as follows:
2

3 I am a detective with the City of Clearwater Police Department. I have been with the
4 Department since 1980. I graduated from Clearwater High School in 1975. I then attended
5 Clearwater Technical College (now Clearwater College) for two years before transferring to the
6 University of Wisconsin-Superior where I earned a Bachelor's degree in Criminal Justice. I
7 wanted to be a police officer in Clearwater ever since I was a kid. When we were little, my
8 brothers and sisters were always the robbers and I was the police officer chasing and shooting
9 them (mom, however, didn't like it when I shouted at them "die scumbags"). We even went to
10 Madison one year for my birthday for the Marshall the Marshal Show. I was so excited—I
11 nearly fainted when I met him.
12

13 After college, the Clearwater Police Department hired me. I attended the police academy for
14 three months and since then have attended at least 20 hours of required training a year to update
15 my knowledge of police procedures, firearms, and legal information. Most years I actually
16 attended 50 or more hours to get extra training. I also like to collect all the training manuals
17 which I keep at home in my office—the walls are lined with the manuals and all the CDs from
18 the training. I also am interested in forensic science and have been independently reading
19 treatises, including the famous treatise written by former New York Police Department Captain
20 Lincoln Rhyme. I heard that the other officers call me Officer Geek, but I want to be the best
21 police officer that I can be. I worked hard and made my way up the ranks from patrol officer to
22 sergeant and finally in 2005 I made detective. My mom was so proud of me.
23

24 On April 10, 2014 I received a call to proceed to the scene of a shooting at 107 University Place,
25 Apt. 1. I am very familiar with this area. It is mostly student housing with a mix of apartment
26 buildings and flats. Not uncommon for such an area, there are a fair number of break-ins and
27 burglaries in the area, especially since students often forget to lock their doors and windows.
28 Kids just don't think that crime can happen to them. As with many student areas, there also is a
29 lot of drug activity. Some of the students are supporting themselves for school by selling drugs,
30 especially amphetamines. They justify it as doing a service for their fellow students, but they are
31 no different than the street pushers selling crack and heroin. All dealers should be strung up.
32

33 The house in question was a three unit building with one unit on each of three floors. The
34 shooting took place in the first floor flat. When I arrived, I was met at the door by Officer Bugg
35 Winchester. I couldn't believe he was still on the job and back on the streets after years as a
36 school liaison officer—I thought he retired by now. Officer Winchester informed me that we
37 had a dead body and that crime scene was on the way. He also told me that there were four
38 people living in the flat and that they were all law students. Just what we needed, more lawyers.
39 I followed Officer Winchester from the front porch into a large living area that had several
40 couches, a table and chairs, and an obscenely large screen TV. Seated on a couch was a visibly
41 shaken young person who is the defendant in this case and who I later learned was Jamie
42 Covington. Officer Zippy was questioning him/her. On another couch was Blair Allan who was
43 staring at the floor. Officer Winchester led me through the living room and into the bathroom by
44 the kitchen, where a body was laying by the open window between the shower and the toilet.
45 Subsequent identification confirmed the deceased as Dallas Lawson, one of the roommates at the
46 residence. Lawson was wearing dark jeans and, of all things, a dark blue Chicago Bears jacket.
47

48 Attached as Exhibit B is an architectural drawing of the apartment that I obtained from the
49 landlord. I marked with an X where the victim was laying. From subsequent interviews and
50 investigation, I determined that Covington's room was Bedroom 2 and Lawson's was Bedroom
51 1. Blair Allan and another roommate not present, Cort Amour, lived in #3. I do not know where
52 Cort Amour was, but he/she is well known at the precinct. What he/she is doing in law school is
53 beyond me, unless he/she wants to be able to represent himself/herself in the future when he/she
54 finally gets arrested for drug dealing. The last time that I saw Cort Amour, he/she looked like
55 someone out of a horror movie or from one of those metal bands like Metalic or Marsha Mason
56 or whatever their names are.

57
58 I interviewed both Covington and Allan, read all of the other interviews, diagrammed the scene,
59 reviewed the autopsy report, lab reports, and reviewed the crime scene photos and reports. I
60 prepared a report of my investigation. A copy is attached as Exhibit A. I also did follow up
61 investigations at the law school and the Jones Law Firm.

62
63 Officer Winchester had already secured the scene, so with crime scene on the way, I made a
64 walk through, a rough drawing, took notes and started to list avenues of investigation. I donned
65 latex gloves so as not to leave any finger prints and put rubber bands around my shoes so that the
66 crime scene officers could distinguish my footprints. I was also careful not to contaminate the
67 scene in case we need forensic evidence. We police officers have to be careful not to
68 contaminate the scenes. After all, it is well known from the Locard principle that the perp will
69 leave something at the scene of the crime and take something away.

70
71 Once crime scene arrived, I instructed Officer Winchester and his/her partner to canvass the area
72 to see if anyone heard or saw anything. Eventually they came back with notes of interviews of
73 an upstairs neighbor, Casey Kramer, and someone hanging around outside, Lane Smith, who said
74 he/she was a friend of the victim and dropped the victim off. I have reviewed their affidavits
75 from the police interviews and will not repeat verbatim what they said.

76
77 The basic scenario was that the deceased was out at something called Bar Review, which is
78 where law students ostensibly discuss law, but really end up drinking more than discussing the
79 law. Smith drove Lawson home who upon arriving home a bit drunk (blood tests post-mortem
80 revealed a BAC of .15 and a small amount of THC in his/her blood) found out that he/she did not
81 have his/her keys. Apparently it did not look like anyone was home, because the deceased told
82 Smith that he/she would try to see if any windows were open. Victim went first to his/her front
83 window off the porch, but it must have been locked since Smith then saw him/her go around the
84 house to the bathroom window on the side that must have been open in the warm weather—it
85 was 64 that day. Smith inched the car forward and could see the deceased remove the screen by
86 standing on a garbage can and crawl through the open window (why anyone would leave a
87 window on the side of the house unlocked so anyone could get in is beyond me--kids). Smith
88 said he/she could clearly see the deceased from being parked by the curb because of the motion
89 detector from next door. I confirmed that there was a motion detector over the side door of the
90 house next door—directly across from the bathroom window—that turned on when someone
91 walked by it.

92
93 About the only thing agreed to by all the kids after the deceased went through the window is that
94 Covington shot and killed him/her. I don't know if all the kids were high, but they have
95 inconsistent stories. Covington and Allan said that they were in the back bedroom, #2 which was
96 Covington's, when they heard noises from the front of the house. They thought the noises
97 sounded like someone trying to break into BR #1, but when they came out into the living room,

98 the noises stopped. They turned on a living room light and then heard the window in the
99 bathroom going up. Covington then claims that he/she took a Glock 19 handgun from under
100 his/her pillow—a really bad place for a handgun especially since I saw a gun safe in the room. A
101 Glock 19 is a semi-automatic pistol that fires nine millimeter bullets and has a ten bullet
102 capacity.

103
104 Covington said that when they heard the window rising in the bathroom that they were
105 frightened for their lives because of break-ins in the neighborhood. Covington claims that he/she
106 went to the doorway of the bathroom and said “freeze I have a gun,” pointed the gun at a
107 shadow, but that the person kept approaching and appeared to be reaching for something inside
108 his/her jacket. Covington then fired several times. Although Covington is not sure how many
109 times he/she fired, the deceased was hit five times and there were five bullets fired from the gun--
110 none missed. Covington said that Allan then turned on the light and they saw it was their
111 friend and roommate. At this point they don't remember much more beyond calling 911 and the
112 police coming. They both claim that they were shocked and upset that Covington had
113 “accidentally” shot Lawson.

114
115 Smith said he/she slowly rolled down the street in his/her car and could see Lawson going in the
116 window. The house next door had a motion detector light over its side door that went on when
117 Lawson walked by that allowed Smith to see what Lawson was doing. He/she then saw the light
118 come on in the bathroom before hearing any shots and that he/she heard (the car window was
119 down) the deceased shout “no” several times before hearing a number of shots. He/she is not
120 sure how many shots were fired. The upstairs neighbor, Kramer, said he/she heard shouts of
121 “no” and then the gunshots. This is more consistent with Smith than Covington and Allan.
122 I have serious doubts about Covington's story. He/she has a concealed carry permit. I've always
123 thought that this was a bad idea--there are way too many shootings and even kids have too easy
124 access to guns, but it's not my job to make the legislative decisions, just enforce them.
125 Covington also frequently target shoots, including with the Glock 19 at issue. Anyone with such
126 experience shouldn't have just started firing at a shadow. I believe that he/she came out of the
127 bedroom looking to shoot someone. The evidence is that Covington and Lawson were
128 quarreling recently about Covington claiming that Lawson was sabotaging him/her. I believe
129 when he/she saw it was Lawson he/she decided to solve all of his/her problems and shoot
130 Lawson.

131
132 As proof of their quarrels, I recovered from Covington's bedroom several print outs of screen
133 shots from a Facebook page. Attached as Exhibits 3 and 4 are copies of what I found. I had
134 crime lab test for fingerprints and they found both Covington's and Allan's fingerprints on the
135 pages. I don't understand all of it, but apparently someone in a blog was demeaning Covington's
136 reputation at the law school asserting that Covington was cheating in law school and perhaps
137 bribing professors. Covington blamed these allegations (he/she calls them “lies”) for his/her not
138 being able to get a job. Apparently he/she was getting more and more frantic as the year was
139 coming to a close and he/she did not have a job. Covington found these on Lawson's computer
140 and went ballistic, blaming her/him for Covington's failure to get a job. Someone overheard
141 him/her screaming that it was all Lawson's fault that Covington has \$150,000 in student loans
142 and no job.

