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Hawaii State Bar Association  
Young Lawyers Division  
Presents  
The Hawaii High School  
Mock Trial Competition

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**2020 Mock Trial  
Criminal Case**

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

STATE OF HAWAII,	}	Case No. 2018-GS-47-0824
Prosecution,		
vs.		
KAI LEE,		
Defendant.	}	

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**NOTE:** All characters, names, events, places, and circumstances in this Mock Trial case are fictitious.

Each witness can be portrayed by a student of any gender. Instances where a witness is referred to as only “him” or “her” or only “he” or “she” are inadvertent.

## 2020 High School Mock Trial Case:

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## CASE SUMMARY

The defendant, Kai Lee, has been charged with murdering her business partner, Teri Wong. Teri Wong apparently had a gambling problem and had been unlucky for some period of time. Thinking her luck would change, Teri borrowed money frequently from a local loan shark, Lane Gomes. However, Teri's luck didn't change and, under pressure for payment from Lane, Teri started stealing money from the business. However, with skyrocketing interest and continued gambling losses, Teri's debt to the loan shark was still over \$200,000, even after she had drained the business dry. Gomes had already given Teri several physically violent "messages" indicating the debt was to be paid – "or else." In the meantime, Kai hired an accountant to determine why the business was in the red. When Kai learned Teri had been stealing from the business and had driven it to the point of bankruptcy, Kai allegedly became enraged and threatened to kill Teri. A few days later, Teri was found dead. Through a Buy-Sell Agreement and insurance policy, Kai would become a half million dollars richer. Who murdered Teri?

***This case background is not to be used as evidence in the case.  
It is provided for background purposes only.***

**Each witness can be portrayed by a student of any gender. Instances where a witness is referred to as only "him" or "her" or only "he" or "she" are inadvertent.**

# PLEADINGS

DOCKET NO. 2018-GS-47-0824

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**WITNESSES**

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Dee Haiden

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**State of Hawaii**  
City and County of Honolulu

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**CIRCUIT COURT  
OF THE FIRST CIRCUIT**

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DIRECT INDICTMENT

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**ACTION OF GRAND JURY**

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TRUE BILL

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Brynn Forsyth  
*Foreperson of Grand Jury*

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*Date: October 30, 2018*

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**STATE OF HAWAII**

**vs.**

**KAI LEE**

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**VERDICT**

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**INDICTMENT FOR MURDER**

State Code Section 16-3-10

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

STATE OF HAWAII, ) Case No. 2018-GS-47-0824  
 )  
 Prosecution, )  
 ) **INDICTMENT FOR MURDER**  
 vs. )  
 )  
 )  
 KAI LEE, )  
 )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

**INDICTMENT FOR MURDER**

At the Circuit Court of the First Circuit, convened on October 30, 2018, the Grand Jurors of the City and County of Honolulu present upon their oath:

**MURDER – STATE CODE SECTION 16-3-10**

That Kai Lee did, in the City and County of Honolulu, on or about March 24, 2018, commit the crime of Murder in that the Defendant, Kai Lee, did with malice aforethought cause the death of Teri Wong, at the 10<sup>th</sup> Avenue’s Restaurant located at 38 10<sup>th</sup> Avenue, City and County of Honolulu, State of Hawaii, contrary to the laws of the State of Hawaii.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

David W. Miller  
DAVID W. MILLER, Deputy Prosecuting  
Attorney, City & County of Honolulu

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,	)	Case No. 2018-GS-47-0824
	)	
Prosecution,	)	
	)	<b>DEMAND FOR JURY TRIAL</b>
vs.	)	
	)	
	)	
KAI LEE,	)	
	)	
Defendant.	)	
_____	)	

**DEMAND FOR JURY TRIAL**

The State of Hawaii filed an Indictment against the Defendant, Kai Lee. The indictment was true billed by the Grand Jury on October 30, 2018. The Defendant pled not guilty to all charges.

I, the undersigned, do hereby demand a jury trial in the above matter.

Dated: October 30, 2018

Signed: Kai Lee

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, ) Case No. 2018-GS-47-0824  
)  
Prosecution, )  
) **PRETRIAL ORDER**  
vs. )  
)  
KAI LEE, )  
)  
Defendant. )  
\_\_\_\_\_ )

**PRETRIAL ORDER**

On this the 7<sup>th</sup> day of January 2019, the above-captioned matter came before the undersigned judge for pretrial conference. The parties, appearing through their counsel, indicated their agreement to the terms of this Order. The terms of this Order shall not be altered, except by this Court upon a showing of good cause.

**I. Statement of Case**

The State of Hawaii charged the Defendant Kai Lee with Murder.

**II. Pretrial Rulings**

Because the parties have stipulated to the cause of death of the victim, the judge has sustained the Defendant's objection to showing photos of the victim's body and injuries on the grounds that those photos would be unnecessarily cumulative of the testimony of Dee Haiden and that, as a result, those photos would be substantially more prejudicial than probative. Exhibit #7 is not part of the photo exclusions.

**III. Stipulations of the Parties**

The parties have entered into the following stipulations, which shall not be contradicted or challenged:

- a. The signatures on the witness statements are authentic and signed under oath by each witness.
- b. The jury charges are accurate in all respects. No objections to jury charges may be raised.
- c. The indictment is valid. The Defendant may not challenge the indictment as deficient.
- d. The autopsy of Teri Wong concluded that Wong died as a result of hypothermia. Hypothermia causes the body to be pale and waxy, not cyanotic, because the blood withdraws from the skin by the body's defensive mechanisms to avoid loss of heat.
- e. Time of death could not be determined from typical physical examination of the body, i.e. body temperature, because the body was chilled to 35 degrees F.



- f. The autopsy results dated the cigarette burns found on Wong to have occurred two weeks prior to death, and strangulation of neck, non-life threatening, to have occurred a week prior to death.
- g. Fingerprint analysis shows that Lee's fingerprints are on the padlock to the cooler, cooler door, and kitchen knife. Lane Gomes' fingerprints were not detected on the padlock to the cooler, cooler door, or doors to the restaurant.
- h. Exhibits #2, #3, #4, and #5 were made at or about the time of the events by a person with knowledge of the events and are kept in the course of regularly conducted business activity, and it is the regular practice to make such records. Exhibits #2, #3, #4, and #5 do not need to be introduced through the custodian of the records.
- i. Exhibit #7 is the original photograph taken by Detective Dee Haiden at the scene of the crime and accurately depicts the victim and the surroundings at the time of Detective Haiden's investigation.
- j. Exhibit #9 is a true and accurate copy of the original note from Teri Wong provided by Defendant Lee shortly after being charged with the murder. The handwriting contained in Exhibit #9 has been confirmed to be that of Teri Wong, per expert handwriting analysis. The original note disappeared from the evidence room prior to analysis. Therefore, the dating of the handwriting on the note cannot be determined. Exhibit #9 is admissible, without objection.
- k. A spreadsheet was obtained from Teri Wong's residence that confirmed money was owed to Lane Gomes. Neither side may contest that this document existed or contained anything further. The remaining balance on the spreadsheet owed to Lane Gomes was \$208,500.
- l. The financial audit prepared by Jo Walker showing Teri Wong stole \$273,958 is not in dispute nor is the Supplies Unlimited invoice. Examples of the types of theft are included as exhibits and may be used.
- m. Following the closing of 10th Avenue's, John Crowell, who was a sous chef at 10th Avenue at the time of Wong's death, accepted a sous chef position at a restaurant in Ontario and is unavailable to testify. John Crowell is not a suspect.
- n. For purposes of Mock Trial allowing roles to be gender neutral, no issue will be raised if Lane Gomes and CJ Morgan are performed by opposite genders in reference to sharing a prison cell.

**IV. Terminology / Pronunciation Guide**

<b>Word / Name</b>	<b>Pronunciation</b>
poissonier	paw-sun-ya
saucier	soh-see-ay
sous	su
naïveté	nä-ēv-tā
Kuklinski	Kuk-lin-ski

IT IS SO ORDERED, this day of this round of the Hawaii High School Mock Trial competition.

/s/ Presiding Judge

The Honorable Presiding Judge

## STATE CRIMINAL LAW STATUTE

### State Code Section 16-3-10. Murder

A person who, with malice aforethought, either express or implied, kills another person, is guilty of the felony of murder.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, ) Case No. 2018-GS-47-0824  
 )  
 Prosecution, )  
 ) **JURY INSTRUCTIONS**  
 vs. )  
 )  
 KAI LEE, )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

**JURY INSTRUCTIONS**

**Note: Jury instructions are NOT to be read to the jury on the day of the Mock Trial Competition.**

The Court hereby approves the following preliminary jury instructions in the above captioned case. It notes the presentation of evidence at trial may warrant additional instruction, and it will consider those instructions at a later date.

**A. The Jury: Finders of the Facts**

Under our Constitution and Code of Laws, only you – the jury – can make the findings of fact in this case. I am not permitted to tell you how I feel about the evidence which has been presented. And, throughout this trial, I have intended to be fair and impartial toward each of the parties involved.

To determine the facts in this case, you will have to evaluate the credibility – or believability of witnesses. You are the sole judges of the credibility of the witnesses, and, in passing upon their credibility, you may take into consideration many things, such as:

- 1) How would you describe the appearance and manner of the witness on the stand, sometimes referred to as the demeanor of the witness?
- 2) Was the witness forthright or hesitant?
- 3) Was the witness's testimony consistent, or did it contain discrepancies?
- 4) What was the ability of the witness to know the facts about which he or she testified?
- 5) Did the witness have a cause or a reason to be biased and prejudiced in favor of the testimony he or she gave?

- 6) Was the testimony of the witness corroborated or made stronger by other testimony and evidence, or was it made weaker or impeached by such other testimony and evidence?

You can believe as much or as little of each witness' testimony as you think proper. You may believe the testimony of a single witness against that of many witnesses – or just the opposite.

Of course, you do not determine the truth merely by counting the number of witnesses presented by each side. Throughout this process you have but one objective – to seek the truth, regardless of its source.

B. Circumstantial Evidence

There are two types of evidence generally presented during a trial – direct evidence and circumstantial evidence. Direct evidence is the testimony of a person who asserts or claims to have actual knowledge of a fact, such as an eyewitness. Circumstantial evidence is proof of a chain of facts and circumstances indicating the existence of a fact in issue. The law makes absolutely no distinction between the weight or value to be given to either direct or circumstantial evidence. Nor is a greater degree of certainty required of circumstantial evidence than of direct evidence.

You should weigh all the evidence in the case in arriving at a verdict.

C. The Judge: Instructor of the Law

The same Constitution and laws which designate and make you the finders of the facts also make me the instructor of the law. You must accept the law as I give it to you. If I am wrong, there is another place and time for that error to be corrected. But for now, you must accept the law as I give it to you – and I caution you that it does not mean what you think the law should be, but what I tell you it is.

D. Instruction:

You have been selected and sworn as the jury to try this case of the State of Hawaii against the Defendant, Kai Lee. The Defendant is charged with Murder in violation of State Code Section 16-3-10. The Indictment in this case is the formal method of accusing the Defendant of the crime. The Indictment is not evidence and you should not allow yourselves to be influenced against the Defendant by reason of the filing of the Indictment. The Defendant has pled not guilty to the charge. A plea of not guilty puts at issue each element of the crime with which the Defendant is charged. A plea of not guilty requires the State to prove each element of the crime beyond a reasonable doubt. The Defendant is presumed innocent of the crime and this presumption continues unless and until, after consideration of all the evidence, you are convinced of the Defendant's guilt beyond a reasonable doubt. The Defendant must be found not guilty unless the State produces evidence that convinces you beyond a reasonable doubt of the existence of each element of the crime. It is your responsibility as jurors to determine the facts from the evidence, to follow the law as stated in the instructions from the presiding judge, and to reach a verdict of not guilty or guilty based upon the evidence.

We will now have opening statements of the counsel. Statements and arguments of

counsel are not evidence. The purpose of opening statements and closing arguments is to assist you, the jury, in making a decision in this case; however, that decision must be based upon the evidence in this case, which consists of the testimony delivered under oath in this trial, any documents or other items introduced into evidence during this trial, and the stipulations of the parties.

E. Closing Instructions:

**(1) Introduction:**

Now that all the evidence has been presented, it is my duty under the law to give you the instructions that apply in this case. The instructions contain all rules of the law that are to be applied by you and all the rules by which you are to weigh the evidence and determine the facts at issue in deciding this case and reaching a verdict. You must consider the instructions as a whole. All the testimony and evidence that is proper for you to consider has been introduced in this case. You should not consider any matter of fact or of law except that which has been given to you during the trial of this case.

It is your responsibility as jurors to determine the facts from the evidence, to follow the rules of law as stated in these instructions, and to reach a fair and impartial verdict of guilty or not guilty based upon the evidence, as you have sworn you would do. You must not use any method of chance in arriving at a verdict but must base your verdict on the judgment of each juror.

**(2) Elements of the Charge:**

In this matter, the Defendant has been charged with:

- (a) Murder, under State Code Section 16-3-10.

To this charge, the Defendant has entered a plea of not guilty. I will now define the elements of the charge.

**Murder – State Code Section 16-3-10:**

The Defendant is charged with Murder. The State must prove beyond a reasonable doubt that the Defendant killed another person with malice aforethought.

Malice is hatred, ill-will, or hostility towards another person. It is the intentional doing of a wrongful act without just cause or excuse and with an intent to inflict an injury or under circumstances such that the law will infer an evil intent.

Malice aforethought does not require that the malice exists for any particular time before the act is committed, but malice must exist in the mind of the Defendant just before and at the time the act is committed. Therefore, there must be a combination of the previous evil intent and the act.

Malice aforethought may be express or inferred. These terms, “express” and “inferred” do not mean different kinds of malice but merely the manner in which malice may be shown to exist. That is, either by direct evidence or by inference from the facts and circumstances that are proved. Express malice is shown when a person speaks words that express hatred or ill will for another or when the person prepared beforehand to do the act that was later accomplished; for example, lying in wait for a person or any other acts of preparation showing that the deed was in the Defendant’s mind express malice.

Malice may be inferred from conduct showing a total disregard for human life. Inferred malice may also arise when the deed is done with a deadly weapon. A deadly weapon is any article, instrument, or substance which is likely to cause death or great bodily harm. Whether an instrument has been used as a deadly weapon depends on the facts and circumstances of each case.

In this case, the State has alleged that the murder involved the intentional killing of Teri Wong. Therefore, in order to prove the Defendant guilty of Murder, the State must prove the following:

The Defendant took the life of Teri Wong with malice aforethought.

If, after considering all of the evidence, you conclude that the State has proven beyond a reasonable doubt that the Defendant committed the crime of murder in violation of State Code Section 16-3-10, you must return a verdict of guilty as to this charge on the jury verdict form. If, on the other hand, you conclude that the State has failed to meet its burden of proving beyond a reasonable doubt that the Defendant committed the crime of murder in violation of State Code Section 16-3-10, you must return a verdict of not guilty as to this charge on the jury verdict form.

**(3) Presumption of Innocence and Reasonable Doubt:**

The Defendant is presumed innocent, and the presumption continues unless, after consideration of all the evidence, you are convinced of the Defendant's guilt beyond a reasonable doubt. The State has the burden of presenting the evidence that establishes the Defendant's guilt beyond a reasonable doubt. The Defendant must be found not guilty unless the State produces evidence which convinces you, beyond a reasonable doubt, of each and every element of the crime alleged.

"Beyond a reasonable doubt" is defined as "proof of such a convincing character that you would be willing to rely and act upon it without hesitation in the most important of your own affairs."

**(4) Evidence – Definition:**

Evidence is the testimony received from the witnesses under oath, stipulations made by the parties, and the exhibits admitted into evidence during the trial.

**(5) Evidence – Inferences:**

You should consider only the evidence introduced while the court is in session. You are permitted to draw such reasonable inferences from the testimony and exhibits as you feel are justified when considered with the aid of the knowledge that you each possess in common with other persons. You may make deductions and reach conclusions that reason, and common sense lead you to draw from the facts that you find to have been established by the evidence in this case.

