NEW MEXICO MIDDLE SCHOOL MOCK TRIAL

STATE OF NEW MEXICO

vs.

JESSE WHITE

2024

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Questions and Contact Information

Questions concerning these case materials should be emailed to Kristen Leeds at the Center for Civic Values.

You may begin submitting questions anytime. **The deadline for submitting questions is noon October 25, 2024.** The final update will be posted no later than **October 27, 2024.**

Questions must be sent in writing using mocktrial@civicvalues.org. Please be sure to include return contact information in the event we need to reach you to clarify a question.

Answers to questions will be posted on the mock trial website:

https://civicvalues.org/middle-school-mock-trial/this-years-case/ms-clarifications/

Please check the website to see if your question has been answered before sending an email.

Introduction and Acknowledgments

Welcome to the 2024 New Mexico Middle School Mock Trial Program! Mock trial was established in 1978 and managed by the Center for Civic Values (CCV); mock trial is an academic competition designed to engage students in a legal environment. The New Mexico Middle School Mock Trial Program, which started in 2022, aims to provide middle school students with the same educational benefits as the high school program. It offers hands-on experience with the law and helps students develop essential skills aligned with state content standards in language arts and social studies.

The cover page features artwork by Emma Aguirre, a student from Volcano Vista High School.

This year's case, State of New Mexico vs. Jesse White, involves a criminal charge where the defendant is accused of third-degree murder related to controlled substances (i.e., causing someone's death by unlawfully distributing a controlled substance).

The original adaptation of this case was crafted by CCV Executive Director Kristen Leeds and board members Jack Sullivan, Heather Jaramillo, and Jessie Lundschen. It was further tailored for the middle school program by Kristen Leeds, Raquel Medina Leyba, and Jessie Lundschen. We extend our gratitude to the numerous volunteers who dedicate their time and effort to making this program a success, including teachers who sponsor and coach teams, attorneys who mentor them, judges who preside over and score the trials, and administrative volunteers who help host the program.

A special thank you goes to Chief Judge Joshua J. Sanchez of the Bernalillo Metropolitan Court in Albuquerque, as well as Camille Baca and all the judges and staff of the court, for their ongoing support of our mock trial programs.

We also appreciate the New Mexico Legislature for its annual funding and the University of New Mexico School of Law for serving as the fiscal agent.

Case Summary

This case involves an apparent accidental overdose involving an opioid. On July 5, 2023, Jane Margolin, a prominent accountant, was found unresponsive in her home. The responding officer quickly determined that she was deceased. Jesse White is an accountant who hosts a large party for clients and their families every Fourth of July. Jesse White is accused of providing Jane Margolin with drugs that caused Margolin's death, and White has been charged with controlled substance third degree murder.

The witnesses for the State are:

- Pat Sanchez, a first responder to the scene of Jane Margolin's death, who investigated the circumstances surrounding Jane Margolin's death;

- Alex Otona, a small business owner and friend of both Jesse White and Jane Margolin, who attended the party where Jane Margolin was last seen alive and saw interactions between Jesse White and Jane Margolin.

The witnesses for the defense are:

- Taylor Jenkins, a friend of Jane Margolin who attended Jesse White's party on July 4, 2023, observed Jesse White and Jane Margolin interacting at the party, and noticed pills scattered in Jesse White's bathroom.

- Jesse White, the defendant.

Pleadings

STATE OF NEW MEXICO COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT

No. D-1226-CR-2023-00499 STATE OF NEW MEXICO,
Plaintiff,

vs.

JESSE WHITE,

Defendant.

Criminal Information

Henry Schrader, Assistant District Attorney for the Twelfth Judicial District of the State of New Mexico accuses Jesse White of CONTROLLED SUBSTANCE THIRD DEGREE MURDER and charges as follows:

COUNT I: CONTROLLED SUBSTANCE THIRD DEGREE MURDER

That on or about July 4, 2023, in Lincoln County, New Mexico, the above-named defendant proximately caused the death of Jane Margolin in violation of NMSA 1978, Section 30-2-10 by unlawfully giving away, delivering, exchanging, or distributing to Jane Margolin a controlled substance or drug listed in Schedules I through V of the Controlled Substances Act or rules adopted thereto.

Date: October 17, 2023 /s/ Henry Schrader
(Signature of the complainant)

STATE OF NEW MEXICO COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT

No. D-1226-CR-2023-00499 STATE OF NEW MEXICO,
Plaintiff,

vs.