143
144 In follow up, I contacted Jones Law Group where the deceased had a job offer. As usual with
145 lawyers, they would not give me straight answers to all my questions claiming that they were
146 personal and confidential employment matters. I explained that this was a murder investigation
147 and that Dallas Lawson was dead. They confirmed that Dallas Lawson had accepted a job offer

148 to start in the fall contingent on graduating and becoming licensed as an attorney. I tried to get
149 them to answer questions about Jamie Covington, but they wouldn't say anything or give me any
150 help if I did not have a warrant. One of the other students said that the rumor was that
151 Covington was the second choice of Jones and would have gotten the job if Lawson hadn't
152 gotten it.

153
154 I also interviewed professors and staff at the law school about the rumors in the blog that
155 Covington was cheating and/or bribing his/her way to better grades. I was able to get a search
156 warrant for both Lawson's and Covington's law school records. There was not anything in either
157 of their records indicating any disciplinary or other issues. In fact, both seemed to be doing well,
158 although Covington had a lower grade point average than Lawson. No one at the law school
159 would admit to any basis for the allegations of cheating or bribery. Besides, with the outlandish
160 salaries that they pay those law professors, I can't imagine how much someone would have to
161 pay as a bribe just for a better grade. The Assistant Dean of Students, Ellen Henak, however, did
162 say that the blog was brought to her attention and she looked into it. She could not find any basis
163 for the claims. She did admit that when she talked to Jamie Covington about it, Covington was
164 irate and said that he/she was going to get whoever had done this to him.

165
166 This issue of the shots and the lights also cast doubt on Covington's story. Both Smith and
167 Kramer believe that someone shouted "no" before the gunshots. Smith also thinks that the light
168 came on before the shots. If so, then Covington clearly would have known that it was Lawson
169 coming through the bathroom window and not some burglar. In addition, with the motion
170 detector light from next door, there would have been back light behind Lawson. I suppose with
171 the dark jacket and clothes that the back lighting made Lawson appear to be just a dark
172 silhouette, but I ran an experiment at home on my porch and I'm pretty sure that Covington
173 should have been able to see Lawson's face if his/her head was turned. My porch light is a little
174 higher, but I think it should be about the same amount of lighting effect.

175
176 In addition, Covington fired more shots than were necessary and no warning shot. The first shot
177 hit the deceased in the neck on the left side. I could tell that from the blood spatter. Although
178 we didn't use strings and lasers like they do on all of those CSI-type shows, there was a major
179 splatter on the wall to the right of the window (as you face it or on Lawson's left) at about
180 shoulder height. This was clearly from the shot to the neck that severed the aorta. The aorta
181 which is the major artery would have caused a large amount of blood to spurt out from the neck.
182 Thus, I am sure that it must have been the first shot that hit Lawson in the neck. Even if there
183 was some small chance that Covington was justified in shooting, that shot would have been
184 sufficient to stop Lawson. The next three shots tightly grouped in the chest as if someone was
185 target shooting. All three shots hit the heart and, if they were before the neck shot, they should
186 have stopped the heart from beating and there would not have been such a large blood spurt from
187 the neck. Thus, I believe that they came after the neck shot. A fifth bullet entered Lawson's
188 right side as if he/she had turned towards the window. There was not a lot of bleeding, so this
189 must have been the last shot.

190
191 Based on the above and my investigation, it is my opinion that Jamie Covington intentionally
192 shot and killed Dallas Lawson. He/she knew that the person coming through the bathroom
193 window was Dallas Lawson and used this as an opportunity to get his/her revenge. Thus, I
194 referred a charge of First Degree Intentional Homicide to the District Attorney.

195
196
197

198 FURTHER AFFIANT SAYETH NOT

199

200

201

/s/ Ronnie C. Kopp _____
Ronnie C. Kopp

202

203

204 Subscribed and sworn to before me

205 this 8th day of May, 2014

206

207 /s/ Leah Nash _____

208 Notary Public, Clearwater County, WI

209 My Commission is permanent

	Clearwater Police Department			Incident Report	
	Incident: Shooting death of Dallas Lawson				
	Incident Report No. 2014-005302	Incident date: 04-10-2014	Incident time: 10:30 p.m.		
	Reporting Officer: Det. Ronnie C. Kopp 60167				
	Incident Location: 107 University Place, Apt. 1				
	Suspect name : Jamie Covington			DOB: 5-25-1989	
Address: 107 University Place, Apt. 1, Clearwater			Phone: 920-000-0000		
Employer: N/A			Work Phone:		
Employer Address:					
Victim name: Dallas Lawson			DOB: 9-24-1989		
Address: 107 University Place, Apt. 1, Clearwater			Phone: 414-000-0000		
Attachments:					
1. Apartment Drawing					
2. Miranda Waiver signed by Jamie Covington					
Evidence:					
<ul style="list-style-type: none"> • Glock 19 • Blog pages recovered from suspect's room • Four bullets recovered from deceased's body • One bullet recovered from right side of bathroom window frame • Five shell casings recovered from bathroom/hall area 					
Narrative:					
On 4-10-14 at approximately 11:00 p.m. I received a call of a fatal shooting at the above location. I proceeded to the location in my unmarked department car. Upon arrival at the scene, I noted that it was a fairly standard three story building with a unit on each floor. There were several marked department cars present with their lights flashing. I parked and walked up to the front porch. Clearwater PO Bugg Winchester 80142 met me at the door. PO Winchester relayed that there was a dead body in the bathroom and that crime scene was in route.					
Vehicle Information: N/A					
License No.:	State:	Expiration Year:	VIN:	Insurance Co.:	
Reporting Officer: Ronnie C. Kopp			Payroll No: 60167	Report date: April 15, 2014	
Time recd:	Time cleared:	Unit Assigned	Pages: 1 of 3		

EXHIBIT A

Clearwater Police Department**Continuation**

Incident Report: 2014-005302	Incident location 107 University Place, Apt. 1	Incident Date: 4-10-2014
---------------------------------	---	-----------------------------

He also informed me that there were four law students living in the lower three bedroom unit and that the deceased was one of the students and the suspect was another one.

PO Winchester and I entered the unit and proceeded into a living area containing several couches, a table and chairs, large screen TV, stereo, lamps, and other apartment furnishings of no relevance. One person, later identified as the shooter, Jamie Covington, was seated on a couch being interviewed by PO Zig Zippy 51951. Covington appeared to be very nervous. A second individual, later identified as roommate Blair Allan, was seated on a second couch staring at the floor. No one else was present in the living room.

PO Winchester and I proceeded to the left rear of the apartment to a bathroom near the kitchen. The light was on in the bathroom. I asked and PO Winchester confirmed that the light was on when they entered the scene. No light was on in the hallway or the kitchen. In the bathroom, a body was lying on his/her back on the floor in a puddle of blood. The deceased was wearing dark jeans and a dark blue Chicago Bears jacket. The body was identified by Covington and Allan as that of their roommate Dallas Lawson. This id was later confirmed from his/her driver's license. I subsequently obtained a blue print from the landlord; the location of the body is marked with an X. I noted that the window was open and did not contain any screen. To the right of the window as you face it there was a large blood splatter at a height of five feet. The splatter was somewhat funnel shaped with the narrow part on the frame and spreading out on the wall away from the window. Multiple shell casings (later determined to number five) were located in the area of the bathroom door and the hallway. I left them in place for crime scene. A visual examination of the body revealed what appeared to be a bullet wound to the left side of the deceased's neck, consistent with the blood splatter on the wall and window. In addition, crime scene later retrieved a bullet from the right side of the window frame at a height of five feet two inches, also consistent with the blood splatter and with the conclusion that a bullet had entered the deceased's neck on the left side and exited into the window frame on a very slight upward trajectory. In addition, there appeared to be multiple gun shots to the chest area. The autopsy later determined that there were three shots to the chest, closely grouped, all of which hit the deceased's heart causing it within seconds to stop beating. Although not noticed at the scene due to a lack of blood, the autopsy found a fifth shot embedded in the deceased's right side.

Following visual inspection of the scene of the shooting, and upon the arrival of crime scene, I instructed PO Winchester and PO Zippy to canvass the area. Meanwhile I went back to the living room to talk to Covington and Allan. PO Zippy had previously read Covington his/her Miranda rights, but he/she waived his/her rights and agreed to talk to us. Allan was not suspected of any crime and not read his/her rights. Their statements/affidavits were produced and are in the file. Covington admitting picking up his/her Glock 19 and firing at Lawson, thinking that he/she was an intruder, when Lawson reached inside his/her jacket. Subsequent GSR testing on both of them confirmed that only Covington had fired a gun recently. Covington's finger prints also were on the Glock 19 and the shell casings found at the scene.

In interviewing them, I learned the location of everyone's bedroom: Covington was in Bedroom 2 in the back; Lawson Bedroom 1 in the front off of the porch; and Allan in Bedroom 3 on the other side in the front. I also learned that Cort Amour shared Bedroom 3 with Allan. This was of interest, because Amour is known to the Department and suspected of drug dealing, especially amphetamines and marijuana to high school and college students. No arrests, however, have been made at this time.

The interviews also revealed a heated argument between Covington and Lawson stemming from law school and job interviews. Covington blamed Lawson for his/her failure to obtain a job based on a blog allegedly authored

Reporting Officer: Ronnie C. Kopp	Payroll No: 60167	Pages: 2 of 3
--------------------------------------	----------------------	------------------

Clearwater Police Department	Continuation
-------------------------------------	---------------------

Incident Report: 2014-005302	Incident location 107 University Place, Apt. 1	Incident Date: 4-10-2014
---------------------------------	---	-----------------------------

by Lawson. Two screen shots of the blog were recovered from Covington’s room. Analysis revealed Covington’s and Allan’s fingerprints on the screen shots. The statement/affidavit of the upstairs neighbor, Casey Kramer, confirmed the arguments.