**(6) Indictments Not Evidence:**

Again, the Indictment in this case is the formal method of accusing the Defendant of a crime. The Indictment is not evidence of guilt. You should not allow yourselves to be influenced against the Defendant by reason of the filing of the Indictment.

**(7) Judicial Rulings:**

The Court has made rulings in the conduct of the trial and the admission of evidence.

These rulings should have no bearing on the weight or credit to be given any evidence or testimony admitted during the trial, nor should they be considered by you in any manner to indicate the conclusions to be reached by you in this case.

**(8) Objections:**

From time to time during this trial, the attorneys have made objections that I have ruled on. You should not speculate upon the reasons why objections were made. If I approved or sustained an objection, you should not speculate on what might have been said or what might have occurred had the objection not been sustained by me.

**(9) Credibility of Witnesses:**

It is your responsibility to determine the credibility of each witness and the weight to be given the testimony of each witness. In determining such weight or credibility, you may properly consider: the interest, if any, that the witness may have in the result of the trial; the relation of the witness to the parties; the bias or prejudice of the witness, if any has been apparent; the candor, fairness, intelligence, and demeanor of the witness; the ability of the witness to remember and relate past occurrences; and, the means of observation and the opportunity of knowing the matters about which the witness has testified. From all the facts and circumstances appearing in evidence and coming to your observation during the trial, aided by the knowledge that you each possess in common with other persons, you will reach your conclusions. You should not let sympathy, sentiment, or prejudice enter into your deliberations, but should discharge your duties as jurors impartially, conscientiously, and faithfully under your oaths and return a verdict as the evidence warrants when measured by these instructions.

**(10) Punishment:**

You are only concerned with the guilt or innocence of the Defendant. You are not to concern yourselves with punishment.

F. Verdict Instructions:

After you have retired to consider your verdict, a member of the jury is selected as your foreperson and then you begin your deliberations. The foreperson is to maintain orderly deliberations but should have no greater influence on the deliberations than any other member of the jury. Your verdict must be unanimous. When you have agreed on a verdict, your foreperson will sign the verdict form, and you will, as a body, return the verdict form in open court.

G. Verdict Form:

The verdict form approved by the Court is attached hereto.

IT IS SO ORDERED, this day of this round of the High School Mock Trial competition.

/s/ Presiding Judge

The Honorable Presiding Judge

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,	)	Case No. 2018-GS-47-0824
	)	
Prosecution,	)	
	)	<b>JURY VERDICT FORM</b>
vs.	)	
	)	
	)	
KAI LEE,	)	
	)	
Defendant.	)	
_____	)	

**JURY VERDICT FORM**

We, the jury, empaneled and sworn in the above-entitled cause, do, upon our oaths, find as follows:

As to indictment 2018-GS-47-0824, for **Murder**, State Code Section 16-3-10, we the jury find the Defendant Kai Lee:

\_\_\_\_\_ Guilty

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

\_\_\_\_\_  
Foreperson



WITNESSES  
and  
AFFIDAVITS

## WITNESS LISTING

PROSECUTION	
Jo Walker	Forensic Accountant
Dee Haiden	Police Investigator
Lane Gomes	Business Owner

DEFENSE	
Kai Lee	Defendant
CJ Morgan	Jailhouse Informant
Jamie Young	Criminal Justice Professor

**Each witness can be portrayed by a student of any gender. Instances where a witness is referred to as only "him" or "her" or only "he" or "she" are inadvertent.**

Affidavit of  
Jo Walker

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1           1.     My name is Jo Walker. I am 59 years old. I am a certified public  
2 accountant (CPA) in private practice in Honolulu, Hawaii. A copy of my  
3 curriculum vitae is marked as Exhibit #1. I graduated summa cum laude from the  
4 University of Hawaii at Manoa (UH) in 1981 with a Bachelor of Science in Accounting. I  
5 was recognized as the top student in my class.

6           2.     After graduating from UH, I was highly recruited by what were then  
7 considered the Big Eight CPA firms. I went to work for Arthur Andersen in Chicago as  
8 an auditor; which was well before its demise from the Enron and WorldCom debacles.  
9 And in case you missed the headlines back in 2002, Arthur Andersen was convicted for  
10 obstruction of justice for shredding documents relating to its audit of Enron, and the firm  
11 agreed to surrender its licenses. Although the United States Supreme Court  
12 unanimously reversed Arthur Andersen's conviction in 2005, the firm had already lost  
13 nearly all of its clients. I hate to even mention my prior association with Arthur  
14 Andersen. However, when I was at the firm, it had the reputation of supporting the  
15 highest standard in the accounting industry. I was quickly recognized as a star at Arthur  
16 Andersen. I was promoted quickly and assumed the role of manager after only three  
17 years. The usual track for a manager position there was four to five years.

18           3.     I left Arthur Andersen in 1984 to establish a firm of my own, Account-  
19 Abilitee, ironic given my Arthur Andersen connection. We are a six-member firm,  
20 offering our clients full-service accounting expertise. In addition to audit work, I  
21 specialize in forensic accounting. Forensic accountants are trained to look beyond the

22 numbers and deal with the business reality of the situation. According to research  
23 conducted by the Association of Certified Fraud Examiners (ACFE), U.S. organizations  
24 lose an estimated seven percent of annual revenue to fraud. Based on the estimated  
25 U.S. Gross Domestic Product for 2016 - \$18.57 trillion – this percentage indicates a  
26 staggering estimate of losses around \$1.29 trillion among organizations, despite  
27 increased emphasis on anti-fraud controls and recent legislation to combat fraud. My  
28 mission as a fraud examiner is to reduce the incidence of fraud and white-collar crime  
29 and to assist the client in detection and deterrence.

30 4. Kai Lee contacted me on February 26, 2018, to employ my services. I  
31 made a presentation that afternoon at the local Chamber of Commerce entitled  
32 “Realizing Your Full Potential.” The presentation touched on various business and  
33 financial practices to increase profitability, including stronger internal controls to prevent  
34 or deter employee theft. Kai came up to me after the meeting and asked if I would  
35 undertake a financial investigation and make recommendations for increasing  
36 profitability for the business. I learned that Kai Lee and Teri Wong were partners in  
37 their restaurant, 10th Avenue’s. At the time, there was no suspicion of fraud or  
38 wrongdoing. Kai wanted to know why the business was in the red when customers  
39 were steady, and it seemed business was good. Kai and Teri had been in the  
40 restaurant business for three years.

41 5. A study conducted by the University of Central Florida in 2011 concluded  
42 that the highest failure rate in the restaurant industry was during the first year.  
43 Approximately 26 percent of restaurants fail in the first year; 19 percent fail in the  
44 second year; and, 14 percent fail in the third year. While it is not unusual for a  
45 restaurant to fail in the first three years, it was a bit surprising to hear 10<sup>th</sup> Avenue’s was

46 in the red because I was aware of some “good buzz” for them in the community and  
47 positive critic reviews in *The Star Advertiser*.

48 6. I toured the restaurant facilities the following day, Tuesday, February 27th,  
49 to get a feel for the day-to-day management and an overview of the financial records  
50 and record keeping of the business. I advised Kai that in order to do a complete  
51 financial review, audit, and forensic investigation, I would need complete access to all  
52 accounting records. I could start the audit on March 6<sup>th</sup> at the restaurant. The audit  
53 would take up to two weeks. I would charge a flat fee of \$6,500. I would work on the  
54 premises, so I could have access to all of the records and 10th Avenue’s could continue  
55 business as usual. The arrangement also gave me the opportunity to make  
56 observations of suspicious activity I might not otherwise see. Kai agreed to the  
57 arrangement. I typically start audits on Mondays, but since the restaurant was closed on  
58 Sundays and Mondays, I started Tuesday, March 6<sup>th</sup>. Also because this was a young  
59 restaurant, I required advance payment. Kai paid me out of personal funds.

60 7. During my brief discussions with Kai, I could tell Kai was accounting  
61 challenged. Kai has great creativity with food preparation, restaurant style, and  
62 service, but more or less left Teri Wong to handle the financial matters of the business. I  
63 was not present when Kai informed Teri about me being hired to do the forensic  
64 investigation, so I cannot state what her reaction was. I did not notice anything  
65 particularly suspicious about Teri’s behavior when I was performing my forensic  
66 accounting work for the two-week period. Well, maybe there were two times I recall  
67 when Teri was back in the office area with me. At the time, I had some cancelled  
68 checks, bank statements, and ledger cards on the desk. Teri accidentally spilled coffee

69 all over the records, twice. At first, I thought it was an accident. The second time, I  
70 thought Teri was either especially clumsy or perhaps was doing something more sinister  
71 in obliterating the records. Also, I did overhear a few conversations with Teri on the  
72 phone – once the first week I was there, and then two or three more times the following  
73 week. Teri told the person on the phone “I promised you I would get the money, please  
74 give me time.” And “There is no need to use threats. You will get your money.” And  
75 “Yes, I remember what happened last time when the payment was not timely, please  
76 don’t, that won’t be necessary. I will pay you, I promise.” Teri was upset by the calls but  
77 did not seem scared. Initially, I thought Teri’s conversations were with a vendor. In the  
78 restaurant business, if you cannot pay your bills, the deliveries stop, and the business  
79 will go belly up. In retrospect after learning about Teri’s gambling problem and that she  
80 stole from 10th Avenue’s, I think these telephone conversations were probably between  
81 Teri and Lane Gomes. Lane was probably threatening Teri if she did not pay her  
82 debts. I never heard who was on the other side of the conversation or what the caller  
83 said. Teri never spoke about it with me. During the first week I was there, Teri came into  
84 the restaurant and had a burn mark on her arm. Another time she had bruising around  
85 her neck, like someone had grabbed her neck hard. I did not ask any questions, but I do  
86 notice details others might miss.

87         8.       During the two-week period I was at the restaurant, I frequently saw a  
88 person in the shadows in the alley across the street from the restaurant’s back door. At  
89 the time, I assumed it was a person who worked at the business across the street taking  
90 a smoke break. I now recognize the person lurking in the alley was Lane Gomes.

91       Despite the darkness in the alley, there was a light right above the back door entrance  
92 to the restaurant.

93           9.       Restaurants are notorious for losing money due to employee theft. The  
94 most common cash fraud scheme is skimming. Skimming is the process by which cash  
95 is removed from the company before it enters the accounting system. Retail  
96 establishments where cash is used frequently – particularly restaurants – are vulnerable  
97 to this type of scheme. A related type of scheme is to ring up a sale for less than the  
98 actual amount. The fraudster then pockets the difference between the actual sale and  
99 the amount on the register tape. Employees may also ring up a sale and then void the  
100 same sale, thereby pocketing the cash from the register.

101           10.     An employee who collects the cash and also makes the bank deposit has  
102 an excellent opportunity to misappropriate company funds. For example, an employee  
103 in the food services industry might receive the daily receipts from the cashier, along with  
104 the cash register tapes. The employee would then mutilate the register tapes, so the  
105 tapes could not be read. With the evidence now destroyed, the employee would pocket  
106 a portion of the day's receipts and deposit the balance. If the daily deposit amounts are  
107 not compared with the cash register tapes, the fraud can go undetected.

108           11.     Checks can also be an instrument for fraud. Employees with signature  
109 authority on a company bank account can make checks payable to cash or to  
110 themselves personally. Someone with check signatory authority can simply write a  
111 check to himself or to cash, mark the check void in the company's check register and  
112 then write an inflated amount of another check written in the check registry to offset the  
113 amount of the voided check. When the bank statements are received, the employee

114 merely removes the print out page showing the cancelled checks.

115           12. In performing my forensic investigation, I reviewed the following financial  
116 and business records: general ledger, journal entries, adjusted journal entries, trial  
117 balances, checking accounts, cancelled checks, deposit slips, cash register tapes, order  
118 tickets, and vendor invoices. I also personally interviewed Kai Lee and Teri Wong, as  
119 well as a couple of the restaurant employees to understand the flow of money and  
120 internal controls used by the company. Although both Teri and Kai had authority to  
121 sign checks, Teri primarily assumed that role. Kai managed the kitchen staff, the  
122 menus, ordering food supplies, scheduling employees, reservations, and keeping the  
123 customers happy. Teri primarily operated the cash register during business hours,  
124 ordered food and supplies, and managed the financial aspects of the business.

125           13. During the second week of my investigation, I started to strongly suspect  
126 Teri Wong had been stealing from the restaurant. I do not believe I mentioned my  
127 suspicions to anyone. I seem to recall both Teri and Kai asking me how the  
128 investigation was proceeding, but I typically do not make any comments until my  
129 investigation is complete. In my view, it is important to have all your facts and figures  
130 together before any conclusions are announced.

131           14. After I had completed my two-week forensic investigation, it was evident  
132 Teri had been taking cash from 10th Avenue's for some time. I found evidence of each of  
133 the typical theft schemes mentioned previously. For example, skimming had occurred.  
134 There were several instances where one of the waitstaff had a carbon copy of an order  
135 ticket in their book, but the order was not included on the cash register receipt for the  
136 day. An example of this is shown in Exhibit #2. The check marks on the cash register



137 tapes are my notations for cross-checking the order tickets for that day. I cannot say for  
138 certain the skimming is attributed to Teri. Someone else could have been managing the  
139 cash register at the time. However, in looking at the events as a whole, there are events  
140 I can directly connect to Teri. For example, certain daily cash register tapes did not  
141 match to the deposit made. These deposit slips were written in Teri's handwriting and  
142 were part of her normal job responsibilities, not the responsibility of any other employee.  
143 Thus, as you will see from Exhibit #3, the deposit slip for Friday and Saturday's sales  
144 was in the amount of \$587.93 on Monday, February 12, 2018, even though the cash  
145 register tapes show receipts from Friday, February 9th in the amount of \$2,299.61 and  
146 Saturday, February 10th for \$3,089.57. Finally, I found checks written to cash or to Teri  
147 that were shown as void in the check register but cleared the bank. In order to balance  
148 the account, another check in the check register and ledger accounts was manipulated  
149 to increase the payment to cover the amount of the "voided" check to Teri. Exhibit #4 is  
150 an example of this occurrence. There is a check register entry for check #1098 paid to  
151 Supplies Unlimited in the amount of \$3,093.45. However, I found the Supplies Unlimited  
152 invoice paid with check #1098 written in the amount of \$93.45.

153         15. In total, I uncovered 67 instances of theft committed by Teri Wong totaling  
154 \$273,958 over the past two years. It appears no theft occurred from the restaurant  
155 during the first year in operation. Of the 67 instances of theft, more than half occurred in  
156 the six-month period prior to March 2018. Unfortunately, the theft has left 10th Avenue's  
157 with little to nothing. 10th Avenue's was operating at a net loss of \$164,554 and had a  
158 negative cash flow.

159         16. I broke the news to Kai on Friday, March 16, 2018, about 4pm. I

160 informed Kai that my forensic investigation revealed 10<sup>th</sup> Avenue's was insolvent due to  
161 numerous occasions of theft by Teri Wong totaling \$273,958. At first, Kai appeared to  
162 be in shock, repeating several times, "How could this happen?" The more I explained to  
163 Kai the specifics of the theft and giving Kai examples of the skimming, check fraud,  
164 and deposit manipulation, the more I saw pure rage on Kai's face. Kai seemed  
165 consumed by rage saying, "Well, I'll make Teri pay for this. She won't make a fool out of  
166 me. "You have done your job. You can leave. I will confront Teri alone."

167         17. On that same day, I left the building when I realized I had left behind my  
168 favorite mechanical pencil on the desk in the office area. When I went back to retrieve  
169 my pencil, I overheard Kai talking to Teri in strained but controlled hush tones. I could  
170 not hear everything being said clearly because I was standing near the kitchen door to  
171 the hallway by the office and the kitchen employees were making loud noises as they  
172 pulled out pots and pans in preparation for the dinner crowd. But I am pretty sure I  
173 heard Teri say something about gambling and that Kai and Teri had to come up with  
174 the money right then. I also recall hearing Kai threaten to kill Teri. I do not know the  
175 exact wording Kai used because of the background noise. And then I heard Kai say  
176 quite clearly, "You'll get your just desserts."