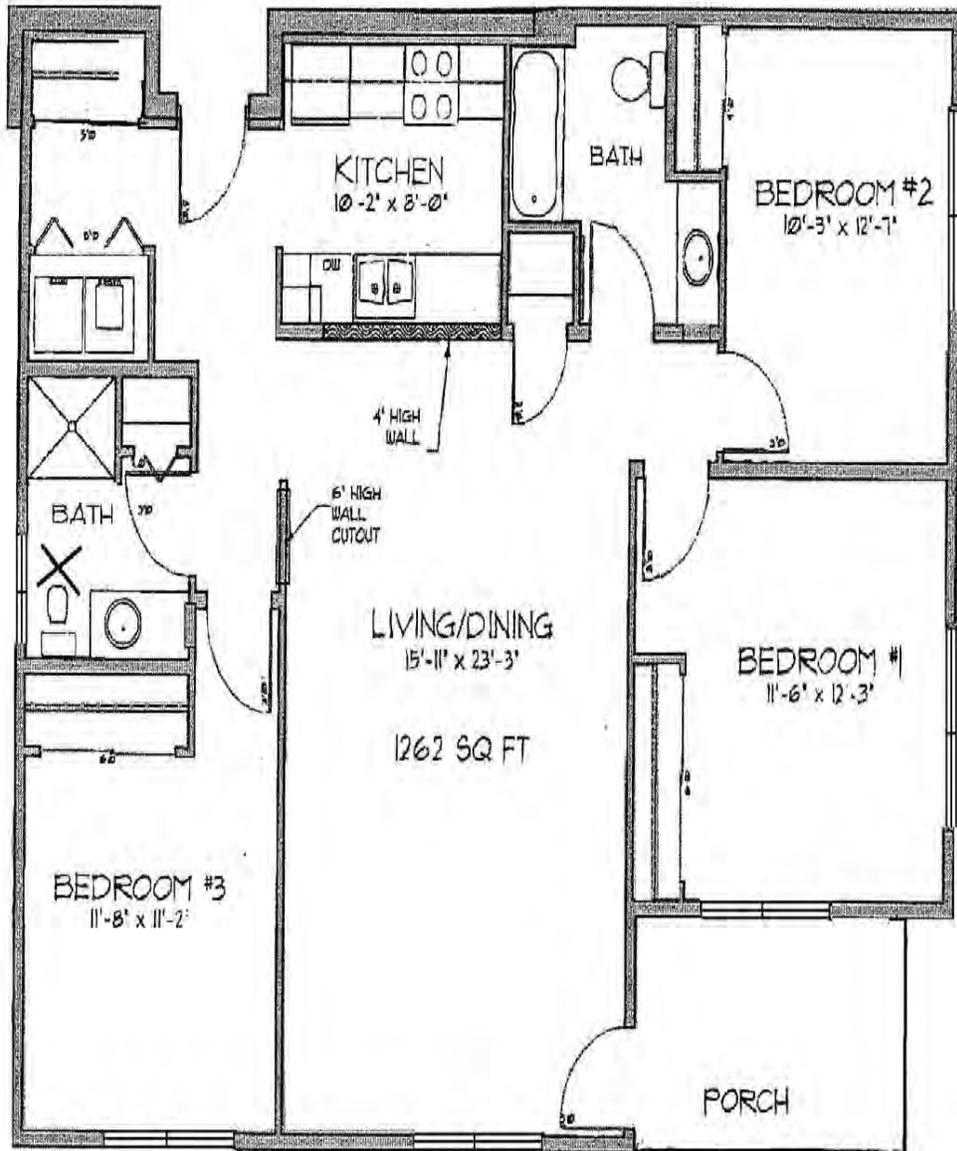
Covington and Allan stated that they were in Covington’s bedroom when at approximately 10:30 p.m. they heard noises coming from Bedroom 1. They stated that due to recent break-ins and robberies that they were concerned and went to look. Covington said that he/she took his/her Glock 19 from under his/her pillow. By the time they entered the living room the noises had stopped, but they then heard sounds coming from the bathroom by the kitchen, including a window going up. Covington stated that he/she went to the bathroom doorway, said “freeze I have a gun,” and pointed the gun at a shadowy figure—they both said that the light was off. Covington then stated that when the shadow appeared to be reaching for something inside his/her jacket, that he/she fired. Covington stated that he/she is not sure how many times he/she fired. Neither was Allan. The figure fell; they turned on the light and found it was Lawson. They then called 911. Both admitted that they did not try to call 911 earlier.

I questioned Covington and he/she had a concealed carry permit for the Glock. He/she also was an avid target shooter and had taken gun safety classes. Covington further had a gun safe in his/her bedroom, but stated that the Glock was not in the safe, but rather under his/her pillow.

According to a bystander outside, Lane Smith, he/she and Lawson had been at a law school function called bar review. Subsequent investigation determined that this is a social gathering at which heavy drinking often occurs. Autopsy results revealed a BAC for Lawson of .15 and small amounts of THC. Smith drove Lawson home, arriving shortly before 10:30 p.m. Lawson informed Smith that he/she forgot or could not find his/her keys to the apartment, but would try a window to see if one were open. No lights appeared to be on in the house. Lawson first approached the window off of the porch, which Smith knew from prior experience to be Lawson’s bedroom. Lawson could not gain entry and walked around the side of the building. Smith crept forward to see if Lawson was okay and saw Lawson step on a garbage can below what Smith thought was a bathroom window. Smith said that he/she could see because a motion detector at the house next door went on as Lawson walked by its side door. I confirmed this by observation later that night when I walked around a motion detector activated a light over the side door of the house next door almost opposite of the bathroom. Lawson removed the screen, pushed up the window, gave a thumb up, and started to climb inside. Smith stated that the light then went on, followed by a scream of “no,” and then heard several shots. Kramer also said that he/she heard screams. Covington and Allan dispute that the light went on before the shots.

Further investigation will be done regarding the animosity between the deceased and Covington regarding the blog, law school, and job interviews in order to flesh out motive. Based on the above and the other investigational evidence, however, I referred a charge of First Degree Intentional Homicide to the District Attorney.

Reporting Officer: Ronnie C. Kopp	Payroll No: 60167	Pages: 3 of 3
--------------------------------------	----------------------	------------------



107 University Place
Apt. 1

EXHIBIT B

	Clearwater Police Department		Incident Report
	Incident: Shooting death of Dallas Lawson		
	Incident Report No. 2014-005302	Incident date: 04-10-2014	Incident time: 10:30 p.m.
	Reporting Officer: Zig Zippy 51951		
	Incident Location: 107 University Place, Apt. 1		
	Suspect name : Jamie Covington		DOB: 5-25-1989
Address: 107 University Place, Apt. 1, Clearwater		Phone: 920-000-0000	
Employer: N/A		Work Phone:	
Employer Address:			
Victim name: Dallas Lawson		DOB: 9-24-1989	
Address: 107 University Place, Apt. 1, Clearwater		Phone: 414-000-0000	
<p>Attachments:</p> <ul style="list-style-type: none"> Miranda Waiver signed by Jamie Covington <p>Narrative:</p> <p>On 4-10-14 I was acting in my official capacity as a City of Clearwater Police Officer. I was wearing my full CPD military-style uniform and operating marked Clearwater Police squad car 0057. At 10:37 p.m. I received a call from dispatch to proceed to 107 University Place, Apt. 1 in response to a 911 call of shots fired and potential injury. I activated my lights and siren and proceeded to the location.</p>			

I arrived at the scene at 10:42 p.m. at approximately the same time as marked squad car 0066 operated by Officer Bugg Winchester 80142.
 Officer Winchester and I approached the house and were met at the door by one Blair Allan who stated that he/she was a resident of the apartment and that his/her roommate, Jamie Covington had just shot an intruder coming through the bathroom window, but that the intruder was actually one of their roommates. Allan appeared rather shaken. Officer Winchester and I entered the residence and asked Allan to direct us to the scene of the shooting. We proceeded through a living room to the left rear of the residence where we found two bodies. The shooting victim turned out to be their roommate, Dallas Lawson. Jamie Covington was laying on the floor with a gun in his/her hand. I removed the gun, handed it to PO Winchester, and then checked Lawson for a pulse. I did not find any and called for the medical examiner, plus

Vehicle Information:				
N/A				
License No.:	State:	Expiration Year:	VIN:	Insurance Co.:
Reporting Officer: Zig Zippy			Payroll No: 51951	Report date: April 11, 2014
Time recd:	Time cleared:	Unit Assigned	Pages: 1 of 2	

EXHIBIT C

Incident Report:

Incident location

Incident Date:

2014-005302

107 University Place, Apt. 1

4-10-2014

asking dispatch to call in Homicide. Covington was breathing and coming around. Winchester and I helped him/her up and led him/her back to the living room for questioning. Covington was rather shaky and unsteady, and needed help walking.

Once we were back in the living room, Officer Winchester went to the door to await the Detectives and coordinate. I read Covington his/her Miranda rights from my department issued card. Covington indicated that he/she understood his/her rights and was willing to talk to me. I then had Covington sign the standard waiver form, which is attached hereto. I also asked Allan to have a seat in the living room. I first asked Covington about the gun we found in his/her hand. He/she responded that it was his/her Glock 19 and that he/she had a concealed carry permit, which I verified.

I then asked Covington to describe what happened. The interview was recorded via my two way radio and my squad car's recording system. Covington related that he/she and Allan were in Covington's bedroom in the right rear of the residence when they heard a scraping sound coming from Lawson's room in the front of the unit. He/she said it sounded like someone trying to open a window. Covington said that they were scared because of the number of break-ins and thefts in the area, so he/she grabbed his/her gun from under his/her pillow and they cautiously crept out into the unit. The rest of the apartment was dark. When they got there, the noise stopped. They stood still in the dark, listening. They then heard a similar sound coming from the rear bathroom and they ran that way. I asked if either of them called 911 and he/she responded in the negative. According to Covington, they got to the bathroom, the light was out, but they could see someone climbing through the bathroom window. The person was wearing a hooded jacket and they could not see his/her face. Covington stated that he/she shouted: "Stop right there. I have a gun." Covington said that the person continued climbing in the window, seemed to be reaching into his/her jacket, and so Covington fired the gun. He/she does not know how many times he/she fired, but the person fell to the floor. They approached the person, pulled back the hood and discovered that it was their roommate Dallas Lawson. Covington reports that at that time he/she believes that he/she passed out and everything is blurry thereafter.

At this point, Detective Ronnie C. Kopp arrived at the scene. PO Winchester showed him to the bathroom and I ceased the questioning to await further instructions. Det. Kopp instructed Winchester and I to canvass the neighborhood for any witnesses. We were joined by my younger brother, PO Zag Zippy. I located one Lane Smith who was standing around near the front of the house. Smith said that he/she was a friend of Dallas Lawson, had just dropped Lawson off, heard the shots, and was wondering what was going on. I informed Smith of Lawson's death and asked Smith to remain on the scene to speak with Det. Kopp.

I remained on the scene for crowd control and returned to the station house at 2:35 a.m. to type up this report.

Reporting Officer: Zig Zippy

Payroll

Pages: 2 of 2

No: 51951

 <p>CLEARWATER POLICE DEPARTMENT</p>	Clearwater Police Department		Incident Report																					
	Incident: First Degree Homicide																							
	Incident Report No.	Incident date: April 10, 2014	Incident time: 10:30 p.m.																					
	Incident Location:																							
	Suspect name : Jamie Covington		DOB: 5-25-1989																					
Address: 107 University Place, Apt. 1, Clearwater, WI		Phone: (920) 000-0000																						
Employer: None--Student		Work Phone:																						
Employer Address:																								
<p>On April 10, 2014, at 2300 hours, at the direction of Detective Beckett Kait, I seized all the papers on a light-brown student desk in the back bedroom, collected them, conveyed them to the Clearwater Police Department Station, inventoried them, and secured them in the evidence room in the condition in which they were found. This evidence consisted of:</p> <table border="1"> <thead> <tr> <th>Item No.</th> <th>Reason</th> <th>Description</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>14-661</td> <td>EVID</td> <td>Piece of Paper with Facebook Screenshot</td> <td>1</td> </tr> <tr> <td>14-662</td> <td>EVID</td> <td>Piece of Paper with Blog Post Screenshot</td> <td>1</td> </tr> <tr> <td>14-663</td> <td>EVID</td> <td>Piece of Paper with Computer Print-out of Decision (with yellow highlighting) in <i>State of Wisconsin v. Michael Rosenberg</i></td> <td>1</td> </tr> <tr> <td>14-664</td> <td>EVID</td> <td>Metallic gum wrapper</td> <td>1</td> </tr> </tbody> </table> <p>Other Clearwater Police Officers seized other evidence and inventoried that evidence separately.</p>					Item No.	Reason	Description	Quantity	14-661	EVID	Piece of Paper with Facebook Screenshot	1	14-662	EVID	Piece of Paper with Blog Post Screenshot	1	14-663	EVID	Piece of Paper with Computer Print-out of Decision (with yellow highlighting) in <i>State of Wisconsin v. Michael Rosenberg</i>	1	14-664	EVID	Metallic gum wrapper	1
Item No.	Reason	Description	Quantity																					
14-661	EVID	Piece of Paper with Facebook Screenshot	1																					
14-662	EVID	Piece of Paper with Blog Post Screenshot	1																					
14-663	EVID	Piece of Paper with Computer Print-out of Decision (with yellow highlighting) in <i>State of Wisconsin v. Michael Rosenberg</i>	1																					
14-664	EVID	Metallic gum wrapper	1																					
Vehicle Information:																								
License No.:	State:	Expiration Year:	VIN:	Insurance Co.:																				
Reporting Officer: Ronnie C. Kopp			Payroll No:	Report date: April 11, 2014																				
Time recd:	Time cleared:	Unit Assigned	Pages: 1 of 1																					

EXHIBIT E

Reply



BOBLOBLAW April 2, 2014 at 3:14 p.m.

This blog post makes me feel sooo much better bc at least I know these types of jerks are in other law schools too. Case in point? Jamie Covington—a 3L at Clearwater Law. Jamie—AKA Lame-ie—Covington is CRAV. Lame-ie THINKS s/he is a ll that and then some. "Jamie Covington" should be listed in the dictionary under definition of "Gunner." Lame-ie never shuts up about his/her GPA, but then again I'd have an awesome GPA if I were on uppers too. You know what, Lame-ie? The rest of us all EARNED our GPAs the hard way—by lack of sleep and lots of coffee—not by making up our own rules like Bary Bonds or Alex Rodriguez... (or even more recently my beloved Ryan Braun, but that's a different story). Who knows—maybe Lame-ie is even bribing the moot court e-board and the mock trial professors with the money s/he is bringing home from selling the uppers!!

Thankfully ONE of our law schools "Big Three" maintained some dignity by seeing Lame-ie for what s/he really is and not letting him/her onto law review. But Lame-ie is SO obnoxious about his/her participation in moot court and mock trial. And does anyone at any other law school have the same disrespect for those stupid "best brief" awards given out at competitions? Lame-ie won one and keeps showing it in everyone's faces, but as someone who participates in moot court, I can say that firsthand I KNOW Lame-ie only won that award by getting a copy of the scoring rubric... If any of you were in that competition you'd recognize Lame-ie bc I heard Lame-ie was being just as obnoxious at that competition as s/he usually is, and s/he was wearing a t-shirt all weekend that said "Wisconsin Mooooooo-t Court"—how lame is that?!

Has anyone else heard of this lame-o before? I just hope jerks like this aren't first in line when firms are lookin to hire this spring...

Reply



CWLS April 2, 2014 4:05 p.m.

OMG I totes know that lame-o! AGREED that s/he is definitely a gunner. Had no clue about the uppers tho—that's crazy!

Reply

EXHIBIT F

Browser: https://www.facebook.com/ Facebook

Search for people, places and things

Suggested Post

Plated Sponsored
 Haven't tried Plated yet? For a limited time w
 1st box FREE (just pay s&h). Each box cont
 from our menu.



Click Here: 4 Free Meals
 Cook something extraordinary tonight. Chef-designed recipes & fresh ingredients
 delivered to your door.
 PLATED.COM/FREE Shop Now

Like Comment Share 413 40 145

Morgan Burr-Nett with Benjamin James Raggi and Lacy Eddie
 3 hrs · 🌐

While the picture is not a throwback, the friendship certainly is...happy #tbt

Inbox Other (2) Send a New Message

Ha Ha Clinton-Dix
 Hey Ha Ha what'd u think about that moot court mtg for the 2L
 Sun

Erin Rogers
 I have no idea what your talking about... ;)
 May 6

Matthew Clays
 Are you totally stressing about that Henak final or is it just me
 May 1

Morgan Burr-Nett, Benjamin James Raggi, Nelson Jordies
 Morgan: Is it just me or was that the best bar review yet?!

Lacy Eddie
 Hey are you gonna be around on Saturday... my shih tzu peed
 all over my business associations notes from last week and i...
 Apr 30

See All

I Love The Cardinals
 Click LIKE Cardinals Fans



Click LIKE diehard S Fan! This Cards fan

Like Page · 1,696 people

English (US) · Privacy · Terms
 Facebook © 2014

Erin Rogers

To chat with Erin and other friends, turn on chat

or anything...

Don't you think it is getting a little out of control, "BOBLOBLAW"? I think you've made your point."

I have no idea what your talking about... ;)

Seen Mon 7:43am

Taskbar: Windows Explorer, Word, Outlook, Internet Explorer, Chrome, PDF

System Tray: 04/10/2014

EXHIBIT G

STATEMENT OF CASEY KRAMER

1 Casey Kramer, being first duly sworn upon oath, states as follows:

2

3 My name is Casey Kramer and I am 22 years old. I am a senior at Clearwater County
4 Community College. I have just about a year left before I am set to finish up my B.A. in
5 classical violin, but my heavy metal band, String Cheese Attack, might go out on tour next
6 fall, so who knows? I love being a college senior!

7

8 On April 10, 2014 I lived at 107 University Place, Apt. 2, right above Jamie, Dallas, Cort and
9 Blair. The apartment was in a pretty bad part of town, but it was cheap and the landlord didn't
10 bother any of us too much. It was always a little unsettling to hear about the frequent break-
11 ins that happened in that area but I was on the second floor so, at the time, I wasn't too
12 worried.

13

14 I used to live there with my punk-rocker boy/girlfriend Jerry Georgefeld, but s/he moved out
15 last year after s/he left me. S/he loved the metal music I always blasted, but s/he just could
16 not stand it when I practiced my violin. On top of that, I had to stop playing metal in the
17 apartment after dark last summer. I couldn't believe it. Some neighbors called in a noise
18 complaint on our entire apartment complex.

19

20 It didn't seem like the roommates downstairs cared about the noise complaint too much,
21 though. They still had all sorts of people coming and going from their apartment just like
22 they always did.

23

24 I think one of the roommates might have been selling drugs or something. That's what Jamie
25 thought, at least. S/he would come by after class sometimes to have a beer and to vent about
26 stuff. S/he was stressed out about a job s/he applied for and school was really grinding on
27 him/her. I don't know for sure, but I think Jamie even called the cops once to complain about
28 all the seedy people hanging around the apartment. S/he was pretty tightly wound.

29

30 Jamie and Dallas must have started having issues like a day or two before the accident. I
31 remember the first evening that they fought. I had just come back from an interview with the
32 Clearwater Symphony Orchestra (they were hiring a violin tuner) and I felt like I absolutely
33 nailed it. It was still light out when I keyed into my apartment, so I went over to my stereo to
34 sneak in some metal music quick before dark.

35

36 The walls and ceiling were really thin in our apartments and I couldn't help but hear two
37 voices arguing furiously. Screaming at each other even! Somebody threw something into a
38 wall. They were so angry and so loud. All I could hear was something about sabotage. Then
39 one of them yelled something like, "If it's you, I'm going to kill you!" at the top of their
40 lungs before stomping out and slamming the door. I just sat in shock for a second and
41 wondered what that whole mess was about. It was quiet after that, and, lucky for me, I still
42 had time for a few guitar solos before dark!