177         18. While I was reviewing the company records, I had also come across a  
178 buy-sell agreement for the restaurant. The buy-sell agreement states in the event of  
179 death of either partner, the other partner shall be the beneficiary of a \$500,000  
180 insurance policy. A copy of the buy-sell agreement is attached as Exhibit #5. So, upon  
181 Teri's death, Kai was to receive a \$500,000 payout from the insurance policy. It is not  
182 unusual, however, for partners in a business to have a buy-sell agreement in place,

183 funded by insurance. Actually, it is smart business to plan for contingencies of  
184 someone's death and what happens to a partnership interest in the business. You do  
185 not want the family coming in and trying to manage the business too. You want to be  
186 able to buy them out.

187         19.     Following the horrible death of Teri Wong, Detective Dee Haiden with the  
188 Honolulu Police Department interviewed me for further information about the financial  
189 audit. Kai disclosed the audit to Haiden, which is why Haiden came to me.

190         20.     I believe I have an excellent reputation among my peers in both audit work  
191 and forensic accounting. All of my peer review examinations have yielded outstanding  
192 results. I did have one malpractice action filed against me about five years ago relating  
193 to tax preparation work I had performed, specifically with a car dealership's inventory.  
194 My insurance company paid a small nuisance settlement to make it go away, but the  
195 settlement papers specifically state that I deny liability.

**WITNESS ADDENDUM**

I have reviewed this statement, and I have nothing of significance to add at this time.  
The material facts are true and correct.

Signed,

Jo Walker

Jo Walker

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020  
Hawaii High School Mock Trial Competition.

Anthony Roberts

Anthony Roberts, Notary Public  
State of Hawaii

My Commission Expires: 10/24/22

Affidavit of  
DEE HAIDEN

---

1           1.       My name is Dee Haiden. I am 43 years old. I am an investigator with the  
2 Honolulu Police Department. I am a twenty-year veteran of law enforcement and hold a  
3 bachelor's degree in Criminal Justice from California State University. During my career, I  
4 have been involved in every type of criminal investigation at the local, state, and federal  
5 levels. For six years, I served as a member of the Hawaii Attorney General's  
6 Task Force on Organized Crime, working in an undercover capacity. I use the  
7 information I learned during my time as an undercover agent to investigate crimes  
8 where there is a suspicion of organized crime involvement. I currently work closely with  
9 the local Gang Task Force, the Honolulu Police Department, and the State FBI offices.  
10 Besides my duties at the Honolulu Police Department, I am an adjunct instructor at the  
11 UH Criminal Justice Academy and the Federal Law Enforcement Training Center  
12 (FLETC) at Schofield Barracks. I have also been a guest lecturer at the National  
13 Advocacy Center.

14           2.       As an investigator for the Hawaii Attorney General's Task Force  
15 on Organized Crime, I made countless arrests and testified against many men and  
16 women connected with organized crime. I have received numerous awards for my work  
17 including the Police Medal of Valor, Meritorious Service Medal, and the Hawaii Law  
18 Enforcement Officers Association Officer of the Year Award in 2008. My efforts have  
19 also been the focus of a story in Newsweek, ABC Television News Program 20/20, and  
20 Dateline NBC.

21           3.       I get irritated when people bring up the two times I was investigated by the

22 Office of Professional Responsibility (OPR) for possible corruption and connections to  
23 the mob. OPR used to be called internal affairs. I was accused of evidence tampering  
24 and rigging the case involving Lane Gomes and Lane's brother Diamond Joe, so they  
25 could avoid conviction. Nothing could be further from the truth. I swore to myself there  
26 would be another day when I would bring them down. Bringing up the OPR  
27 investigations is an underhanded attempt by defense counsel to discredit me and let a  
28 guilty person go free. It was a long time ago and nothing came of the investigations. I  
29 was never indicted, never suspended, and never reprimanded. Naturally when you have  
30 infiltrated the mob, there is always a blur in the public or outsider's view as to where  
31 your loyalties are. If you are going to play the part of an undercover agent, you have to  
32 be convincing or you do not survive, and I was pretty good at acting. Truth be known, I  
33 wanted nothing more than to nail Lane Gomes for the heinous crimes Gomes  
34 orchestrated. Yes, I developed connections with Lane Gomes, but only to use them  
35 against Gomes and other violent loan sharks.

36 4. On the morning of March 27, 2018, I was called to the scene of a homicide  
37 by the initial responding patrol officer. Co-owner of 10<sup>th</sup> Avenue's Restaurant, Teri Wong,  
38 was discovered padlocked in the kitchen's walk-in cooler. The officer on scene correctly  
39 identified it as a homicide. The body was inside the cooler, which only locks from the  
40 outside with a padlock. Upon my arrival, I automatically thought this was a mob hit.

41 5. The restaurant was closed on Sundays and Mondays, which explained the  
42 long exposure in the cooler without earlier discovery. John Croswell, the sous chef,  
43 discovered the back door of the restaurant unlocked at 07:15 on Tuesday, March 27,  
44 2018. Croswell then discovered the body locked in the cooler 15 minutes later and

45 immediately called 911 and then called co-owner, Kai Lee. When Crowell was  
46 interviewed, there was nothing else of value to add. Upon my inspection of the kitchen  
47 and office areas in the restaurant, nothing was out of place or disturbed to indicate a  
48 struggle. Wong's purse with cell phone, wallet, and keys was undisturbed in the bottom  
49 right drawer of her desk. After charging and powering on Ms. Wong's cell phone, it did  
50 not have a passcode and it reflected a missed call at 22:04 on Saturday, March 24,  
51 2018. Upon further interviews of kitchen staff, it was noted a person had been lurking in  
52 the alley across from the kitchen's back door to the restaurant for a couple of weeks. No  
53 further relevant information was discovered.

54         6.       The crime scene techs finished documenting the evidence on hand and  
55 photographed the position of the body and the word "Killer" along with the start of  
56 another letter spelled out in bacon, marked as Exhibit #7. The Coroner's office took  
57 possession of the body and transported it to the morgue. As the Coroner's van was  
58 leaving, I spoke with, Kai Lee. Lee seemed to have been the last person to talk to the  
59 victim at 22:30 on Saturday, March 24, 2018. Wong was going to stay later according to  
60 Lee because she wanted to jot down some additional menu ideas for the following week.  
61 No notes to that effect were found in the investigation; however, Lee's legal team later  
62 turned over the original menu note to the police department while keeping a copy. Also,  
63 I am not in control of the evidence room, so the accusation that I tampered with the  
64 evidence is ridiculous.

65         7.       Lee stated the cooler was unlocked at the time Lee left the restaurant, and  
66 Wong was going to lock up the cooler after checking the inventory for the following  
67 week's menu, shut off the lights, and lock up the restaurant for the night. Further, Lee

68 revealed the results of a forensic audit of 10th Avenue's books and showed me the final  
69 report dated March 16, 2018. Lee had confronted Wong that day about the results of the  
70 audit. Wong admitted to Lee that she had stolen money from the restaurant. Lee told me  
71 the imminent closing of 10th Avenue's would ruin Lee both professionally and personally.  
72 This would be caused by not only the loss of revenue from 10th Avenue's, but also Lee's  
73 personal loans from the startup of the restaurant. After Wong's admission, Lee was  
74 trying to come up with a way to help Wong pay back the loan shark. Lee did not know to  
75 which loan shark the money was owed, but Wong referenced someone named Lane.  
76 That is when I thought the suspect was local loan shark/mobster, Lane Gomes. Lee also  
77 mentioned having seen a person in the alley across from the restaurant's back door  
78 upon leaving on the evening of March 24<sup>th</sup>. I asked Lee to look at a photo array on my  
79 tablet and attempt to identify the person seen in the alley. From the photo array I set up,  
80 Lee positively identified Lane Gomes.

81           8.       After the interview with Lee, I went to Wong's home. It was apparent she  
82 had not been home since Saturday, March 24. She had not retrieved her mail or  
83 collected her Sunday, Monday or Tuesday newspapers. At Wong's residence, I also  
84 found a printout of a computer spreadsheet showing that Wong owed Lane Gomes over  
85 \$200,000. It was then I knew that even if I did not have Gomes for murder, I was going  
86 to nail Gomes for loan sharking.

87           9.       As noted in the autopsy report, marked as Exhibit #11, Teri Wong died of  
88 hypothermia due to prolonged exposure to 35-degree temperatures inside the locked  
89 cooler. The Coroner could not tell me exactly when Ms. Wong died from hypothermia,  
90 only that it likely took more than 20 hours before the hypothermia was severe enough to

91 kill her. Based on the actual body temperature at time of discovery, it was likely Wong  
92 had been in the cooler more than 50 hours. In the autopsy report, the Coroner noted  
93 that Wong's weight, height, and age were factors to consider with hypothermia. For  
94 example, a person who is 35 years of age and say 150 pounds in weight would lose 1.5  
95 degrees per hour of core temperature when exposed to a cold environment. The type  
96 and amount of clothing would also impact heat loss as well. In this instance, Wong  
97 weighed significantly less than average and so it is likely that her body temperature loss  
98 per hour would have been increased. When Wong was discovered, she was wearing a  
99 thin spring dress and heels.

100           10. It is ironic for anyone to accuse me of trying to pin this murder on Kai Lee  
101 as a scapegoat to let Gomes go free again. The reason I was called into this case is  
102 because it initially appeared like a mob hit. We had an eyewitness identify Lane Gomes  
103 outside 10th Avenue's on the Saturday evening of March 24, 2018. According to Lee,  
104 Wong admitted threats on her life by Lane and showed evidence of violent physical  
105 "messages," such as cigarette burns on her arms and bruising around her neck from  
106 choking, which happened when Wong had not come up with the last two payments.  
107 Being iced in a cooler is a typical mob hit because it sends a message to others who  
108 owe loan sharks money. Not to mention, being locked in a cooler is an agonizing way to  
109 die over a long period of time. Based on that evidence, I arrested Gomes for loan  
110 sharking and the murder of Teri Wong. My investigation report documents my findings  
111 and conclusions, marked as Exhibit #6.

112           11. After obtaining counsel and making a deal with the solicitor's office,  
113 Gomes made a statement admitting to tailing Wong for two weeks for money owed.



114 While keeping an eye on Wong, Gomes witnessed Kai Lee pointing a knife at Wong in  
115 what looked like a heated discussion. Kai forced Wong back into the restaurant at  
116 knife point. Gomes witnessed Lee leaving the restaurant around 22:30 and waited an  
117 additional hour for Wong before leaving. Gomes never saw Wong leave the building.

118 12. My first and foremost responsibility is to uphold the law. I had to maintain  
119 my objectivity throughout my investigation regardless of how much I might have wanted  
120 to implicate Gomes. Once the information began to lead me away from suspecting  
121 I interviewed Jo Walker, the forensic accountant who investigated 10th Avenue's  
122 financial records. Walker told me the audit had been completed and clearly showed that  
123 Wong stole \$273,958 from the restaurant. 10<sup>th</sup> Avenue's was essentially out of cash and  
124 would have to close. Walker also told me about the buy-sell agreement for a deceased  
125 partner's interest in the business, which named Lee the beneficiary should Wong die.  
126 Finally, Walker disclosed overhearing an argument between Lee and Wong about the  
127 theft of money, which occurred after releasing the results of the audit to Lee on March  
128 16, 2018.

129 13. After my interview with Jo Walker, I went to 10<sup>th</sup> Avenue's to ask Lee some  
130 follow-up questions and to look for additional evidence including the knife referenced by  
131 Lane Gomes. I located a knife that matched the description given by Gomes and took it  
132 into evidence. Lee agreed to go to the police station to provide fingerprints for  
133 comparison with those taken from the cooler, padlock, and knives. Lee's fingerprints  
134 matched those taken from the knife, padlock, and cooler door.

135 14. Two things gnawed at me. First, I would have expected to find some  
136 additional physical violence to have occurred prior to Wong's hypothermia. Typically,

137 mobsters like to rough up the victim before pronouncing the death sentence. A strong  
138 message to other potential deadbeats is paramount. In this case, there were no signs of  
139 struggle with another individual or physical violence. According to the Coroner's report,  
140 there was no physical abuse associated with the cause or timeline of death. Although  
141 there were signs of previous abuse visible, none were recent enough to be associated  
142 with Wong being assaulted or forced into the cooler. She did, however, have bruising on  
143 her hands most likely from banging on the door to signal for help. Second, according to  
144 my interview with Lee, Wong had been making payments to Gomes. So, Wong  
145 continued to be a source of income for Gomes. Loan sharks typically do not cut off a  
146 source of revenue unless it dries up completely or if the loan sharks feel threatened. I  
147 did not see that to be the case for Wong.

148         15. Upon completing my investigation, it became clear to me that Lee, not  
149 Gomes, murdered Teri Wong. Motive was clear. Walker informed Lee that Wong was  
150 stealing money from the restaurant. Wong's death was a payback in more ways than  
151 one – not only for vengeance, but also to collect \$500,000 through the buy-sell  
152 agreement. Lee was angry when first learning about the theft and the company's  
153 bankrupt condition. More than one witness heard Lee threaten Wong. Plus, Lee had the  
154 opportunity. Gomes had staked out 10th Avenue's the night of March 24 and overheard  
155 the two arguing outside the restaurant. Gomes also witnessed Lee brandishing a  
156 kitchen knife and forcing Wong back into the restaurant right after a sudden rain shower.

157         16. Unfortunately, there is no accurate way to establish time of death merely  
158 by observing the body since it was chilled to such a low temperature. Thus, as a police  
159 detective, I am trained to use other means, such as witnesses, neighbors, unopened

160 mail, or other testimonial or physical evidence. The last person who was with Wong was  
161 Lee. It is obvious this was no accident. The padlock to the cooler was locked from the  
162 outside. Plus, Wong told us what happened through her own words. She identified her  
163 assailant's name on the cooler floor using bacon strips stored in the cooler. Before she  
164 died, Wong spelled out "Killer" with the start of another letter as seen in the photograph  
165 marked as Exhibit #7. As you can also tell, another piece of bacon was starting to be  
166 laid out. Had Wong not succumbed to the hypothermia, she would have finished  
167 spelling the killer's name.

168         17.     Additionally, it became quite evident this murder was not committed in the  
169 heat of passion, but rather was premeditated. 10<sup>th</sup> Avenue's had been operating for three  
170 years prior to this incident. Lee purchased a lock for the cooler upon learning Wong was  
171 stealing from the business. Lee contemplated and planned the whole thing out, forcing  
172 Wong into the cooler, locking her in over the weekend, and making it appear the loan  
173 sharks were making a typical mob hit. But Lee was careless. Lee's fingerprints are all  
174 over the lock to the cooler, the cooler door, and the kitchen knife. In addition, Lee did not  
175 realize there was a witness lurking in the dark shadows in the alley facing the back door  
176 of the restaurant. We did not find Gomes's fingerprints anywhere in the restaurant, but  
177 several places around the lock and cooler were smudged. At that point, I had enough  
178 evidence to arrest Kai Lee for the murder of Teri Wong. After Gomes met with the  
179 prosecutor and provided the statement implicating Lee, all Gomes's charges were  
180 dropped.

181         18.     CJ Morgan might have tried to reach me to tell me about something with  
182 this case, but I never spoke with Morgan. Sure, I know a detective generally follows all

183 leads, but not in this instance. I knew every minute I spoke with Morgan was a minute  
184 wasted of my life I would never get back. After all, Morgan has given false testimony or  
185 a false tip in the past in an attempt to get a lesser sentence. Morgan is a notorious con-  
186 artist, always looking for another angle to play. Morgan was not worth my time.

**WITNESS ADDENDUM**

I have reviewed this statement, and I have nothing of significance to add at this time.  
The material facts are true and correct.

Signed,

Dee Haiden

Dee Haiden

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020  
Hawaii High School Mock Trial Competition.