43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83

After that argument, I remember hearing a couple of the downstairs roommates arguing more about something serious-sounding. I know Jamie and Dallas were training to be paralegals or lawyers and I remember hearing yelling about a job or something. Whoever it was sounded really upset.

The day of the accident seems like it was practically yesterday. I was pretty bored that afternoon, so after lunch I decided to crack a beer, chill out and watch some MTV. Halfway through a really good episode of Jersey Shore, somebody knocked really loudly at my door. When I opened the door, I wasn't too surprised to see Jamie. S/he was coming over to vent about his/her roommates and law school again. What did surprise me, though, was how haggard Jamie looked. I told him/her to come in, offered him/her a beer and told him/her to sit down and relax. After a long pause, s/he told me that Dallas had gotten the job that s/he really wanted. Jamie was absolutely convinced that Dallas had posted some stuff online to sabotage him/her and s/he told me all about it. We both had a few beers as we sat there and I tried my best to cheer him/her up. I told him/her that everyone could tell that s/he was a hard worker and that an even better job was probably just around the corner. I also reminded him/her not to point fingers at Dallas until s/he knew for sure that Dallas was being shady. The good words seemed to help him/her out, and s/he looked a lot happier when s/he left to go downstairs to hang out with his/her other roommates.

Before I left for my shift on the night of the accident I remember hearing Jamie shout something like, "I knew s/he was sabotaging me!" to somebody else downstairs. As I was getting ready to leave, Jamie stomped upstairs to my apartment. S/he was absolutely fuming! S/he showed me a couple printouts that made it pretty clear that Dallas was the one saying all the bad stuff about Jamie online. I couldn't believe that Dallas would stab Jamie in the back like that! I would have stayed and talked to him/her more but I was already late for work, so I told him/her I had to go and hurried out. I just assumed that s/he would just go back down to his/her apartment to have a beer.

I remember exactly where I was during the accident. I didn't get that job with the Symphony, so I was on my way home around midnight after my shift at Jimmy John's ended. I was beat and really just needed to get some sleep. I didn't even think about turning on my stereo! I was just about to go brush my teeth when I heard more yelling from the apartment below.

Somebody said something like, "No! No!" and then there were like three or four gunshots. It could have been more. Anyway, I called the police right away and locked myself in my room until they arrived. I came downstairs to tell them what I'd heard but, luckily, I didn't have to see the scene at all. I could only imagine what had happened. The police recorded that I had heard gunshots and told me to go back inside. I didn't sleep at all that night.

84 I moved out of the apartment as fast as I could after that and I haven't heard from any of the
85 downstairs roommates since.

86

87 FURTHER AFFIANT SAYETH NOT

88

89

90 /s/ Casey Kramer

91 Casey Kramer

92

93 Subscribed and sworn to before me

94 this 8th day of May, 2014

95

96 /s/ Leah Nash

97 Notary Public, Clearwater County, WI

98 My Commission is permanent

STATEMENT OF LANE SMITH

1 Lane Smith, being first duly sworn upon oath, states as follows:

2 My name is Lane Smith. I am 25 years old. I just graduated from Clearwater University Law
3 School.

4 My address is 1810 University Drive. I've lived there since starting law school. I won't be here
5 much longer though, because I'll be starting at Davis, Davis & Jones September 1 and moving to
6 Milwaukee. I am only one of three new associates at D, D & J. I think most of my graduating
7 class applied for this job!

8 Dallas Lawson and I were good friends throughout law school. We first met in the criminal law
9 class that all 1Ls are required to take. Dallas was a very kind-hearted person and was always
10 trying to see the good in people. He/she would even share his/her class notes and outlines with
11 me if I asked.

12 But, I am glad I never took Dallas up on his/her offer to live with him/her and Jamie in that run-
13 down apartment. Although maybe if I did this never would have happened. I wouldn't have put
14 up with Jamie's antics as long or as patiently as Dallas did. I never did understand how Dallas
15 could tolerate him/her.

16 I never liked Jamie. He/she was always so anxious and serious about school. I think he/she was
17 jealous about how much better Dallas and I did with half the amount of studying. I know Jamie
18 interviewed with D, D & J, too (and a lot of other firms) but he/she did not have any good job
19 prospects. He/she was so upset about it that Dallas and I couldn't even talk about our multiple
20 offers in front of him/her!

21 That fall of our 3L year, things had already become very tense in Dallas' and Jamie's apartment.
22 Their other two roommates, Cort and Blair, were also doing on-campus interviews and getting
23 positive feedback. Dallas had already accepted a position at Jones Law Group (a firm Jamie
24 really wanted to end up at). I heard that Jamie had no offers, and was convinced that there had to
25 be something else going on that was sabotaging his/her interviews. He/she wouldn't consider
26 that maybe a lower GPA and an unimpressive resume were to blame. He/she even tried to claim
27 he/she was the second choice for the Jones Law Group job, give me a break!

28 Jamie and Dallas had been arguing a lot about school and just other roommate issues like
29 cleaning the apartment, quiet hours, etc. Jamie told Dallas that Dallas didn't interview well, so
30 he/she didn't see how Dallas got the job at Jones Law Group! Jamie even accused Dallas of
31 talking too loudly on the phone in the living room and having friends over the day before his/her
32 exams last spring so Jamie couldn't study well and would not do well on exams.

33 I thought these accusations were ridiculous. Dallas Lawson was one of the nicest people I knew
34 and would never intentionally do any of those things to Jamie. Everyone loved Dallas. The only
35 reason Jamie got invited anywhere was because he/she was with Dallas and me.

36 With all the stress of interviews, the final year of law school and Jamie hurling ridiculous
37 accusations at Dallas, the roommates were all apparently at each other's throats. Dallas told me
38 right before this incident if they weren't arguing, they were all sequestered in their own
39 bedrooms if they were all home together. I never had to worry about that kind of drama because
40 my parents helped me get my own place during law school.

41 I had the misfortune of seeing a few of these tense arguments. I was over at the apartment
42 hanging out with Dallas one night the week before he/she was shot when Jamie stormed out of
43 his/her bedroom and yelled at us for being too loud. He/she said Dallas was always doing this
44 and he/she was "out to get him/her."

45 The night of the shooting was a Thursday. It was a beautiful night for April, so Dallas and I
46 decided to go out to Bar Review even though we had finals coming up fast. We had some drinks
47 and then I drove Dallas home. When we got to Dallas' apartment I waited in the car and
48 watched to make sure he/she made it inside. But Dallas went to the front door and fumbled in
49 his/her pockets then tried the door and it was locked. He/she came back to the car and told me
50 he/she must have forgotten his/her keys again. It did not surprise me.

51 Dallas tried to call Jamie, but he/she didn't answer. I asked if Dallas wanted to just crash on my
52 couch, but s/he said s/he would just try going through an open window. I asked if Dallas wanted to just
53 crash on my couch, but s/he said s/he would just try going through an open window. I figured that would
54 work, as I had seen Dallas go through a window in that apartment in the past. There didn't appear to be
55 any lights on in the apartment, so we assumed Jamie wasn't home or was already in bed.

56 It was pretty dark out there so I couldn't see Dallas too well as he/she tried to get in the
57 apartment and he/she was wearing a dark Bears jacket and jeans. (Yes, one of Dallas' few faults
58 was that he/she was an avid Bears fan!) I did see him/her try one window, which I think was the
59 one to his/her bedroom, and then go around to another one on the other side. The windows are
60 not too far off the ground, so it didn't take Dallas long to get inside.

61 After a few seconds I saw the light go on in the room where Dallas Lawson crawled in. Right
62 after the light went on I heard shots ring out. Then Dallas yelled "No! No!" and screamed.

63 I will never forget the sound of Dallas' scream.

64

65

66 FURTHER AFFIANT SAYETH NOT

67

/s/Lane Smith

68

Lane Smith

69 Subscribed and sworn to before me

70 On this 10th day of June, 2014.

71 /s/ Leah Nash

72 State of Wisconsin, County of Clearwater

73 My commission is permanent.

STATEMENT OF JAMIE COVINGTON

1 Jamie Covington, being first duly sworn upon oath, states as follows:

2
3 My name is Jamie Covington. I am twenty-five years old. I was born and raised here in
4 Clearwater, Wisconsin, where I also attended undergraduate school and most of law school. I
5 am a semester away from graduating from law school, though I don't see how I'll ever be
6 admitted to the Bar after all that has happened in the past year.

7 When this all happened, I was more than halfway through my 3L year at Clearwater Law—in the
8 home stretch. I was living in a first floor flat with Blair Allan, Dallas Lawson and Cort Amour
9 on University Place in Clearwater. Our flat wasn't the greatest of accommodations or in the
10 safest location, but it was conveniently right on the bus line. In fact, there was a bus stop right in
11 front of our house. It was the nicest place I could get: I was trying to take out fewer student
12 loans by renting a cheap place. Our upstairs neighbors, including Casey, weren't bad, once they
13 finally understood that they had to pay us or at least ask us if they were going to hack into our
14 WiFi, "borrow" our bikes and use our parking spots.

15
16 I had known Blair and Cort since college, and we all started law school at the same time. I met
17 Dallas during our first year of law school. When I started law school, Blair, Cort and I were
18 actually living with another person we know from college who later moved out due to Cort's
19 behavior. Cort had fallen in with a bad crowd and started selling prescription medications out of
20 our flat. We had strange, and often creepy, people coming in and out of our place at all hours.
21 S/he bragged about "breaking in" to the law student crowd through some of our new friends, and
22 I was pretty upset about that. I knew Dallas from our law school 1L small group, and I heard
23 s/he was sometimes a patron of Cort's. When Dallas heard during 1L year that we had an open
24 room, s/he moved in. Dallas was a pretty smooth talker and was popular with the gents/ladies. It
25 was nice to be associated with her/him in social circles, but it was hard to break through the
26 surface with her/him. When s/he let her/his guard down, s/he could be decent. At first.

27
28 As time went on, I grew increasingly uneasy with the strange people around our place at all
29 hours. One of Cort's creep friends had been hanging out on our front porch recently, and he had
30 made a couple of comments as I was coming or going about my nice things – like my computer
31 bag, my watch and my phone. We already had our "vintage" Nintendo 64 and a blender, of all
32 things, disappear mysteriously. On top of that, there was a string of recent burglaries in first-
33 floor apartments like ours in the neighborhood, and the culprits were still on the loose. By 3L
34 year, I was tired of sleeping with one eye open. I decided to exercise my constitutional right to
35 bear arms, and after becoming quite proficient at the local shooting range, I obtained a concealed
36 carry permit and purchased a gun—a Glock 19, to be precise—for personal protection. I also
37 became extra vigilant about making sure our apartment was safe: I made a habit of checking the
38 locks on the doors and windows three times before bed, and checking to make sure the gas stove
39 was turned off. (The latter being less to prevent break-ins and more to save myself and my
40 forgetful roommates who occasionally left the burners on.)

41
42 As far as school goes, the first two years of law school were much better than 3L year, in
43 retrospect. The pressure of doing well in class may have seemed like a lot in the first two years,

44 but it was nothing compared with keeping up grades plus the pressure of finding a job at a
45 reputable law firm that would allow me to live in a nice, safe place, on my own for the first time.
46 3L year was rough. The job market was still pretty abysmal for graduating law students, and
47 pressure was ramping up. None of the big law firms were offering jobs to their 2L summer law
48 clerks for after graduation, so on-campus interviewing during 3L year was more important than
49 ever. I was in the top 1/3 of our class, and I was in mock trial and moot court (which is like
50 mock trial but in appellate court), but I missed “the big three” when I didn’t make law review. I
51 received class credit working with one of the summer clinicals at the law school after 1L year,
52 and I worked as a summer associate for a big Clearwater firm the summer after 2L year, so other
53 than missing law review, my resume was looking pretty good. Nonetheless, during 3L year, I
54 put all of my focus toward maintaining my grades and finding a job, at the expense of having a
55 social life. I wanted to take advantage of my 3L classmates who were going out to bars and
56 letting their school work slip: now was my time to work my way into the top ten percent of the
57 class.

58
59 For some reason, I wasn’t getting any job offers. Not only that, but I was losing friends on
60 Facebook even faster than I would lose them when I made a political post. I had no idea why,
61 but I felt like whenever I walked into the atrium where all the law students hung out between
62 classes, they all got quiet and started whispering and pointing. I started to get the feeling that
63 someone was talking about me behind my back. Okay, so I admit I have always been a bit
64 paranoid, but this time it felt different: like it was real.

65

66 At the same time, Dallas started getting really competitive with me – getting really nosy about
67 grades, comparing resumes and making comments about how much better s/he was at everything
68 from video games to legal writing. I knew better – s/he was only in moot court and her/his GPA
69 was lower than mine, so s/he didn’t have much to brag about. It seemed like s/he was just self-
70 conscious, because s/he wasn’t getting any job offers, either. But s/he wasn’t taking the process
71 or law school seriously enough to have a real chance. S/he kept skipping class to socialize or
72 volunteer then asking to copy my notes. Sure, I was jealous that s/he could have such a thriving
73 social life and be liked by so many people, having loads of fun while I picked up her/his slack,
74 but I knew it would hurt her/him in the end. So would the fact that s/he was a Bears fan.

75

76 Dallas and I were partners at a moot court competition in Chicago and I had to carry all the
77 weight – while s/he went off to “bar reviews” (a gentle title for the weekly occurrence where law
78 students all crowd a designated bar each week and drink adult beverages to excess) on
79 Thursdays, I stayed in and worked on our written moot court submission and both my half and
80 her/his half of the oral argument. Despite all my hard work, when Dallas and I placed second in
81 the Chicago moot court competition and won the award for the best brief (the written submission
82 I did while s/he socialized), Dallas ran her/his mouth and took all the credit. S/he even had the
83 nerve to call her/himself the captain of our moot court team on her/his resume and in interviews!
84 I learned about that little stunt in a callback interview for a perfectly acceptable mid-sized
85 Clearwater firm: the interviewer asked me what I thought of my moot court partner and
86 supposed “team captain,” Dallas, because they were considering her/him for the position as well.
87 I was beside myself!

88

89 One day in the spring of 3L year, I decided to “google” myself, just to see what was out there.
90 You never know what people might be saying about you without your knowledge. I also wanted
91 to make sure my privacy settings for my social media accounts were strict enough that potential

92 employers wouldn't see anything from my wilder undergraduate days. Plus, what would
93 potential employers see of the good things I did? Would they see my insightful law blog, with
94 its timely analysis of the latest decisions from the United States and Wisconsin Supreme Courts?
95 I had done what I could with search engine optimization to get my blog to the top of internet
96 search results for my name, but it was pretty intense trying to keep everything up with the times.
97

98 Much to my dismay, my blog was not the first search hit for my name. It wasn't even the
99 second. Instead, all I saw was slander! Someone with the username "BOBLOBLAW" was
100 posting rumors about me on different law student forums all over the internet – from a forum set
101 up by our Student Bar Association (like student council for law students), to a forum for law
102 school moot court teams all over the country, to a Facebook group for our law school classmates
103 and another for people in our neighborhood – I was everywhere! Some of the rumors said I was
104 selling drugs, and the only way I was doing a good job in law school was because I was taking
105 uppers – there was chatter about me thinking I didn't have to play by the same rules as everyone
106 else like people talk about steroid users in baseball. Other rumors said I cheated on my moot
107 court brief by somehow stealing a copy of the rubric the competition organizers were using to
108 score the written submissions. People were saying horrible things about me, and none of them
109 were true! I will admit that the comments calling me a "gunner" may have been more accurate, I
110 mean, I always stayed home to study, did all my reading and raised my hand in class to make a
111 good impression with the professors, but the rest of it was outright lies.
112

113 I was in a panic. These rumors weren't just going to hurt my reputation among my fellow law
114 students. All law firms these days search their applicants' names on the internet before making a
115 job offer. They would definitely see this. I had no doubt law enforcement would be after me.
116 And what if those sketchy characters coming in and out of my house all the time found out, and
117 came after me over paranoia that in order to dispel the rumors I'd spill the beans to the cops
118 about Cort's drug business? Most importantly, I was in the process of applying for admission to
119 the Wisconsin bar – what if THEY found this and thought I didn't have the requisite "character
120 and fitness" to practice law in Wisconsin? Would all of my hard work be for nothing? My
121 reputation, my career, MY LIFE were all being destroyed, and for what?
122

123 It seemed to me that the common denominator in these rumors was Dallas—s/he was in moot
124 court with me, s/he was competing for jobs with me AND s/he lived with me—so I confronted
125 her/him about it on Wednesday, April 9th. I asked if s/he was BOBLOBLAW, and s/he
126 adamantly denied it. S/he said s/he didn't know anything about any of these rumors. I didn't
127 believe it—the smirk on her/his face was just like the smirk s/he always gave me when s/he came
128 back from a night of drinking and acted like s/he knew nothing about the moot court oral
129 argument practice s/he had skipped. I needed her/him to know how desperate I was to put a stop
130 to this – I said that if I found out who did it, even if it was her/him, I'd kill the person like he or
131 she was killing me. I didn't mean I'd actually kill the person – I just meant I'd go after the
132 person like he/she went after me. I stand by that statement.
133

134 On Thursday, April 10th, I was at my wit's end. I had been so excited about how well I did in a
135 final callback interview with that mid-sized Clearwater firm, but then they called to tell me they
136 offered the job to someone else. It did not make me feel any better when they told me I was their
137 second choice. To make matters worse, I heard from some friends that Dallas got the job. I felt
138 helpless. With all those lies out there on the internet about me, I knew I didn't stand a chance in

139 the job market—I would always be the second choice, if I was a choice at all. I wanted to make
140 sure Dallas didn't get away with what s/he was doing. I was going to report what s/he was doing
141 to the Dean of Students. But first I had to find a way to prove it was her/him. I took a break
142 from studying and went upstairs to vent to Casey while Dallas was out at Bar Review. But what
143 does Casey know about law school or the kind of pressure I was under, anyway? All s/he did
144 was offer me a couple of beers.
145

146 Earlier that night, when I was checking the locks three times on all the doors after Dallas left for
147 Bar Review, I walked by Dallas' computer and noticed s/he had not logged off. At that time, I
148 was too afraid of being caught to do anything about it: people have ways of finding these things
149 out. But, after Casey gave me a pep talk and a couple of beers, I used my newfound courage to
150 go back downstairs and investigate further. I went onto Dallas' computer to confirm my
151 suspicions, once and for all. Dallas wasn't logged into any of the forums, but s/he was logged
152 into Facebook. I saw a private Facebook message exchange with Dallas and a law school
153 classmate, where the classmate said something like, "Don't you think it is getting a little out of
154 control, 'BOBLOBLAW?' I think you've made your point." Dallas' response was something
155 like, "I have no idea what your (sic) talking about..." That line ended with a winky face, which,
156 combined with the ellipsis, sealed the deal for me. It was Dallas, for sure. Boy would I have
157 words for her/him when I woke up in the morning – I didn't care how hung over s/he was
158 probably going to be – I was going to give her/him a piece of my mind.
159