William Smith

William Smith, Notary Public  
State of Hawaii

My Commission Expires: 12/08/25

Affidavit of  
LANE GOMES

---

1           1.       My name is Lane Gomes. I am 41 years old. I never needed college. I  
2 learned what I needed to know on the streets of Los Angeles, CA, where I was born and  
3 raised. I dropped out of high school at the age of 16 to go into the family business. Our  
4 business is all up and down the West coast. I moved to Honolulu to take on more  
5 responsibility for the family. I have been in the family business for about 25 years. The  
6 family business is your garden variety regular, ordinary sanitation company. You offer a  
7 service, you get paid for that service just like any other service provider.

8           2.       I occasionally loan money to people. Those loans are interest bearing  
9 loans like a bank loan. I do not see the need for promissory notes. People know they  
10 owe me when I loan them money and I expect them to pay. I do not need a piece of  
11 paper to get them to pay me. That is not how I do business. If someone does not pay  
12 me, I firmly remind them their payment is due and then bada boom, bada bing – they  
13 find a way to come up with the money. Yeah, Teri Wong needed a reminder or two. I  
14 can be very persuasive. I am not a loan shark – that would be illegal. I am not a  
15 member of the mob or organized crime. All I know about the mob I learned from the  
16 movies. I know nothing about how the mob kills people.

17           3.       I am testifying in this case because the prosecutor made me an offer I  
18 could not refuse. By testifying and telling the truth, the prosecutor agreed to drop the  
19 charges against me for loan sharking because of my “business deal” with Teri Wong.

20           4.       This is not my first scrape with the law. The cops have had it in for me for  
21 a while – always looking to nail me with something. Now and then they have busted me

22 for some petty crime to flex their muscles. I am not scared. I never did time for more  
23 than a year. My rap sheet started back when I was in juvy. In 1994, I was convicted of  
24 theft of less than \$1,500 and had to do some road crew work. In 1995, I was convicted  
25 of assault in the second degree. I got a suspended sentence and was on probation for a  
26 year. In 2002, I was convicted of extortion. Then, in 2011, I was charged with bribery  
27 and never convicted, which is the case involving Detective Haiden. Haiden was accused  
28 of tampering with evidence, but the case was a sham. In 2012, I was charged with  
29 criminal threat. The state said I threatened this guy I loaned money to. The case got  
30 thrown out because the state's key witness disappeared. In September 2018, I was  
31 charged with assault in the second degree, which is still pending. The state said I  
32 strangled some guy. Can you believe it? I am not worried about that charge either.  
33 These things have a way of going away.

34 5. The state also tried to pin Teri Wong's murder on me. No way. I may not  
35 be squeaky clean, but I am not a murderer. You can ask anybody. Why would I kill Teri?  
36 She was making good on what she owed me. Sure, I was keeping tabs on her.  
37 Sometimes folks who owe me some dough think about skipping town. If Teri left town it  
38 would be to look for a big score. She always wanted to get in on some action. Mostly  
39 she would go to goulash joints looking for a live game. A goulash joint is a restaurant or  
40 bar running a regular card game hidden in a back room. A live game is a game with lots  
41 of betting action. She was often playing the rush – she enjoyed a short run of good luck  
42 by winning a very large pot of money in one hand. Before Teri started the business, she  
43 would, at times, gamble for six days straight in a week, eight hours a day for several  
44 weeks, losing thousands of dollars. Recently, Teri had become a desperate gambler

45 looking for a big score to erase her many personal and business debts. She frequently  
46 was tapping out – you know, losing her entire gambling bankroll and then having to stop  
47 playing. But she was not a pigeon, you know, an unsophisticated gambler. I would have  
48 stopped her if I thought she was dead money. Dead money is an inexperienced player  
49 who has virtually no chance at winning. I believed she still had a few aces up her  
50 sleeve. It is not smart business if I invest in losers, now, is it?

51           6.       At the time of her untimely death, Teri owed me over \$200,000 due to her  
52 gambling losses, but she had made good on nearly \$300,000 of gambling losses before  
53 then. I never concerned myself much with where Teri got her money. It is not my  
54 problem where the money comes from as long as I get my money. Time was running  
55 out on the balance Teri owed, so I started keeping closer tabs on her. I wanted to make  
56 sure payments were coming. I have been accused of burning and choking Teri, but  
57 that never happened. Teri was a smoker. She could have burned herself accidentally. I  
58 did not threaten her. Sure, I asked her about when she was going to pay me, but that  
59 was the extent of our conversation.

60           7.       I tailed Teri for the two weeks before she died. On the night of March 24<sup>th</sup>,  
61 I staked out 10th Avenue's across the alley from the back door to the restaurant sitting in  
62 my black Caddy starting around 9:00 p.m. You can see the alley I was parked in on the  
63 diagram marked as Exhibit #12. Teri was outside in the alley smoking a cigarette. The  
64 restaurant closed at 10:00 p.m., so it was after hours and I thought everyone else had  
65 left. To my surprise, Kai Lee, who I later identified, came storming out of the  
66 restaurant's back door and started arguing with Teri. Lee was in a fit of rage. I did not  
67 hear the entire conversation because my cell phone vibrated and distracted me, but I

68 heard almost all of it. Lee said Wong had ruined the business, the restaurant was going  
69 to be bankrupt, and was going to have to close, yadda-yadda-yadda, all because of her  
70 gambling debts. It was then that I realized the money paid to me most likely was coming  
71 from 10<sup>th</sup> Avenue's all along. Then I saw Lee brandish a kitchen knife and point it at Teri  
72 forcing her back into the restaurant. I could see everything pretty clearly – that is until  
73 the very end as they were going back in the restaurant when we had a quick rain  
74 shower. The alley is only 15 feet wide. And there is a security light that beams directly  
75 over the restaurant's back door to the restaurant. I know it was a knife I saw because it  
76 glimmered when the overhead security light shone on it when it was at an angle. The  
77 knife blade was about ten inches long. I was parked in the shadows, so I am sure Lee  
78 did not see me. At the time of my release from jail, I identified Lee in a line up at the  
79 Honolulu Police Department as the person I saw arguing with Teri that night and forcing  
80 her back into the restaurant at knife point. I did not do anything or say anything at the  
81 time because, as you can tell from my rap sheet, me and the cops do not always get  
82 along so great. I later saw Lee leave alone that same night around 10:30 p.m. I waited  
83 for another hour and then left, but I never saw Teri leave the restaurant. I later told the  
84 same thing to Haiden.

85         8.       I was charged initially with killing Teri and loan sharking. Like I said before,  
86 I did not do it. Haiden was hoping it was me. I still did not say anything about what I saw  
87 because I did not know at the time how Teri died or where she was located. So, I did not  
88 realize how relevant my observations might be. Plus, until I had my attorney with me to  
89 make a deal on the loan sharking charge, I was not about to say anything about tailing  
90 Teri because she owed me money.



91           9.       While in jail, I shared a cell with CJ Morgan. Whatever Morgan is saying I  
92 said while we were in jail together is a flat out lie. It has to be Morgan's way of getting  
93 some deal. Morgan is a con artist. Morgan probably thought I would be willing to pay  
94 some hush money. Morgan got stuck in the lie when the charges against me were  
95 dropped. Why would I confide in Morgan? That makes no sense.

**WITNESS ADDENDUM**

I have reviewed this statement, and I have nothing of significance to add at this time.  
The material facts are true and correct.

Signed,

Lane Gomes

Lane Gomes

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020  
Hawaii High School Mock Trial Competition.

C.H. Gallant

C.H. Gallant, Notary Public

State of Hawaii

My Commission Expires: 12/5/26

Affidavit of  
KAI LEE

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1           1.       My name is Kai Lee. I am 29 years old. I grew up on a farm in Waimanalo  
2 where life was pretty simple. We were self-sufficient and harvested a lot of our own  
3 food on the farm including vegetables, cheese, and ice cream. I suppose making  
4 food from home is what got me interested in the culinary arts. After high school, I made  
5 the giant leap and moved to New York to attend the Culinary Institute of America (CIA).  
6 Moving to a big city from a rural community was an eye-opener. I was pretty naïve, and  
7 I probably still am today. At the CIA, I trained with world-renowned, classically trained  
8 chefs. It was the time of my life. After 38 months in the program, I received my  
9 bachelor's degree. It was my dream to one day open my own restaurant, but I was only  
10 21 and I needed to gain more experience and raise some funds. I moved back to  
11 Honolulu to be closer to my family yet be in a city that could offer me a decent wage and  
12 experience. I was thrilled when I landed a position at Roy's, one of Honolulu's best  
13 restaurants. I worked there for four years and developed my skills in a variety of areas. I  
14 initially started as a pantry chef, making salads and cold appetizers such as elaborate  
15 fruit plates. I also worked as a poissonier, or fish chef, and as a pastry chef, which was  
16 my passion. After those first two years, I was asked to step in as a saucier, the person  
17 who is responsible for sautéing and making all of the sauces for the restaurant. The  
18 next year, I became sous chef, which is the second in command. If I took any time off, I  
19 used it only to further my skills. I enjoyed entering culinary ice sculpting competitions. I  
20 worked long and hard during those years – six days a week, usually ten-hour days. But  
21 the sacrifices were worth it, especially if it would help me reach my goal of owning my

22 own restaurant one day.

23           2.       I met Teri Wong at a conference of the Asian Pacific Culinary Association.  
24 The conference was about owning your own restaurant. Teri was one of the speakers.  
25 She seemed very knowledgeable about the management and finances of owning a  
26 restaurant business. She graduated magna cum laude from Johnson and Wales  
27 University with a double major in Food Service Management and Accounting in 2010.  
28 She was extremely bright and energetic with an air of sophistication. She came from  
29 money and was well connected. You could tell she had already started to make her  
30 mark on the culinary world. After the conference, I made a point of meeting her. She  
31 was looking to open a fine dining restaurant in Honolulu. She needed a co-partner who  
32 could focus on the food preparation aspects of the business. This was the perfect  
33 opportunity to further my dream of owning a restaurant. She convinced me Kaimuki was  
34 the best place to start. She knew what she was doing. If we started somewhere in a  
35 busier part of the state, we would be one of a thousand places and the rent would be  
36 high. Instead, we would have a niche fine dining restaurant in Kaimuki.

37           3.       We found a great place on 10<sup>th</sup> Avenue and 10<sup>th</sup> Avenue's was born.  
38 We planned everything for the restaurant from theme, layout, menus, staffing, ordering,  
39 keeping the books, etc. We agreed we wanted to be closed on Sundays and Mondays  
40 since those were the two slowest days for restaurants. When it came to funding the  
41 restaurant and the profits, we agreed to a 50-50 split on everything. We each were  
42 bringing our respective talents to the table, excuse the pun. We agreed we would both  
43 contribute the same working capital. She already had a substantial bankroll of cash to  
44 contribute for the start-up. It was like nothing for her to come up with the \$100,000. I

45 suppose to be perfectly honest, in a way I resented her for already having so much  
46 money on hand for the start-up. I have never been in a position where cash was so  
47 readily available to me. I grew up modestly and had been skimping and saving while  
48 working at Roy's. I emptied my savings of \$40,000 and had to take out personal loans  
49 for the other \$60,000 of my share of startup funds. As a result, everything I owned in my  
50 entire life and for some time into the future would be invested in this restaurant. I had  
51 invested sweat equity, too. Of course, I knew it was a risk. With the start of a new  
52 business, especially a restaurant, there is always the risk of failure. And if it failed, I  
53 would probably have to file bankruptcy for not only the business, but personally as well.

54         4. Teri took care of all the financial aspects of the business. In hindsight, I  
55 should have paid more attention to what she was doing, but I trusted Teri and we each  
56 had our own area of expertise. I handled all aspects of the food preparation and  
57 presentation, including menu selection, working with vendors to order food products,  
58 and preparing the food or directing the food preparation. While Teri was fully in charge  
59 of finances and management, she also had creative ideas for food presentation or  
60 preparation. Every now and then she would jot her menu suggestions for the following  
61 week on a piece of paper and leave it for me or John Crosswell, our sous chef. On the  
62 other hand, I have never understood financial statements or accounting, which Teri took  
63 care of for us. When we were starting up the restaurant back in June of 2015, it was her  
64 suggestion to put in place a buy-sell agreement funded by insurance. Initially, I did not  
65 understand its purpose, but I agreed to sign because she said it was good for both of  
66 our protection. The buy-sell agreement was in place in the event one of us died, paying  
67 out \$500,000 to the surviving partner. She said the income flow from the restaurant

68 would pay for the policy. Now, I am thankful she had the buy-sell agreement in place  
69 because it will save the business and me personally. I think of it as her way of making  
70 things right after stealing from the business. I plan on re-opening after I am cleared.

71 5. When we opened in June 2015, 10<sup>th</sup> Avenue's took off right from the start,  
72 soon becoming the talk of the town. We had rave reviews from food critics in *The Star*  
73 *Advertiser* and the *Food & Wine Journal*. We were even featured in *The Hawaii's Best*,  
74 a local magazine. The restaurant continued to grow over the next three years. We had a  
75 steady flow of customers – some loyal customers from the beginning and new  
76 customers every day. Often it was difficult for our customers to get a reservation for a  
77 Friday or Saturday evening unless they called weeks in advance. Teri and I were  
78 contemplating opening a new dining experience near the Hawaii Theater in  
79 downtown Honolulu area where we would serve desserts for the after-theater  
80 crowd. Teri had already worked up the business plan and we decided to call it “Just  
81 Desserts.”

82 6. I was surprised when Teri told me we were running in the red, because  
83 business was going so well. My initial thoughts were perhaps our prices were not  
84 covering our expenses sufficiently. So, when I saw the Honolulu Chamber of Commerce  
85 presenting a seminar on February 26, 2018, on the topic “Realizing Your Full Potential”  
86 talking about making your business more profitable, I thought I could sharpen my  
87 business sense. The timing was perfect for me to attend the seminar. Teri had told me  
88 about our financial woes the week prior, and the seminar was on a Monday when the  
89 restaurant was closed. I attended the presentation and spoke with Jo Walker, an  
90 accountant, immediately after the presentation. Walker was one of the speakers at the

91 seminar. A copy of Walker's curriculum vitae, marked as Exhibit #1, was included in the  
92 presentation materials. I hired Walker to do an audit of the business to see where we  
93 could improve – perhaps negotiate with vendors more or change our pricing. I also  
94 learned during the seminar that restaurants and retail business have a lot of opportunity  
95 for employee theft. I wondered if our food inventory was "walking off" with some of the  
96 employees in the evenings. So, the following day I purchased a key and padlock to  
97 secure the food inventory in our cooler. Exhibit #8 is a copy of the padlock receipt. The  
98 only ones who had a key to the padlock were Teri, John, and me. Teri told me she  
99 thought it was a good idea to use the padlock to protect our inventory in case the  
100 employees were helping themselves.

101           7.       Jo Walker came out Tuesday, February 27<sup>th</sup> and did an overview of the  
102 restaurant and the financials. I agreed to hire Walker for the two-week audit starting  
103 Tuesday, March 6<sup>th</sup>. Walker required payment in advance. I paid the fee of \$6,500 out  
104 of my personal funds since the restaurant did not have the cash on hand. When I told  
105 Teri about doing the audit, she did not seem nervous or act suspicious. In retrospect,  
106 she always was cool as a cucumber regardless of the situation. I suppose having a  
107 poker face was a practiced skill from her gambling experiences. Or maybe she thought  
108 she had hidden her tracks well enough that I would not find out she had stolen so much  
109 money from the business. I had seen her gambling in action on a dinner cruise once.  
110 Later, Teri played it off as family money lost and it was no big deal. Family money or  
111 not, it was hard watching Teri being urged on by a "friend" known as Morgan, who was  
112 causing her to lose more money.

113           8.       Business went on as usual those next two weeks during the audit. Teri

114 came in regularly to do her work as she had in the past. Walker continued to do the  
115 audit. When I would ask how it was going, Walker would say, "It is a work in progress."  
116 Then on Friday, March 16th, I got the shock of my life. Walker informed me the audit  
117 was complete and Teri had been stealing from the business – nearly \$300,000! I was  
118 stunned. I could not imagine why she would steal from me – from us.