160 I made a screen shot of the message and printed it out on my printer so I could confront Dallas
161 with it the next day and, ultimately, so I could show it to the Dean of Students. I ran back up to
162 Casey's apartment with this printout and an earlier printout I'd made of a nasty comment by
163 "BOBLOBLAW" on one of the blogs. After showing Casey, I went down to my bedroom and
164 called Blair in to show her/him. S/he said s/he heard BOBLOBLAW might be someone else, but
165 it wasn't someone I knew well so that explanation didn't make sense to me. We talked for a
166 little while about Dallas. I was just seething. How could s/he betray me like that? I thought we
167 were friends! Why was s/he trying to ruin my life? I couldn't come up with a way to make this
168 better. It seemed like there was no way I'd ever get a job, and I might not even get to be a
169 lawyer. All the hard work and student loan debt for nothing.
170

171 It was one of the first warm nights of spring, so most of the windows in the house were left open.
172 I would usually check them each night to make sure they were locked, but with the whole Dallas
173 computer fiasco I don't think I had gotten around to checking every window yet. As Blair and I
174 were talking in my room at the back of our flat, we suddenly heard a strange sound coming from
175 Dallas' room—it sounded kind of like someone was scraping at the window. I was freaked out
176 and my heart was racing. It couldn't be Cort or Dallas because they had keys. We would have
177 heard if the doorbell had rung—the burglars must be coming for us! My nightmare—the fear
178 that had been keeping me awake at night—was coming true. Cort was gone at Bar Review, and
179 so was Dallas. It was up to Blair and me to protect our castle. I grabbed my gun from under my
180 pillow and ran through the dark house toward Dallas' room, where the noise was coming from.
181 Blair followed. By the time we got there, the noise had stopped. The thief must have heard us
182 run in. All we could hear was the sound of a car motor outside.
183

184 We waited in the dark, silent and afraid, to see if the scraping noise would return. It did, but it
185 was not outside Dallas' window anymore. Instead, it returned on the other side of the house, in
186 the side bathroom. Where Dallas' window was closed, this bathroom window was open. By the

187 time I got there, the thief was already starting to climb into the bathroom, wearing what looked
188 in the dark like a black or dark blue and orange jacket. I yelled, “Stop right now! I have a gun!”
189 The figure kept climbing – it all happened so fast—it is such a blur, but I remember that when
190 the figure didn’t turn around and started reaching into its jacket, I freaked. I shot my gun once,
191 but I’m not sure if it hit anything, because the figure kept moving. I shot my gun a couple more
192 times, until the figure fell the rest of the way through the window, onto the floor. It didn’t move.
193 By then, Blair was in the room, and one of us turned the light on. I pulled the hood off the fallen
194 intruder, and screamed. It was Dallas. I don’t remember what happened next: I blacked out. I
195 remember waking up on the floor in handcuffs, with police officers hovering over me.

196
197 FURTHER AFFIANT SAYETH NOT

198

199 /s/ Jamie Covington
200 _____
201 Jamie Covington

202 Subscribed and sworn to before me
203 this 8th day of June, 2014

204
205 /s/ Lisa Nash
206 _____
207 Notary Public, Clearwater County, WI
My Commission is permanent

STATEMENT OF MORGAN DEXTER

1 Morgan Dexter, being first duly sworn upon oath, states as follows:

2 On July 18, 2014, I was contacted by the attorneys representing Jamie Covington and asked to
3 review the facts surrounding the fatal shooting that occurred on April 10, 2014 at approximately
4 22:30 to determine whether the use of force employed by Covington under the circumstances
5 was reasonable.

6 My opinions herein are based on the following:

- 7 • Statement of Jamie Covington
- 8 • In-person interview of Jamie Covington, conducted at the Clearwater County Jail on
9 April 14, 2014.
- 10 • Statement of Lane Smith
- 11 • Statement of Blair Allan
- 12 • Statement of Casey Kramer
- 13 • Statement of Ronnie Kopp
- 14 • Police report 2014-005302, State v. Covington
- 15 • Criminal Complaint, State v. Covington, 14-CF-914
- 16 • Police reports 2014-004402, 2014-004450, and 2014-004901 in three recent, unsolved
17 burglaries/armed robberies in the area
- 18 • Floor plan of first floor apartment located at 107 University Place, Apt. 1.
- 19 • Interior and exterior, in-person inspection of apartment located at 107 University Place,
20 Apt. 1.
- 21 • Wisconsin Department of Justice Firearm Safety Course Student Manual
- 22 • Wisconsin Department of Justice Firearm Safety Course Instructor Manual
- 23 • Clearwater County Police Department Use of Deadly Force guidelines
- 24 • Wisconsin's Self-defense and Defense of Property laws, Wisconsin Statutes ss. 939.48(1)
25 and 939.49(1), which are attached as part of this report.

26

27 In addition, I relied on my training, experience, and expertise, which is attached to this report
28 as my Curriculum Vitae.

29 From the information I reviewed, my opinions are based on the following facts, current as of
30 the date of signing. If these facts change, or if additional facts come to light, my opinions are
31 subject to change.

- 32 • April 10, 2014 was a dark but clear and warm night.
- 33 • Covington shared a first-floor apartment with the intruder Dallas Lawson, Blair Allan,
34 and a fourth roommate, Cort Amour, located at 107 University Place, Apt. 1, Clearwater,
35 Wisconsin.
- 36 • In the two weeks prior to the incident, three first-floor apartments within a half-mile
37 radius had been burglarized. One of the burglaries was an armed robbery where shots
38 were fired, but nobody was hurt. The perpetrators were still at large.

- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60
- 61
- 62
- 63
- 64
- 65
- 66
- Covington was aware of rumors that his/her roommate, Cort Amour, had been selling prescription narcotics, and suspected that Amour sold them out of the apartment.
 - At about 22:30 hours, the intruder and Lane Smith approached the apartment along University Place by vehicle. The intruder exited the vehicle, went to the front door of the first floor apartment, fumbled in his/her pockets, and unsuccessfully attempted to open the door without a key.
 - From the front of the apartment, there did not appear to be any lights on.
 - All of the lights in the apartment were off except for a small reading lamp in Bedroom 2.
 - Intruder walked onto the front porch and attempted to gain entry through a window in “Bedroom 1” that faces University Place.
 - At that time, Covington was in Bedroom 2 with Blair Allan. They heard a scraping at the window of Bedroom 1. Covington retrieved his/her firearm and went in the direction of the sound. Upon reaching Bedroom 1, the scraping sound had stopped, but Covington could hear the sound of a car idling outside.
 - Covington's firearm was a Glock 19, serial # WI-478923
 - The intruder walked around the side of the apartment, and attempted to gain entry through a window into the bathroom.
 - Covington and Blair heard the intruder attempting entry through the bathroom window. Covington headed toward the bathroom from Bedroom 1 and Blair followed behind.
 - Blair was unarmed.
 - Covington saw the intruder enter the window and yelled, “Stop right now! I have a gun!”
 - The intruder did not respond, but swung his/her leg through the window and reached into his/her jacket pocket.
 - Covington shot 4 to 5 times and hit the intruder. The intruder fell to the floor inside the apartment.
 - Either Covington or Allan turned the bathroom light on after the shooting.
 - Somebody screamed “No! No!”

67 1. FIRST OPINION: RETREAT NOT POSSIBLE

68 Firearms trainees are taught various de-escalation techniques. When faced with a
69 confrontation that could lead to the use of force, persons should leave the premises if it is safe
70 and reasonable to do so. It was not safe or reasonable for Covington to leave the apartment upon
71 discovering the intruder. The back door was approximately 6 feet from where Covington was
72 standing when he/she confronted the intruder. The intruder was part way through the window
73 when Covington first saw him/her. If Covington retreated out the kitchen window, he/she would
74 have had to pass within feet of the intruder, unlock the door, and flee, giving the intruder ample
75 time to physically attack or shoot Covington before Covington exited the apartment. Also, had
76 Covington exited through the kitchen door, the intruder would have been able to easily surprise
77 Covington outside of the apartment. Retreating out the front door was not a safe or reasonable
78 option for Covington. He/she would have had to cross the entire living room in the dark to reach
79 the front door, approximately 22 feet away from where he/she was standing. His/her back would
80 have been to the intruder, who would have had enough time to attack or shoot Covington before
81 Covington could retreat. In addition, there were two people in the apartment, Covington and
82 Blair Allan. Allan was not armed. Had Covington retreated with the only available firearm,
83 Covington would have placed Blair in harm's way.

84 2. SECOND OPINION: COVINGTON PROPERLY INFORMED THE INTRUDER
85 HE/SHE HAD A FIREARM

86 Retreat and other de-escalation techniques were not available to Covington when he/she was
87 faced with an intruder entering through the window. Covington properly informed the intruder
88 he/she had a firearm. Had the intruder been an innocent person he/she would have identified
89 himself/herself at that point to protect his/her life. It would be highly unusual for an unarmed,
90 innocent person to ignore a command to stop from a person who announced he/she had a
91 firearm.

92 3. THIRD OPINION: IT WAS REASONABLE FOR COVINGTON TO USE DEADLY
93 FORCE UNDER THE CIRCUMSTANCES

94 In Wisconsin, a person may use deadly force if he/she reasonably believes such force is
95 necessary to prevent imminent death or great bodily harm to himself or herself. Covington was
96 in a first-floor apartment in a neighborhood that had three burglaries, at least one of them armed,
97 in the two weeks prior to the incident. The incident occurred in the middle of the night, on one
98 of the first warm spring nights. Crimes—including violent crimes—more often occur at night
99 when the weather condition is such that it is reasonably comfortable to be outside. Covington
100 was also aware of rumors that his/her roommate, Cort Amour, was selling prescription narcotics
101 from the apartment. Covington heard break-in attempts at two locations around the apartment.
102 Covington armed him/herself. This decision was reasonable for the reasons listed above. Upon
103 seeing the intruder enter the apartment, Covington warned him/her to leave, and warned him/her
104 that Covington had a firearm. Upon learning this information, the intruder did not stop, but
105 reached back into his/her jacket. At that point, use of deadly force was necessary to prevent

106 what Covington reasonably believed was imminent death or great bodily harm to him/herself and
107 Blair Allan. This belief was objectively reasonable.

108 4. FOURTH OPINION: DEADLY FORCE WAS APPLIED ACCORDING TO
109 CONCEAL AND CARRY TRAINING

110 Use of deadly force should absolutely be a last resort. However, if there is no choice other
111 than to shoot, persons with Concealed Weapons Permits are trained to adhere to what are called
112 “Target Requirements.” They are: “1) Target acquisition. Firing your gun indiscriminately is
113 not acceptable—you must have a specific target. 2) Target identification. You must identify
114 your intended target as the source of the threat. Just because you have acquired a target doesn’t
115 mean that it is the *correct* target. 3) Target isolation. You must be able to shoot without
116 recklessly endangering innocent bystanders.” Upon determining use of deadly force was
117 necessary, Covington shot at the target.

118 Detective Ronnie Kopp’s statement indicated he/she disbelieved Covington’s version of
119 events, in part because Covington “fired way too many shots and no warning shots.” Warning
120 shots are dangerous to potential unseen bystanders and dangerous to the person who needs to
121 terminate the threat against him or her. No shot should be fired unless and until necessary to
122 terminate an imminent threat of death or great bodily harm. You are using deadly force
123 whenever you shoot at someone or near someone. There is no such thing as a safe warning shot.

124 FURTHER AFFIANT SAYETH NOT

125

126

127 /s/ Morgan Dexter
128 Morgan Dexter

129

130 Subscribed and sworn to before me
131 this 10th day of June, 2014

132

133 /s/ Lisa Nash
134 Notary Public, Clearwater County, WI
135 My Commission is permanent

136

WISCONSIN STATUTES

939.48 Self-defense and defense of others.

(1) A person is privileged to threaten or intentionally use force against another for the purpose of preventing or terminating what the person reasonably believes to be an unlawful interference with his or her person by such other person. The actor may intentionally use only such force or threat thereof as the actor reasonably believes is necessary to prevent or terminate the interference. The actor may not intentionally use force which is intended or likely to cause death or great bodily harm unless the actor reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself.

939.49 Defense of property and protection against retail theft.

(1) A person is privileged to threaten or intentionally use force against another for the purpose of preventing or terminating what the person reasonably believes to be an unlawful interference with the person's property. Only such degree of force or threat thereof may intentionally be used as the actor reasonably believes is necessary to prevent or terminate the interference. It is not reasonable to intentionally use force intended or likely to cause death or great bodily harm for the sole purpose of defense of one's property.

Morgan Dexter

Law Enforcement Consultant

Summary: Retired Police officer with over 19 years of law enforcement experience at the local and federal level, 12 years of service in the United States Army, including 7 years of active duty, 16 years of experience teaching law enforcement officers

Areas of expertise: Use of Force
Law Enforcement Tactics
Police Tactical Training
Special Weapons and Tactics (SWAT)
High Risk Arrests

Experience:	Dexter & Associates Private consulting & Litigation support	2010 – Present
	Wisconsin Firearms Academy Performed civilian, security, and police firearms instruction	1994 – 2010
	Milwaukee Police Department Police Officer, SWAT Team Member, Field training officer, Street Crimes Officer	1991 – 2010
	United States Army Military Police Officer Member of elite security details, member of Undercover surveillance operation teams, performed duties in combat and peacekeeping missions.	1979-1991

Education:	University of Wisconsin – Madison Master of Science, Criminal Justice	M.S., 1991
	University of Wisconsin – Platteville Bachelor of Science, civil engineering	B.S., 1979

EXHIBIT H

STATEMENT OF BLAIR ALLAN

1 Blair Allan, being first duly sworn upon oath states as follows:

2 My name is Blair Allan. I'm a 3L, meaning a third-year law student, at the University of
3 Clearwater Law School. I have been focusing primarily on constitutional law. I'm not really sure
4 what I want to do with that after graduation. To be honest, the more I learn about the law the
5 more I think I should have gone to culinary school. I make a mean chicken parmesan. I know I
6 should be studying but I end up watching hours of cooking competitions on television.

7 Until recently, I lived at 107 University Place, Apartment 1, an off-campus apartment with three
8 other 3Ls: Dallas Lawson, Jamie Covington, and Cort Amour. Jamie, Cort and I knew each other
9 in college, and we all met Dallas in law school. Our apartment was on the first floor. Dallas and
10 Jamie each had their own rooms, but Cort and I had to share a room. We drew the short straws. It
11 has been okay for the most part, except I often feel like Cort is trying to hide something from me.
12 And Cort always has random people coming over. I'd come home and just want to relax in my
13 room and there would be like 3 or 4 people I'd never seen before chilling in the room with Cort.
14 Cort was always cool about kicking them out, but it still would get annoying.

15 Even beyond the terrible accident that happened, the few months before that were not easy.
16 Everyone had been really stressed about getting a job. Well, except for Dallas. Dallas would
17 never get stressed out about anything. For the rest of us, it would be hard not to talk about
18 interviews and the job-search, but then talking about it would just seem to make it worse since
19 we were all competing for the same jobs. Dallas got an awesome high-paying job, and I have to
20 admit I was pretty jealous when I found out. I feel bad saying that now in light of what
21 happened, but it's the truth. I would say Dallas was an over-achiever, but it seems like Dallas
22 really did not have to do a whole lot to still achieve more than the rest of us.

23 Where Dallas always seemed cool as a cucumber, Jamie was constantly stressed out about
24 everything. I know too that Jamie had been convinced for a while that someone had been
25 somehow sabotaging him/her. Jamie kept getting on-campus interviews, but none of the
26 interviews were turning into jobs. To be honest, I thought Jamie was being over dramatic and
27 making this up until the day before the accident occurred. Before then, I just thought Jamie was
28 bombing and trying to blame someone else. It wouldn't be the first time that happened in law
29 school.

30 The day before the accident occurred, I know that Jamie directly confronted Dallas about
31 whether Dallas was sabotaging him/her. Dallas denied it, but then later that day Jamie showed
32 me what he/she saw that got him/her so upset. When you searched Jamie's name on the internet,
33 this blog post comes up. It was pretty vicious. It not only said that Jamie was a crazy gunner—it
34 said that he/she was taking uppers. I'd be mad. I mean, any potential employer could see that!
35 Jamie said he/she was really upset about this because he/she had been runner-up for the job that
36 Dallas got.

37 The night of the accident, that was April 10th, I was at the apartment. I remember it was a
38 Thursday. I made a delicious stir-fry that evening, and had left the pan on the stove-top. I shared
39 some with Jamie. Of course I had turned the burner off, but Jamie had to go check for
40 him/herself.

41 Jamie seemed particularly stressed out. Jamie would always be mad if one of us other roommates
42 left any of the doors unlocked or windows open, but I remember that evening Jamie checked to
43 make sure the door was locked at least 3 times.

44 As if Jamie weren't already stressed out enough, Jamie then showed me a screenshot of what
45 he/she had just found on Dallas' computer. The user name was "BOBLOBLAW." I had heard
46 from another law school friend that another classmate of ours, Bob Oblong, used that user name.
47 I told that to Jamie, but Jamie was adamant that it was Dallas.

48 I was up pretty late that night doing my reading for my Friday Trust and Estates class. The
49 reading took me forever, as it usually did. I finally finished around one in the morning. I had at
50 that point taken so many 10 Hour Energy drink shots that I was in no way tired.

51 Cort and Dallas were out, and Jamie was in his/her room. I asked Jamie if I could come kick it. It
52 was pretty dark in there because Jamie only had a reading lamp on. We were just sitting there
53 talking, when we both heard some sort of noise coming from Dallas' room. It sort of sounded
54 like someone was scratching at the window—almost like that terrible nails-on-a-chalkboard
55 sound.

56 I was so jittery from all the caffeine that I first thought I was just hearing things. But then I could
57 see that Jamie looked concerned. I was just about to move towards the sound, but then the noise
58 stopped. The lights were off in the rest of the apartment so we couldn't really see anything.

59 At this point, I was worried that we were going to be the next victims of the break-ins that had
60 been happening in our neighborhood. A few days before this happened, I remember talking to
61 Jamie about what I'd seen on the news. From what I'd heard, someone was just going in open
62 windows and stealing X-Boxes and Playstations. After a few seconds, I heard noise coming from
63 the bathroom.

64 I was ready to just run out the front door, but before I could, Jamie grabbed his/her Glock 19
65 from under his/her pillow. Jamie gestured for me to stay where I was, and headed towards the
66 bathroom.

67 Jamie ran into the bathroom. I followed Jamie back towards the bathroom, but to be honest, I
68 was not following very closely. Unlike Jamie, I did not have a gun to protect me. Jamie had just
69 gotten done taking a concealed carry class, so I knew he/she would not do anything crazy. But I
70 did not know what the other person would do. I know in our required criminal law class our
71 professor said most burglars are simply drug addicts looking for something to feed their
72 addiction.

73 As I walked towards the bathroom, I all of a sudden heard multiple gun shots. It had to be at least
74 four shots, one right after the other. I did not see what happened. Before I had time to react, the
75 light in the bathroom came on and I heard Jamie scream.

76 I ran into the bedroom, and saw Jamie standing, holding the pistol, and Dallas on the ground. I
77 could tell Dallas had been shot. There was blood pooling up underneath him/her and he/she was
78 breathing very heavily. I pulled my cell phone out of my pocket and instantly called 911. I tried
79 to help Dallas stop some of the bleeding. While I did this Jamie stood in the same place, looking
80 horrified. Dallas kept saying to Jamie, "Why would you do this to me? Why would you do this to
81 me?"

82 I can't believe Dallas is dead. It makes all of the stuff we stressed out about seem so stupid
83 and unimportant.

84

85

86 FURTHER AFFIANT SAYETH NOT

87

88 /s/ Blair Allan
89 Blair Allan

90

91 Subscribed and sworn before me on
92 This 10th day of June, 2014

93

94 /s/ Lisa Nash
95 My Commission is permanent