119 9. I asked Walker for some examples to show me how the theft took place.  
120 Walker indicated Teri was stealing from 10<sup>th</sup> Avenue's in a variety of ways. The first way  
121 was skimming. There were several instances where one of the wait staff had a carbon  
122 copy of a ticket order in their book, but the order was not included on the cash register  
123 tape for the day. Walker showed me an example of this, which is marked as Exhibit #2.  
124 Walker showed me check marks on the January 13, 2018 cash register tape showing  
125 the ticket orders. Walker found a ticket order for that day not entered. Walker was not  
126 sure for certain if the skimming was attributed to Teri because someone else could have  
127 been managing the cash register at the time. However, when Walker looked at all of the  
128 stealing events as a whole, there were events Walker could directly connect to Teri. For  
129 example, certain daily cash register tapes did not match to the deposit made. These  
130 deposit slips were written in Teri's handwriting, and were part of her normal job  
131 responsibilities rather than the responsibility of any other employee at 10<sup>th</sup> Avenue's.  
132 Walker showed me a deposit slip, marked as Exhibit #3, in the amount of \$587.93 on  
133 Monday, February 12, 2018. The problem was that the deposit slip did not add up to the  
134 cash register tapes from Friday, February 9th in the amount of \$2,299.61 and on  
135 Saturday, February 10th for \$3,089.57. Lastly, Walker found checks written to cash or to  
136 Teri that were shown as void in the check register but cleared the bank. In order to

137 balance the account, another check in the check register was manipulated to increase  
138 the payment to cover the amount of the “voided” check made out to Teri, which is what  
139 Walker showed me in Exhibit #4. The Supplies Unlimited entry was for \$3,093.45 when  
140 it should have been entered as \$93.45 according to the invoice. I could not figure how  
141 Teri learned to do this.

142         10. Sure, I was angry at the time when Walker first told me the news. Who  
143 would not be angry? I probably even said some things in haste, but I was not angry  
144 enough to kill her. It did not even cross my mind! Sure, I said, I was going to make Teri  
145 pay for this – but I meant financially. Teri would have to find the money to make it right.  
146 She had lots of rich relatives to help come up with the money.

147         11. I confronted Teri about the thefts after Walker left the restaurant. I was  
148 angry but controlled. I asked Teri where the money had gone. She admitted to me she  
149 was a gambler and was in a temporary slump the past six months. She said she was in  
150 serious debt to a loan shark she called “Lane.” She never mentioned a last name.  
151 Teri told me she owed Lane over \$200,000 and she had already paid over \$300,000,  
152 most of which came from the restaurant. She also had borrowed money from her rich  
153 folks to pay off some of her other gambling debts, but her parents told her that it was the  
154 last time they were going to bail her out. Teri explained to me she had become  
155 desperate because Lane had threatened to kill her if she did not come up with the  
156 money. Teri described instances where Lane had choked her or put a lit cigarette to her  
157 arm. I saw the burn marks on her arm and the bruises on her neck. I do not know how I  
158 did not notice them before. This was a whole new world that was foreign to me.

159         12. Yes, I felt betrayed by Teri, but at the same time, I felt scared and sad for



160 her. She was in serious trouble. Her addiction to gambling ruined a promising career in  
161 the restaurant business. Teri said she could string Lane along a little longer. And in  
162 response I said, "No, you need to come up with the money right now, or you could get  
163 killed." Maybe my naïveté was still working overtime, but I thought there might be a way  
164 to help her and get the business back on track. I told her I would loan her the money to  
165 pay off the debt, and in exchange she had to agree to seek professional help for her  
166 gambling addiction. Teri agreed. I said I would also get her "Just Desserts" partnership  
167 interest. Honestly, I was not thinking everything through at the moment because all of  
168 this took me off guard. I do not even know how I was going to come up with the  
169 \$200,000 to help Teri out of her jam. I was broke. I had put everything into the business  
170 and according to Walker, we were going to have to file for bankruptcy.

171 13. You can only imagine how worried I was the week following my  
172 conversation with Teri on the 16<sup>th</sup>. I kept trying to come up with solutions. I did not sleep  
173 a wink after that. I was trying to brainstorm ways to get money for Teri to get her out of  
174 this nightmare. I thought maybe Teri's best way to get out of this mess was to turn Lane  
175 over to the police for loan sharking. I went on the internet and Googled "loan sharking"  
176 and found out her contract with Lane was void under the law. I thought she could go to  
177 Lane and say if the loan was not voided according to the law, she would have no choice  
178 but to turn Lane into the police department.

179 14. On Saturday, March 24<sup>th</sup>, after the dinner crowd and the kitchen staff had  
180 gone for the evening around 10:00 p.m., I decided to tell Teri my solution to her  
181 problems. Teri stepped out of the kitchen door to smoke a cigarette and ignored her cell  
182 phone ringing as we walked outside together. I told her I could not think of a way to pay

183 Lane because she had taken so much money out of the restaurant. 10<sup>th</sup> Avenue's was  
184 bankrupt and would have to be closed. I explained the idea of Teri telling Lane to void  
185 the contract or be turned in to the police. Teri did not think Lane would be receptive to  
186 the idea and we argued over it. Finally, Teri came to her senses and agreed. I did not  
187 see anyone in the alley when we were talking. Besides, we had a quick downpour of rain  
188 and were soaked before we got back inside. I never reported this conversation to the  
189 police after Teri was murdered because I was afraid if I said anything, Lane would come  
190 after me to collect on Teri's loan.

191         15. Early April, Detective Haiden asked to meet me at 10<sup>th</sup> Avenue's to ask me  
192 some follow-up questions and to see the place again. Haiden confronted me with Lane  
193 Gomes's statement. Gomes is lying about me threatening Teri and "brandishing a  
194 knife" – that is ridiculous! Gomes obviously does not want to be nailed for Teri's  
195 murder. Of course my fingerprints would show up on the kitchen knife, the padlock, and  
196 the cooler door. 10<sup>th</sup> Avenue's is my restaurant. My fingerprints are all over the  
197 restaurant. I worked in the kitchen and would touch all of those things numerous times  
198 throughout the day. The kitchen knife would have been washed that evening and run  
199 through our sanitizer. I do not know if washing the knife would have eliminated my  
200 fingerprints, but I might have picked up the knife after it was washed for food  
201 preparation. I do not remember now. If I were going to murder Teri, why would I do it at  
202 the restaurant where we work and leave my fingerprints on a knife? I also never  
203 hesitated when Detective Haiden asked me to go down to the station to give my  
204 fingerprints. Does willingness to help sound like someone who is guilty? I was arrested  
205 on April 5, 2018 for Teri's murder.

206           16.     The last time I saw Teri was about 10:30 p.m. on the night of March 24,  
207     2018. I was ready to lock up for the evening, but Teri was going to stay later and jot  
208     down some ideas for next week's menu. Days after Teri's death I found the note she  
209     wrote marked as Exhibit #9, which had slipped behind one of the kitchen work stations.  
210     The note had her menu ideas for the following week. Back to that night – I started to  
211     lock up the cooler, but Teri told me she would do it because she had to check and see if  
212     we had the necessary ingredients for next week's menu. She said she would lock up the  
213     cooler and the back door when she left. As I was leaving through the kitchen back door,  
214     I saw a person in the shadows in the alley about 50 feet away next to a black Cadillac.  
215     The next Tuesday, I returned to the restaurant after a frantic call from Crowell that Teri  
216     had been found dead in the cooler. I provided the investigator on the scene, Detective  
217     Haiden, a diagram of 10<sup>th</sup> Avenue's, marked as Exhibit #12, which is an accurate  
218     representation of the restaurant's layout, as well as the street and alley. When Teri was  
219     found murdered, I told Detective Haiden about the person I saw. As a result, Haiden  
220     showed me some pictures on a tablet, which is when I was able to identify the person I  
221     saw as Lane Gomes.

222           17.     My legal team was smart to keep a copy of Teri's note before turning over  
223     the original to the police, which was lost in the evidence room and now Exhibit #9 is the  
224     copy and not the original note. Given Detective Haiden's prior history of evidence  
225     tampering, which had been all over the news, I know now why Teri's original note,  
226     Exhibit #9 disappeared. The folks at the police department probably could have done  
227     scientific testing to figure out when Teri wrote the note on the night of her death or  
228     gotten her fingerprints. Who knows? Either way, the original note could have provided

229 evidence pointing to my innocence. I am certain Lane Gomes is responsible for Teri's  
230 murder. I would not and did not kill Teri. We made amends and were going to figure out  
231 a solution together.

232 18. I know the insurance policy for the buy-sell agreement is \$500,000, as  
233 noted in Exhibit #5. The insurance money has not been issued yet because there is a  
234 clause in the buy-sell agreement if a beneficiary under the policy intentionally caused  
235 the insured's death. I did not kill Teri and that money should be mine. The restaurant  
236 never re-opened after Teri's death and I am in the hole for substantially more money  
237 than ever before. I should have never been arrested for Teri's murder. I am the "fall guy"  
238 for a mob hit carried out by Lane Gomes and covered up by the corrupt investigator Dee  
239 Haiden.

#### WITNESS ADDENDUM

I have reviewed this statement, and I have nothing of significance to add at this time.  
The material facts are true and correct.

Signed,

Kai Lee

Kai Lee

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020  
Hawaii High School Mock Trial Competition.

Michala Watson

Michala Watson, Notary Public  
State of Hawaii

My Commission Expires: 4/3/20

Affidavit of  
CJ MORGAN

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1           1.       My name is CJ Morgan. I am 27. I grew up in Hartford, Connecticut. I had  
2 a rough home life, so I ran away when I was 17. I have moved around a lot since then –  
3 – and used my charming personality to make ends meet. I am not  
4 going to lie to you. I have definitely had my run-ins with the law. In 2011, I was  
5 convicted of credit card fraud. I also served time for check fraud in North Carolina in  
6 2012 and again in 2014. In 2015, I was charged with insurance fraud, but the charges  
7 were later dropped. About a year or so ago, I left North Carolina because it was getting  
8 a little hot for me with the law and some people thought I had scammed them. I  
9 swapped one hot place for another and came to Hawaii. I came to Honolulu, Hawaii  
10 looking for a new life. I thought I could put the past behind me and start over. I am  
11 shooting straight here – I stole someone’s identification information and got busted for it  
12 on March 19<sup>th</sup>.

13           2.       I am serving my time in the local jail because the identity theft charges  
14 were not serious enough to land me in the Oahu Department of Corrections (ODC).  
15 When you do time in the local jails, there are always people coming and going for  
16 various reasons. My last cell mate got convicted of a third DUI and got transported over  
17 to ODC to do some serious time, which left me with an empty bed. Lane Gomes got  
18 arrested for loan sharking and murder of Teri Wong. My cell was open, which is where  
19 Gomes landed. We had run into each other several times before at some of the clubs. I  
20 was looking for an easy target and Gomes was shaking someone down for some  
21 money owed. You see, Gomes had a reputation around town as a loan shark –

22 someone who lends money at an excessive rate of interest. I stayed out of Gomes's  
23 way. I could be trusted because I never turned Gomes in.

24         3.         Sometime after Gomes was put in my cell, we are chatting you know, like  
25 “what are you doing time for” and yadda yadda yadda. Gomes mentions being in for the  
26 murder of Teri Wong. I knew Teri from some interisland gambling cruises where we had  
27 been at the same tables, but did not know she had been killed. Teri had one foot in two  
28 different worlds, the business world and the gambling world, and she walked a fine line  
29 between the two. I met Teri a while back when she started talking to me on one of the  
30 gambling cruises in the bar. She was distraught about some of her losses and had  
31 noticed how I was working some of the tables over the evening. One thing led to  
32 another and I was telling her about the different ways to scam money from people and  
33 businesses without them even knowing. She lit up when I explained how easy it was to  
34 skim cash from a business, especially if you knew or controlled who did the  
35 bookkeeping. We must have talked for three or four hours that night about various ways  
36 to get rich without working – or at least how to pay off your bookie without a lot of  
37 hassle.

38         4.         I had watched Teri. She was a maniac. In poker, maniac means a player  
39 who plays very loose and aggressive, often raising with almost anything. In the jail cell,  
40 Gomes called her a “fish,” a poor player. Gomes said, “I should have had Teri  
41 swimming with the fish a long time ago.” Teri was on a “tilt,” according to Gomes. A “tilt”  
42 is a poker term for a player who has played too long, lost too much money, and no  
43 longer has any sense of judgment. Gomes said, “Once you are on a tilt, you are making  
44 bad decisions and putting yourself in bad situations.” Well, from my experience with

45 Teri, she was on a tilt every time I was at a table she played. She had no sense of self-  
46 preservation or knowing when to walk away from a losing table. Lady luck never stays  
47 long at a table, so you have to know when the house is going to take you for everything.

48         5.         Another time I ran into Teri on a casino dinner cruise out of Maui.  
49 Teri and Kai Lee were in Maui for a hospitality and restaurant conference. I kept  
50 my distance during the dinner. It looked like they were having a good time. After dinner,  
51 I sidled up to Teri at a Texas Hold 'em table. I do not know where Lee was at the time.  
52 Teri was on a tilt as usual. I might have been cheering her on that each new hand was  
53 going to be her winner. Lee must have walked back up while I was not looking.  
54 Suddenly, Lee spun me around and started yelling at me to stop and Teri had lost  
55 enough money. I said, "Hey back off," and then Lee threw a drink in my face. How rude.

56         6.         Sometime later, I made a stop in at 10<sup>th</sup> Avenue's. I was hungry and  
57 thought maybe I could get a free meal. Teri recognized me, looking around like she was  
58 worried for a second. When she saw her business partner was not in sight, she gave  
59 me a hug and seated me in a back-corner table. I asked how business was. Teri sighed  
60 and said business was good, but not good enough to keep up with her "little problem." I  
61 assumed she meant the money owed to her bookie. Teri may have been dramatic, but  
62 she told me she was out of options and thought Gomes was going to kill her for the  
63 money. I could tell she was scared and physically shaken. Her statements made me  
64 think Gomes was going to kill her. Turns out I was right to think that. I did get an  
65 amazing steak dinner out of it. Teri wondered if going to the police would help in order  
66 to get out from under Gomes. I told her going to the police was a bad idea and if she  
67 did, Gomes would be even more angry with her than if she simply had trouble making

68 payments. From where I was sitting, I could see into the kitchen area, including the  
69 cooler where she later died – what an awful way to go. The restaurant is laid out like the  
70 diagram marked as Exhibit #12. When I was heading out of 10<sup>th</sup> Avenue's and back up  
71 10th Avenue, I know I saw Lane Gomes's car parked at the edge of the alleyway  
72 overlooking the back of 10th Avenue's. Gomes's car was a black Cadillac clearly  
73 identifiable with custom wheels and racing exhaust. Gomes was never subtle. Gomes  
74 always had a habit of staying around where the people who owed money could easily  
75 see Gomes was watching over them.

76         7.       So anyway, in the jail cell, Gomes starts telling me the whole story about  
77 how Teri was into Gomes for some big money. Gomes mentioned recently learning  
78 that Teri had "bled her business dry and was worthless." Teri could not even make  
79 payments for the "juice" – the interest on Gomes's loan. Apparently Gomes overheard  
80 Teri say she was going to threaten Gomes with going to the cops if Gomes did not  
81 walk away from her debt. Going to the cops would have been a stupid thing to do. Like  
82 some loan shark is going to say, "I'm scared. Please don't turn me in, and I won't make  
83 you pay me the money you owe me." Gomes says to me, with no emotion or nothing,  
84 like it was another day in the park, "So, I had Teri iced." And when Gomes "iced," it did  
85 not mean go to the refrigerator to cool down, if you know what I mean. Gomes stated  
86 that the idea was to make Teri suffer too, because it was no longer about money since  
87 Teri was thinking about turning Gomes in to the cops. So, Gomes described forcing  
88 Teri into a cooler for a slow and cold death.

89         8.       Gomes also talked about doing a good job of "cleaning" referring to  
90 covering up any tracks left behind to make sure it did not lead back to Gomes. Gomes



91 further described to me how gloves were worn so there would be no fingerprints found.  
92 Gomes was not worried at all. Gomes dropped a hint about “having a connection on  
93 the inside.” Gomes never said who it was, and I knew better than to ask.

94 9. Gomes did mention that Haiden was the detective investigating Teri’s  
95 murder. Haiden had been my arresting officer on some previous charges, so I knew  
96 who Gomes was talking about. Anyway, I never turned Gomes in for loan sharking in  
97 the past, but murder is something else. I tried calling Detective Haiden twice to report  
98 what Gomes told me, but Haiden never took my calls. Haiden probably did not return  
99 my calls because one time I ratted on someone else in jail and I might have gotten  
100 some facts mixed up.

101 10. Eventually, after the charges against Gomes were dropped and Teri’s  
102 business partner was arrested, I saw some newspaper articles about the upcoming trial  
103 and who the attorneys were for Kai Lee. I reached out to Lee’s attorneys who came to  
104 meet me in jail to hear what I had to say. The better side of me came out. I thought I  
105 should help an innocent person. Lee was going to take the rap for this, which I could not  
106 let happen when I knew the truth.

107 11. You know, I have no reason to lie. What do I get out of this? It is not like I  
108 am testifying for the prosecution and getting a reduced sentence. And it is not like Lee  
109 has some dough to pay for my testimony. There is no reason for me to make this stuff  
110 up. Plus, how would I know so many details? And this lame story about me having to  
111 stick with a story once I started down this road is crazy. I am in enough trouble as it is –  
112 I do not need perjury on my rap sheet, too.

113 12. I know you have to wonder why Gomes would blabber all of this to a low-

114 life like me. I am a nobody. I think I was a pawn for Gomes. Gomes probably wanted to  
115 get the word out on the street that Gomes meant business to instill fear so people  
116 would pay their debts and not go to the cops. When you are in the racket, the thing you  
117 have going for yourself is the fear factor. I realize now why Gomes was not worried  
118 about saying anything to me about killing Teri. Turns out Gomes was right to be  
119 confident about "connections on the inside."

**WITNESS ADDENDUM**

I have reviewed this statement, and I have nothing of significance to add at this time.  
The material facts are true and correct.

Signed,

CJ Morgan

CJ Morgan

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020  
High School Mock Trial Competition.

Miriam Wrenn

Miriam Wrenn, Notary Public  
State of Hawaii

My Commission Expires: 12/08/22

Affidavit of  
JAMIE YOUNG

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1           1.       My name is Jamie Young and I am 54 years old. I am a criminal justice  
2 professor at the University of Hawaii at Manoa (UH). I have been back at my alma mater  
3 for more than a decade now. After graduating from UH in 1986, I went on to earn my  
4 master's degree in Sociology at the University of Pennsylvania, as well as my Ph.D. in  
5 Criminal Justice. I am also a licensed private investigator in Pennsylvania and Hawaii. A  
6 copy of the abbreviated version of my curriculum vitae is marked as Exhibit #10. Of  
7 course, I have had many more publications, such as journal articles, chapters written for  
8 books, book reviews, and a host of seminar presentations and lectures. I presume the  
9 abbreviated version of my curriculum vitae will demonstrate I am well-recognized as an  
10 expert in the study of organized crime.

11           2.       Reliable information about organized crime is not always easy to obtain.  
12 However, I have devoted my research and teachings to organized crime, including the  
13 historical background, theories and research, specific crime groups and their  
14 operations, and law enforcement strategies to counter organized crime. I am currently a  
15 co-director of the International Association for the Study of Organized Crime (IASOC),  
16 which is a professional association of criminologists, researchers, teachers and  
17 students. Founded in 1984, IASOC holds meetings in conjunction with the American  
18 Society of Criminology. IASOC works to promote greater understanding and research  
19 about organized crime in all of its manifestations.

20           3.       A significant portion of my research and study has been on the type of  
21 crimes – particularly murder – committed by people within organized crime. The

22 underlying crimes in organized crime are the typical selection of preferred mob rackets  
23 and methods: loan sharking, sports betting, extortion, income tax evasion, income tax  
24 fraud, narcotics, and human trafficking. Intimidation, violence, murder, and obstruction  
25 of justice are used to further the goals of people in organized crime. The wise guy life is  
26 a sharp and cocky, cash-driven subculture. Sure, they can come across as good fellas,  
27 and some are not complete strangers to doing some good, but ultimately gangsters do  
28 their deeds through deception, intimidation, violence, and murder.

29         4.       Men and women within organized crime have a particular signature when  
30 committing crimes, which takes one of two avenues: either committing the crime in such  
31 a heinous fashion so as to send a message to other would be wrong-doers against the  
32 mob/mafia or skilled use of hiding the crime or their connection to it. An example of the  
33 former is with a public warning, such as the public hit on a sidewalk of Paul Castellano  
34 allowing John Gotti to become head of the Gambino family.

35         5.       Organized crime's use of hiding the crimes or their connection to the crime  
36 definitely has its own signature. Each mob group has their own preferred style, but often  
37 word spreads of another group's style and sometimes there are copycats among the  
38 mob. And, compared to a non-career criminal, it is far more sophisticated and skilled.  
39 We have probably all heard of "swimming with the fishes" in which the mob would tie the  
40 victim to a cement block and throw them in a body of water. Another popular "signature"  
41 method of the mob is to hide a corpse in a false bottom of a casket of another person.  
42 Other disposal methods include dismemberment, burial, or placing the body in the trunk  
43 of a car and having it crushed in a junkyard.

44         6.       One of the more notorious mob men is Richard Kuklinski, who earned the

45 nickname "Iceman" following his experiments with disguising the time of death of his  
46 victims by freezing their corpses in an industrial freezer. The condition of the body is  
47 sometimes the only means available for the coroner to estimate the time of death.  
48 Generally, body temperature is used as an indicator of the post-mortem interval during  
49 the first 12 to 24 hours of death. Kuklinski himself claims he used a Mister Softee ice  
50 cream truck for this purpose. Later on, he said he got the idea from a hitman named  
51 Mister Softee, who drove a Mister Softee truck to appear inconspicuous. Kuklinski's  
52 method was uncovered by the authorities when Kuklinski once failed to let one of his  
53 victims properly thaw before disposing of the body on a warm summer's night, and the  
54 coroner found chunks of ice in the corpse's heart. This methodology gained some  
55 popularity among those involved in organized crime in the late 1990's and into the 21<sup>st</sup>  
56 century. It is still fairly common today to find mob victims frozen in industrial freezers.

57         7. I have reviewed Detective Haiden's Investigation Report, marked as  
58 Exhibit #6. I have also reviewed the autopsy report marked as Exhibit #11 and the  
59 diagram of 10th Avenue's marked as Exhibit #12. In addition, I have seen the receipt for  
60 the padlock marked as Exhibit #8 and a copy of the menu notes left behind by Teri  
61 marked as Exhibit #9. It is my understanding that due to the gruesome nature of the  
62 photographs of the decedent, these photographs are not part of the evidence of this  
63 case with the exception of the photograph of the victim's dying message to identify her  
64 killer, which is marked as Exhibit #7. I did not go to the crime scene, nor have I  
65 undertaken any independent physical examinations of the victim or fingerprint analysis. I  
66 have, however, been to 10th Avenue's prior to Teri Wong's murder. While I agree that  
67 Teri Wong stole funds from 10th Avenue's, I am not convinced it is the only reason

68 10th Avenue's is in such financial trouble. On the night I was there, I saw some guests in  
69 my own dinner party experiencing problems with their meals. To my surprise, Kai Lee,  
70 one of the owners, came over to our table and comped the entire table and not just the  
71 ones having a problem. Comping entire tables can create large revenue losses and  
72 shows a lack of business sense. If Lee handled issues like ours every time something  
73 minor happened with a meal, 10th Avenue's would be out of business quickly.

74 8. Based upon my review of the foregoing, and my extensive knowledge and  
75 expertise in studying criminal behavior in organized crime, it is my opinion Teri Wong  
76 was murdered by a person involved in organized crime. The spreadsheet found by  
77 police at the home of Teri Wong showed payments made to Lane Gomes. Injuries on  
78 Teri Wong's body reinforce having received previous "warnings" to pay. Late payments  
79 were punished in typical fashion by the mob with cigarette burns and strangulation, both  
80 known signatures of Lane Gomes. Lane Gomes somehow must have found out that  
81 Wong's restaurant was going bankrupt. Wong became a liability for Gomes, rather than  
82 a source of revenue, and even more so if Gomes thought Wong would turn Gomes in  
83 to the cops.

84 9. I am familiar with Lane Gomes, who denies being a part of organized crime  
85 even though this is clearly not the case. While Gomes is a money collector and/or  
86 minor enforcer, Gomes is not important enough to order a hit or to follow through on a  
87 hit. Killing someone would come from further up in the organization. In addition,  
88 organized crime tends to keep money collectors far separated from those who carry out  
89 the hits.

90 10. The methodology used in this crime is also consistent with a mob hit. The

91 use of an industrial freezer or cooler to hide the victim's time of death and the "cleaning"  
92 of the crime scene is indicative of a sophisticated skill level of crime inherent in  
93 organized crime. This method is completely inconsistent with the method and mode of a  
94 person committing a crime in the heat of passion. Had Lee murdered Wong in rage over,  
95 say, theft of funds from the business, a quick death would be more likely at the sharp  
96 end of a knife. This is what happens when a person snaps in the moment – picking up  
97 the closest available weapon and killing another person. In the case of a restaurant,  
98 knives are both plentiful and available. The average person committing a crime of  
99 passion or in the heat of the moment would not lock someone in a cooler, because said  
100 person would then have ample time to cool off (no pun intended), calm down, and let  
101 the victim back out of the cooler before death became imminent. With most people, "in  
102 the heat of the moment" is just that, not rational thought but rather done on murderous  
103 impulse. Once the impulse is gone, regret and anguish take over. Had Lee locked Wong  
104 in the cooler in rage over the theft of funds from the business, Lee would have had a  
105 clear cool down period in which to reevaluate the situation and let Wong out of the  
106 cooler prior to her death. In addition to that, a heat of the moment argument would only  
107 be valid for March 16<sup>th</sup> when Lee first confronted Wong about the theft of funds. A full  
108 week later, the impulse to kill would not remain, and especially not in such a slow and  
109 agonizing way. This is the type of killing meant to send a message to others, and the  
110 message is pay up or suffer horrifically.

111           11. I am also extremely critical of the police investigation in this matter. I have  
112 done a significant amount of research in the study of corruption in law enforcement.  
113 One reason the mafia and mobs have survived and thrived for so many years is, in part,

114 because of a few corrupt police officers, who have lost or tampered with evidence, or  
115 tipped off the mob. Detective Haiden should never have been assigned to investigate  
116 this case. Detective Haiden was previously accused of tampering with evidence  
117 involving a bribe from Lane Gomes, which on its face value makes Haiden suspect in my  
118 mind for any case in which Gomes and Haiden could intersect. I am unconvinced  
119 Haiden exerted independence when first arresting Gomes. The charges were later  
120 dropped and, I believe, it could have easily been a ruse to throw us off. This entire  
121 murder investigation was compromised due to Haiden's involvement.

122           12. I have been paid \$3,000 to render an expert opinion in this case. I came  
123 into the case with no preconceived notions, and strictly looked at the facts as presented.  
124 I have spent a total of four hours reviewing evidence, and then I have additional time  
125 incurred in providing this statement as well as my testimony in court. I have testified in  
126 numerous cases in which organized crime may be a factor. I have testified both for the  
127 prosecution and the defense. Normally, my rate is \$5,000 to render an expert opinion,  
128 but because I went to school with one of the attorneys for the defense, I have  
129 discounted my rate as a professional courtesy.

**WITNESS ADDENDUM**

I have reviewed this statement, and I have nothing of significance to add at this time. The material facts are true and correct.

Signed,

Jamie Young

Jamie Young

SIGNED AND SWORN to me before 8:00 a.m. on the day of this round of the 2020 Hawaii High School Mock Trial Competition.

A.G. Molli

A.G. Molli, Notary Public  
State of Hawaii

My Commission Expires: 12/15/25



# EXHIBITS

## EXHIBITS AVAILABLE TO BOTH PARTIES

The parties have stipulated to the authenticity of the trial exhibits listed below. The Court will, therefore, not entertain objections to authenticity of these trial exhibits. The parties have reserved any objections to the admissibility of any of these exhibits until the trial of the above-captioned matter. The trial exhibits may be introduced by either the Prosecution or the Defendant, subject to the Rules of Evidence and the stipulations of the parties contained in the materials.

#	EXHIBIT DESCRIPTION
1	Walker's Curriculum Vitae
2	Ticket Order and Cash Register Tape
3	Deposit Slip and Cash Register Tapes
4	Check and Check Register
5	Buy-Sell Agreement
6	Investigation Report
7	Photo Inside 10th Avenue's Cooler
8	Padlock Receipt
9	Menu Notes
10	Young's Curriculum Vitae
11	Autopsy Report for Teri Wong
12	Diagram of 10th Avenue's

The parties reserve the right to dispute any other legal or factual conclusions based on these items and to make objections to these items based on other evidentiary issues.

EXHIBIT #1: Walker's Curriculum Vitae

**JO WALKER, CPA, CFE**  
513 South King Street, Honolulu, Hawaii

**EDUCATION**

University of Hawaii at Manoa  
B.S. in Accounting – May 1981 Cum Laude, 3.75  
Beta Alpha Psi - Accounting Major Honorary, Treasurer Top Accounting Student  
Beta Gamma Sigma – Business Honorary Luca Pacioli Award

**CERTIFICATIONS**

Certified Public Accountant June 1981 to present  
Certified Fraud Examiner June 2003 to present

**EMPLOYMENT**

Account-Abilitee, CPAs (owner) June 1984 – present  
513 South King Street, Honolulu, Hawaii  
Full service accounting firm, providing a variety of accounting services to our clients including, bookkeeping, general accounting, audit, tax management and preparation, personal financial planning, and business valuation. Specialization in forensic accounting, conducting forensic investigations, utilizing my accounting, auditing, and investigative skills. Instrumental to numerous investigations detecting accounting fraud.

Arthur Andersen CPA May 1981- May 1984  
33 W. Monroe, Chicago, Illinois  
Manager. Consumer and Business Products Auditing Division. Audited financial statements of clients and responsible for management of audit team. Promoted rapidly.

**MEMBERSHIPS**

Association of Certified Fraud Examiners (ACFE)  
American Institute of Certified Public Accountants (AICPA)  
Hawaii Association of Certified Public Accountants (HACPA)

**CONTINUING EDUCATION**

E-Fraud: Preventing and Detecting Technology-Based Crimes (ACFE; July 2010) Co-presenter  
Money Laundering: Tracing Illicit Funds (ACFE; July 2010)  
Advance Fraud Examination Techniques (ACFE; July 2006)  
Computers in Fraud (ACFE; July 2006)  
Contract & Procurement Fraud (ACFE; July 2005)  
Auditing for Internal Fraud (ACFE; July 2005)  
Fraud Prevention (ACFE; July 2004)  
Investigating by Computer (ACFE; July 2004)  
Conducting Internal Investigations (ACFE; July 2003)  
Auditing for Internal Fraud (ACFE; July 2003)  
Principles of Fraud Examination (ACFE; July 2002)  
Building Your Fraud Examination Practice (ACFE; July 2002)

EXHIBIT #2: Ticket Order and Cash Register Tape

10th Avenue's		
1/13/18		
1	Tuna Tartar	\$8.95
1	Bruschetta	\$4.95
1	Lettuce Wedge Salad	\$4.45
1	Lettuce Wedge Salad	\$4.45
1	Pork Medallions	\$19.95
1	Chilean Sea Bass	\$21.95
1	Roasted Asparagus	\$5.95
1	Glass House Merlot	\$6.95
1	Glass House Chardonnay	\$5.95
1	Mini Baked Alaska	\$5.95
1	Chocolate Cake	\$5.95
	Sub-Total	\$95.45
	SC Tax	5.73
	Total	101.18
	Tip	_____
	Total	_____

01-13-18	
✓	96.34
✓	83.24
✓	164.32
✓	54.80
✓	97.66
✓	123.76
✓	114.93
✓	82.54
✓	66.44
✓	79.91
✓	85.56
✓	99.33
✓	58.75
✓	93.99
✓	65.00
✓	74.45
✓	92.34
✓	123.98
✓	78.78
✓	116.43
✓	224.56
✓	95.87
✓	183.24
✓	48.56
✓	64.34
✓	114.56
✓	2583.68

EXHIBIT #3: Deposit Slip and Cash Register Tapes

DEPOSIT		
<b>10th Avenue's</b> <b>Acct# 34533245</b>	Coins	43.00
	Cash	325.00
	Checks	219.93
	Sub-Total	587.93
<b>Date:</b>	Less Cash Received	0
Feb. 12, 2018	Total	587.93

*First Hawaii Bank, Honolulu, HI*

Friday, 02-09-18	
✓	39.65
✓	92.34
✓	99.00
✓	114.32
✓	178.67
✓	154.36
✓	86.45
✓	119.60
✓	45.54
✓	92.34
✓	136.45
✓	78.84
✓	91.70
✓	85.16
✓	123.55
✓	48.56
✓	78.84
✓	93.25
✓	44.21
✓	116.87
✓	46.78
✓	90.91
✓	143.22
✓	99.00
2299.61	

Saturday, 02-10-18	
✓	36.54
✓	46.78
✓	86.98
✓	99.00
✓	78.84
✓	83.45
✓	92.34
✓	77.44
✓	154.36
✓	178.67
✓	183.77
✓	92.34
✓	144.68
✓	114.32
✓	86.45
✓	48.56
✓	93.25
✓	87.36
✓	136.45
✓	119.60
✓	98.46
✓	85.16
✓	48.56
✓	92.34
✓	178.67
✓	123.98
✓	91.70
✓	67.18
✓	93.25
✓	45.54
✓	123.55
3089.57	

EXHIBIT #4: Check and Check Register

10th Avenue's 38 10th Avenue, Honolulu, HI 96816	#1099
	Date <u>02/27/18</u>
Pay to the Order of: <u>Teri Wong</u>	\$ 3,000.00
<u>Three thousand and 00/100</u>	Dollars
Memo _____	<u>Teri Wong</u>
•548200• 648752• 01099	

CHECK REGISTER						
Number	Date	Transaction Description	Payment Fee/Withdrawal	✓	Deposit, Credit	BALANCE
						11,345.22
1094	02/21/18	Let Us Produce	165.00			11,180.22
1095	02/21/18	Meat Market	465.00			10,715.22
1096	02/22/18	Vineyard Wines	455.85			10,259.37
	02/22/18	Deposit			825.36	11,084.73
	02/23/18	Deposit			923.45	12,008.18
1097	02/23/18	Laundry Time	122.35			11,885.83
	02/24/18	Deposit			654.92	12,540.75
1098	02/27/18	Supplies Unlimited	3,093.45			9,447.30
1099	02/27/18	** Void **				9,447.30
1100	02/28/18	Let Us Produce	128.00			9,319.30

EXHIBIT #5: Buy-Sell Agreement

PARTNERSHIP CROSS-PURCHASE WITH BUY-SELL AGREEMENT

This Agreement is made June 14, 2015, by and between Kai Lee and Teri Wong.

**WHEREAS**, the above-named individuals are partners doing business under the incorporated name of 10th Avenue's, LLP at 38 10th Avenue, Honolulu, HI 96816, the respective partnership interests of the partners being divided equally; and

**WHEREAS**, the partners desire to ensure the continuity of harmonious management of the partnership by providing for the purchase of a partnership interest by the other partner in the event a partner dies;

**NOW THEREFORE**, in consideration of the premises and mutual covenants contained herein, it is agreed by and between the parties as follows:

**FIRST:** Upon the death of a partner, the surviving partner shall purchase and the legal representative of the estate of the deceased partner shall sell to such surviving partner, the partnership interest owned by the deceased partner for the price established in accordance with the provisions of the SECOND and FOURTH Article.

**SECOND:** Unless and until a new value is established as herein provided, the value of the respective partnership interest of the partners for purposes of this agreement is \$100,000 each. At the end of each fiscal year, the partners shall agree upon the value of their respective shares. If the partners have not made such determination within two years of the death of a partner, an independent certified public accountant shall determine the value of the deceased partner's interest.

**THIRD:** In order to assure the availability of funds for the purchase of the partnership interest of a deceased partner by the surviving partner, the partnership has purchased insurance on the lives of each partner. The value of insurance on each of the partners shall be set initially at \$500,000. Payment of these policies shall be made from the LLC corporate accounts. The partners may purchase additional insurance as deemed necessary.

**FOURTH:** Upon the death of a partner, the other partner may immediately collect the proceeds of the policy on the life of the deceased partner. If the proceeds of all the policies on the life of the deceased partner are not sufficient to purchase the deceased partner's interest, the surviving partner shall be obligated to pay the remaining balance to the deceased partner's estate. If the proceeds of all the policies on the life of the deceased partner are in excess of the purchase price of the deceased partner's interest, the surviving partner shall be entitled to any excess funds.

**FIFTH:** Should the death of one partner occur at the hand of the other partner, then the surviving partner shall be excluded from any benefits laid out herein.

**UPON PAYMENT** of the purchase price of the partnership interest of the deceased partner the legal representative of the estate of the deceased partner shall execute and deliver to the surviving partner such instruments as shall be necessary to transfer complete title to the surviving partner.

**IN WITNESS WHEREOF**, the partners have executed this agreement the day and year first herein above written.

Teri Wong 6/14/15

Kai Lee 6/14/15

EXHIBIT #6: Investigation Report

<b>AGENCY ID</b> H04719		<b>HONOLULU POLICE DEPARTMENT</b> Honolulu, Hawaii (808) 555-1234				<b>INCIDENT #</b> 47-108290911		
<b>INCIDENT REPORT</b> PRINT OR TYPE ALL INFORMATION								
Page 1 of 4								
<b>EVENT</b>	INCIDENT TYPE			COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPES VICTIM
	Homicide – Body located in locked cooler			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Bus.	1	<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Other
	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE		WEAPON TYPE
	38 10 <sup>th</sup> Avenue – 10 <sup>th</sup> Avenue Restaurant					96816		N/A
	INCIDENT DATE		24 HOUR CLOCK		TO	DATE		24 HOUR CLOCK
	03/27/18		07:30			03/27/18		12:45
VICTIM'S NAME (LAST, FIRST, MIDDLE)				DATE OF BIRTH		HEIGHT	WEIGHT	
Wong, Teri (deceased)				05/13/82		5'3"	115 lbs.	
ADDRESS				CITY		STATE	ZIP CODE	
169 King Charles Road				Honolulu		HI	96816	
<b>SUBJECT NO.1</b>	NAME (LAST, FIRST, MIDDLE)			AKA				
	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULARITIES, ETC.							
	ADDRESS		CITY		STATE		ZIP CODE	
	SUBJECT (NO.1) USING: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN DRUGS <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO		DATE / TIME OF OFFENSE		DATE / TIME OF ARREST	
<b>NARRATIVE</b>	3/27/18 – 08:00 - Called to the scene by Honolulu PD's patrol office because of suspected homicide. Victim's body discovered lying on floor of restaurant's cooler by restaurant cook, John Crowell.							
	03/27/18 – 08:30 – Arrived on scene. Controlled and assessed scene. Diagram of restaurant is a separate document.							
	Body does not appear to have been moved or compromised. Victim appears to have died from hypothermia; the body is pale and waxy. There appears to be no recent outward signs of physical trauma to victim or evidence of physical disturbance in cooler or restaurant. Will wait for conclusions of autopsy. Body lying on floor of restaurant cooler near bacon strips spelling							
<b>PROPERTY</b>	TYPE (GROUP)						TOTAL VALUE	
	STOLEN							
	DAMAGED							
	BURNED							
	RECOVERED							
SEIZED								
<b>ADMINISTRATIVE</b>	SUBJECT IDENTIFIED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		SUBJECT LOCATED NO		<input checked="" type="checkbox"/> Active <input type="checkbox"/> ADM. CLOSED		<input type="checkbox"/> ARRESTED UNDER 18 <input type="checkbox"/> ARRESTED 18 AND OVER	
							<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH. 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRACTION DENIED 4. <input type="checkbox"/> VICTIM DECLINES OPERATION 5. <input type="checkbox"/> JUVENILE NO CUSTODY							
	REPORTING OFFICER		DATE	24 HR CLOCK	APPROVING OFFICER		DATE	UNIT NUMBER
	Inv. D. Haiden		04/05/18	17:23	Lt. Solomon		04/05/18	4618
FOLLOW-UP INVESTIGATION REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO								



EXHIBIT #6: Investigation Report

<b>AGENCY ID</b> H04719	<b>HONOLULU POLICE DEPARTMENT</b> Honolulu, Hawaii (808) 555-1234	<b>INCIDENT #</b> 47-108290911
<b>SUPPLEMENTAL INVESTIGATION REPORT</b>		
PRINT OR TYPE ALL INFORMATION)		
		Page 2 of 4

	DATE	03/27/18		
SUPPLEMENTAL NARRATIVE	"Killer" and the start of another letter. Victim holding an additional slice of bacon in hand next to bottom of last letter –			
	appears to attempt to spell another letter. Victim shows signs of non-recent physical trauma – ¼" round burn marks on inside			
	of right arm; bruising on neck consistent with someone grabbing her at neck. Victim also shows bruised hands from			
	attempting escape from the locked cooler. No evidence of break-in at restaurant. Inspected the premises and nothing was			
	out of order. Purse, keys, wallet, and cell phone of the victim were in her desk drawer. Nature of death, use of cooler, is			
	consistent with mob hit.			
	03/27/18 – 09:20 – Interviewed Croswell and other kitchen staff. Victim was co-owner of restaurant. Witnesses state			
	victim's body had not been moved prior to my arrival. Croswell arrived at restaurant through an unlocked kitchen back door at			
	07:15. No sign of disturbance noted by witness. Approximately 15 minutes later, Croswell unlocked padlocked door to			
	cooler and discovered body and called 911 and Kai Lee. Only Croswell and restaurant owners, Teri Wong and Kai Lee,			
	have keys to lock doors to restaurant and cooler. Padlock is new to cooler and staff. Some inconsistency in remembering to			
	lock cooler at the end of the day. Croswell and kitchen staff do not know who would want to harm Wong. Kitchen staff			
	observed someone lurking in alley across the street frequently, and most recently on Saturday, March 24 <sup>th</sup> . Victim was seen			
	and heard from last on the evening of Saturday, March 24 <sup>th</sup> at 10 <sup>th</sup> Avenue's up until closing time. Several witnesses			
observed (now identified) Gomes in alley across from back of restaurant door for a couple of weeks.				
03/27/18 – 10:00 – Interviewed Kai Lee, co-owner of 10 <sup>th</sup> Avenue's. Lee was last to see Wong at 22:30 on March				
24 <sup>th</sup> at 10 <sup>th</sup> Avenue's. According to Lee, on Saturday, Wong stayed behind to make notes for the following week's				
No such note was located. Wong was going to look at inventory in cooler and then intended to padlock cooler door when				
leaving. Lee states the cooler door was not locked before leaving. Lee had recently purchased a padlock for the cooler, due				
to concerns of employee theft. Keys for the restaurant and cooler padlock were distributed only to Croswell, Wong, and				
Lee. As Lee was leaving the restaurant March 24 <sup>th</sup> , Lee noticed a person standing in the shadows in the alley across the				
street next to a black Caddy. After being shown a photo array on the investigator's tablet, Lee identified the person as Lane				
Gomes. Lee stated about recently hiring a forensic accountant, Jo Walker, to determine cause for company's				
financial struggles despite steady business. Walker's investigation revealed Wong had been skimming from the business.				
Questioned Wong about thefts on Friday, March 16 <sup>th</sup> . Wong explained to Lee she liked to gamble, but had been unlucky				
lately, and thus, had borrowed money from a loan shark, Gomes. Wong owed Gomes over \$200,000. According				
to Lee, Wong had been physically accosted with cigarette burns on the arm, and had been choked by Gomes to come				
up with past due payments. So, Wong took money from the business. According to Lee, Wong said she had become				
	REPORTING OFFICER	DATE	24 HOUR CLOCK	SUPERVISING OFFICER
	Inv. D. Haiden	04/05/18	17:23	Lt. Solomon

EXHIBIT #6: Investigation Report

<b>AGENCY ID</b> H04719	<b>HONOLULU POLICE DEPARTMENT</b> Honolulu, Hawaii (808) 555-1234	<b>INCIDENT #</b> 47-108290911
<b>SUPPLEMENTAL INVESTIGATION REPORT</b>		
PRINT OR TYPE ALL INFORMATION)		
		Page 3 of 4

	DATE	03/27/18		
SUPPLEMENTAL NARRATIVE	desperate to pay off the debt because her life had been threatened by <b>Gomes</b> . <b>Lee</b> offered to give <b>Wong</b> a personal loan to pay off the debt if <b>Wong</b> sought help for her gambling addiction.			
	03/27/18 – 11:30 – Interviewed remaining restaurant staff. Consistent statements as offered by kitchen staff. No one had seen <b>Wong</b> since Saturday evening, since the restaurant was closed on Sunday and Monday.			
	03/27/18 – 12:45 – Went to victim's residence. No disturbances to residence. Unopened mail from Saturday, March 24 <sup>th</sup> and newspapers from Sunday, Monday, and Tuesday were lying on front steps undisturbed. Voicemail messages unretrieved on cell phone and home phone from Saturday thru present. No unusual calls or mail. Saw printout of computer spreadsheet of debt owed specifically to Lane Gomes showed balance of \$208,500.			
	03/30/18 – Autopsy results show death caused by hypothermia. Bruising to hands noted. Likely from banging on cooler door. No other physical trauma relating death noted. Exact time of death cannot be determined through physical examination of the body since it was not frozen. Autopsy dates cigarette burns to have occurred two weeks prior to death and strangulation of neck, non-life threatening, to have occurred less than one week prior to death.			
	03/30/18 - 13:30 – <b>Gomes</b> was read Miranda rights. <b>Gomes</b> refuses to make statement, and requests to have lawyer present. <b>Gomes</b> was arrested for loan sharking and murder.			
	03/30/18– 17:20 – There were some smudged and clear fingerprints found. <b>Gomes's</b> fingerprints were not found on padlock to cooler, cooler door, or doors to restaurant, per fingerprint analysis.			
	03/31/18 – 11:00 – <b>Gomes</b> , in presence of counsel, provided statement. <b>Wong</b> owed <b>Gomes</b> over \$200,000 due to gambling losses. <b>Gomes</b> says <b>Wong</b> was making payments and had been tailing <b>Wong</b> to make sure she did not skip town. <b>Gomes</b> was present the night of March 24 <sup>th</sup> in alley across the street from 10 <sup>th</sup> Avenue's back door to restaurant starting from about 21:00 until approximately 23:30. <b>Gomes</b> observed <b>Lee</b> arguing with <b>Wong</b> and telling her she ruined the business, and 10 <sup>th</sup> Avenue's was bankrupt and would not be able to continue to operate. Then <b>Gomes</b> saw <b>Lee</b> brandish a kitchen knife and point it at <b>Wong</b> making her go back into the restaurant. <b>Gomes</b> later saw <b>Lee</b> leave alone at 22:30. <b>Gomes</b> waited for another hour and left. <b>Wong</b> never left while <b>Gomes</b> was there.			
	REPORTING OFFICER	DATE	24 HOUR CLOCK	SUPERVISING OFFICER
	Inv. D. Haiden	04/05/18	17:23	Lt. Solomon

EXHIBIT #6: Investigation Report

<b>AGENCY ID</b> H04719	<b>HONOLULU POLICE DEPARTMENT</b> Honolulu, Hawaii (808) 555-1234	<b>INCIDENT #</b> 47-108290911	
<b>SUPPLEMENTAL INVESTIGATION REPORT</b>			
PRINT OR TYPE ALL INFORMATION)			
Page 4 of 4			
DATE	04/02/18		
<b>SUPPLEMENTAL NARRATIVE</b>	04/02/18 – 10:15 – Interviewed <b>Jo Walker</b> . Confirmed had undertaken forensic accounting investigation at the request of		
	<b>Lee</b> due to financial struggles in the restaurant business. Walker stated the audit began on March 6, 2018 and completed		
	the work on March 16th. Walker discovered <b>Wong</b> had been skimming from 10 <sup>th</sup> Avenue’s. Total sum stolen by		
	<b>Wong</b> was \$273,958. Walker stated <b>Lee</b> appeared enraged when learning of the theft and <b>Lee</b> said “ <b>Wong</b> would pay for		
	this.” Walker overheard <b>Lee</b> confronting <b>Wong</b> later on the 16 <sup>th</sup> and <b>Wong</b> would get her “just desserts.” Walker also		
	overheard parts of a phone conversation between <b>Wong</b> and unknown person making promises for payments and threats		
	being made.” Walker was questioned further about financial aspects of 10 <sup>th</sup> Avenue’s. The restaurant is insolvent.		
	Walker advised <b>Lee</b> the business would need to be closed. Walker stated that <b>Lee</b> is the beneficiary of a \$500,000		
	insurance policy for a buy-sell agreement for a deceased partner’s interest in the business.		
	04/02//18 – 14:30 – Met <b>Lee</b> at 10 Avenue’s for additional questioning. Confronted with <b>Gomes</b> ’s statement. <b>Lee</b> was		
	adamant it was all lies, and it was <b>Gomes</b> ’s way of escaping murder. Several paring knives and one 10” knife were located		
	in the kitchen. Knives were collected and sent to the lab for fingerprint analysis. <b>Lee</b> consented to go to the station to		
	provide fingerprints on the same day.		
04/04/18 – Additional fingerprint analysis results received. Fingerprint analysis shows <b>Lee</b> ’s fingerprints are on padlock			
to cooler, cooler door, and the kitchen knife with a ten inch blade.			
04/05/18 – 16:00 – <b>Gomes</b> released. <b>Lee</b> arrested.			
REPORTING OFFICER	DATE	24 HOUR CLOCK	SUPERVISING OFFICER
Inv. D. Haiden	04/05/18	16:50	Lt. Solomon

EXHIBIT #7: Photo Inside 10<sup>th</sup> Avenue's Cooler

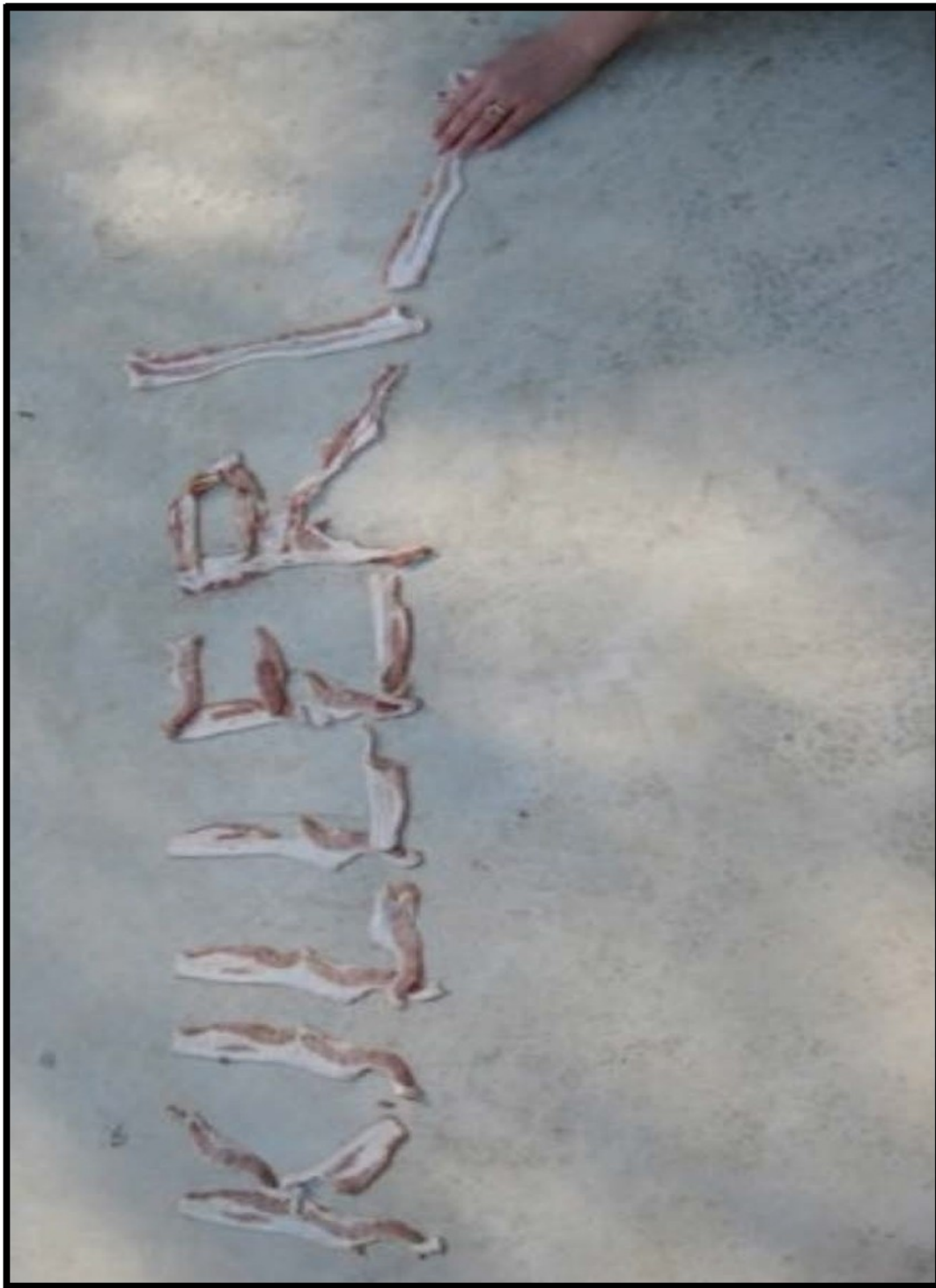


EXHIBIT #8: Padlock Receipt

Honolulu Lock & Key  
531 Veterans Highway  
Honolulu, HI 96813

02/27/18	12:33 pm
1 Lg. Padlock w/ Key	\$ 19.49
2 Extra Keys	\$ 1.98
Subtotal	\$ 21.47
Tax (7%)	\$ 1.50
Total	\$ 22.97
Cash Paid	\$ 23.00
Change	\$ .03

Thank you for letting  
us serve you. Come  
again.

EXHIBIT #9: Menu Notes

Stuffed eggplant with house Pomodoro sauce

Jumbo lump crab cakes and marinated  
portobello mushroom stacks

Beef tenderloin medallions tartar drizzled with  
balsamic cream sauce and blue cheese crumbles

Parmesan crusted sea scallops with  
with a garlic butter and white wine reduction  
sauce

Teri

EXHIBIT #10: Young's Curriculum Vitae

**JAMIE YOUNG, PH.D.**  
**CURRICULUM VITAE**

**Education**

University of Pennsylvania  
Ph.D. in Criminal Justice 1990  
M.A. in Sociology, 1988

University of Hawaii  
B.A. in Sociology, magna cum laude 1986

**Present Positions**

Criminal Justice Professor, University of Hawaii at Manoa  
University of Hawaii, 2006 – present, Department Chair, 2016 – present

Co-Director International Association for the Study of Organized Crime  
New York, New York 2007 – present

**Prior Academic Appointments**

Professor, Department of Criminal Justice  
University of Pennsylvania, Pennsylvania 1995 – 2006

Assistant and Associate Professor, Department of Criminal Justice  
Temple University, Pennsylvania, 1990 – 1995

**Memberships and Positions:**

International Association for the Study of Organized Crime (IASOC), 2007 – present  
Consultant, National Criminal Justice Commission, 2012 – 2014  
American Society of Criminology, President 2009 – 2012  
Task Force on Law and Enforcement, President's Commission on Organized Crime, 2004 – 2012

**Honors and Awards**

Distinguished Leader in Criminal Justice, Academy of Criminal Justice Sciences  
American Society of Criminal Justice, Fellow 2006 – present  
Fulbright Research Fellowship, 2000 - 2001  
Special Dissertation Research Grant, University of Pennsylvania 1990  
Graduate School Fellowship, University of Pennsylvania 1988 - 1990

**Publications**

*No Law and Order: Organized Crime New York:* John Wiley, 2016  
*Wiseguys Finish First New York:* John Wiley, 2011  
*Kuklinski: The Iceman Cometh New York:* Harper & Row, 2008  
*Organized Crime: A Study in Methodology of Crimes* Simon and Schuster, 2006  
*Bent Cops and Tampered Evidence* Indiana University Press, 1990

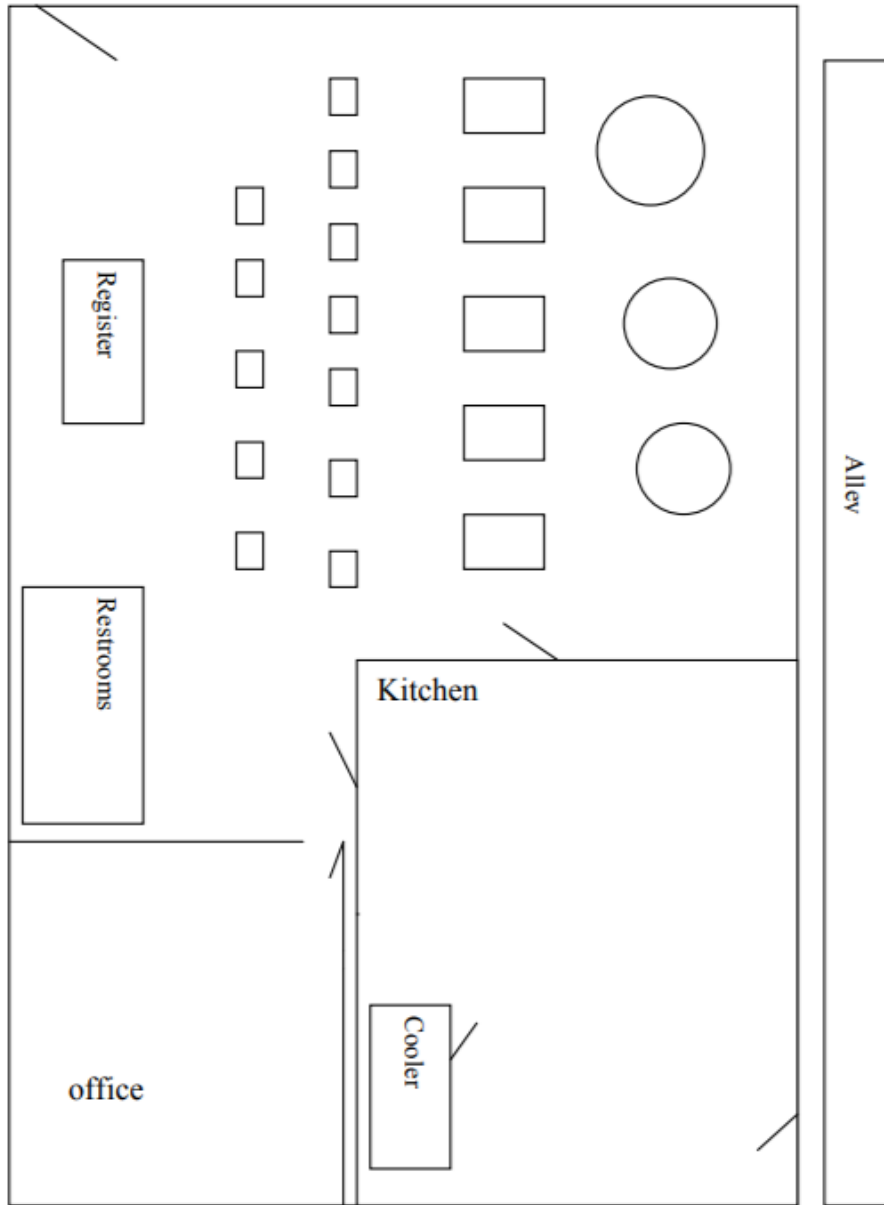
EXHIBIT #11: Autopsy Report for Teri Wong

STATE OF HAWAII - BUREAU OF INVESTIGATIONS DIVISION OF FORENSIC SCIENCES - RECORD OF CORONER							
<b>Name of Deceased</b>		Teri Wong		<b>City &amp; County</b>		Honolulu	
<b>Age</b>	35	<b>Height</b>	63"	<b>Weight</b>	115 lbs.	<b>Date of Birth</b>	05/13/82
<b>Time of Death</b>		Undetermined				<b>Date of Death</b>	03/25/18
MANNER OF DEATH							
<input type="checkbox"/> Natural		<input checked="" type="checkbox"/> Homicide		<input type="checkbox"/> Suicide		<input type="checkbox"/> Accident	
						<input type="checkbox"/> Undetermined	
						<input type="checkbox"/> Other	
PURPOSE OF REPORT							
<input checked="" type="checkbox"/> Autopsy		<input type="checkbox"/> Limited Dissection		<input type="checkbox"/> External Exam		<input type="checkbox"/> History Review	
<b>PERFORMED BY</b>		Chandler Covington, M.D.		<b>Date</b>	03/28/18	<b>Hour</b>	12:05pm
<b>APPROVED</b>		Stephan Bonner, M.D.		<b>Date</b>	03/29/18		
CAUSE OF DEATH							
<p><b>Initial Examination:</b> The body is that of a female adult, approximately 63" in height, and weighing 115 lbs., consistent with the stated age of 35 years.</p> <p><b>Autopsy Findings:</b> In careful review of the body, there were no signs of struggle with another individual or physical violence. The body did appear pale and waxy. Upon collection of the body, the body temperature was at 35 degrees Fahrenheit. Based on the temperature of the body and location of where the body was found in a restaurant cooler, it is determined that Ms. Wong died as a result of hypothermia. Hypothermia is the reduced body temperature that happens when a body dissipates more heat than it absorbs. In humans, it is defined as a body core temperature below 95 degrees Fahrenheit. For Ms. Wong's weight, it most likely took more than 20 hours before the hypothermia was severe enough to kill Ms. Wong. And, based upon the actual body temperature at time of discovery, it was likely Ms. Wong had been in the cooler more than 50 hours.</p> <p><b>Additional Notes:</b> Previous injuries were noted to include cigarette burns on inside right arm in the healing process occurring approximately two weeks prior to death along with fading bruises from what appears to be forced choking around the base of the neck occurring approximately a week prior to death. Neither the cigarette burns, nor the choking occurred in relation to her death. She did; however, have bruising on her hands, which were most likely from banging against a blunt object such as the door to the cooler in which she was found.</p> <p><b>Cardiovascular:</b> The heart is normal size and weight for patient's age and appears structurally normal.</p> <p><b>Respiratory:</b> The lungs appear to be normal size/weight. Tissue is abnormal due to smoking.</p> <p><b>Hepatobiliary:</b> The liver appears to be normal.</p> <p><b>Gastrointestinal:</b> The typically formed tongue, esophagus, gastroesophageal junction, serosal stomach and gastric mucosa are without note. The stomach, large bowels, and small bowels appear normal. <b>Toxicology:</b> Nothing abnormal found in blood system.</p> <p><b>Other Procedures:</b></p> <ol style="list-style-type: none"> <li>1. Documentary photographs obtained.</li> <li>2. Blood, urine, bile, and vitreous are submitted for toxicological analysis.</li> <li>3. Head and body hair is submitted.</li> <li>4. Clothing is submitted for volatile determination.</li> </ol> <p><b>Autopsy Findings:</b> At the time of death, this was an otherwise healthy 35-year-old except for smoking.</p>							



EXHIBIT #12: Diagram of 10th Avenue's

**38 10th Avenue**



Key:

／ denotes door

Not to Scale