JESSE WHITE,

Defendant.

Order On Preliminary Examination

Per the Criminal Information, the charge of CONTROLLED SUBSTANCE THIRD DEGREE MURDER in violation of NMSA 1978, Section 30-2-10 appeared before me.

A preliminary examination on the offense set forth in the Criminal Information having been waived, IT IS HEREBY ORDERED pursuant to Rule 5-302(D)(2) NMRA that Defendant Jesse White is BOUND OVER FOR TRIAL in the District Court on the charge of Controlled Substance Third Degree Murder.

IT IS SO ORDERED

Date: November 21, 2023 /s/ Matea Santiago
District Judge

STATE OF NEW MEXICO COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT

No. D-1226-CR-2023-00499 STATE OF NEW MEXICO,
Plaintiff,

vs.

JESSE WHITE,

Defendant.

Arraignment and Plea Proceeding

THIS MATTER having come before the Court on a Criminal Information charging Defendant Jesse White with controlled substance third degree murder in violation of NMSA 1978, Section 30-2-10; the Court finds as follows:

1. Defendant Jesse White appeared in person accompanied by their attorney, Sydney Goodman, and was formally arraigned in open court.

2. Defendant Jesse White entered a plea of NOT GUILTY to the charge of CONTROLLED SUBSTANCE THIRD DEGREE MURDER contained in the Criminal Information, which plea has been received by the Court and ordered of record herein.

THEREFORE, IT IS HEREBY ORDERED that Defendant Jesse White is hereby released on their own recognizance on the following conditions: Defendant shall obey all laws, make all court appearances, stay in contact with their attorney once a week until trial or disposition of this matter, and remain in the jurisdiction of the State of New Mexico.

IT IS SO ORDERED

Date: November 15, 2023 /s/ Matea Santiago
District Judge

STATE OF NEW MEXICO COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT

No. D-1226-CR-2023-00499 STATE OF NEW MEXICO,
Plaintiff,

vs.

JESSE WHITE,

Defendant.

Pretrial Order

This matter was heard by the Court upon Defendant's motion in limine to prevent the State from offering into evidence photographs taken of the Victim on July 5, 2023. The Defendant seeks an order precluding photographs of the Victim's body from being admitted into evidence at trial. Defendant asserts that the photographs should be excluded from evidence under Rule 403 of the High School Mock Trial Rules of Evidence. Rule 403, in its entirety, states:

Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, if it confuses the issues, if it is misleading, or if it causes undue delay, wastes time, or is a needless presentation of cumulative evidence.

Defendant argues that the photographs are of limited probative value and whatever probative value they may have been substantially outweighed by the danger of unfair prejudice. The State argues that the photographs are important to show the manner of death and to corroborate and support of the testimony of witnesses, including the Deputy Medical Investigator and the Police Officer who was at the scene. Both sides agree that the photographs have some relevance to the case. The issue is whether they should nonetheless be excluded because the danger of unfair prejudice substantially outweighs the probative value.

In order to decide the legal issue presented, the Court must determine the probative value of the photographs and compare that value to the danger of unfair prejudice to the Defendant if the jury sees the photographs. Evidence that tends to prove a fact at issue is considered to have probative value. *Young v. Board of Pharmacy*, 81 N.M. 5, 7 (1969). "The purpose of Rule 403 is not to guard against any prejudice whatsoever, but only against the danger of unfair prejudice." *State v. Otto*, 2007-NMSC-12, ¶ 16 (citing *State v. Woodward*, 121 N.M. 1, 6

(1995)). Since most evidence tends to be prejudicial to one side or the other's case, the issue becomes one of fairness. Evidence is unfairly prejudicial "if it is best characterized as sensational or shocking, provoking anger, inflaming passions, or arousing overwhelmingly sympathetic reactions, or provoking hostility or revulsion or punitive impulses, or appealing entirely to emotion against reason." *State*

v. Stanley, 2001-NMSC-037, ¶ 17. It is evidence that will inflame the passions and prejudices of the jury and suggest a decision on an improper basis, commonly, though not necessarily, an emotional one. *Id.*

The determination of unfair prejudice is "fact sensitive," and, accordingly, "much leeway is given trial judges who must fairly weigh probative value against probable dangers." *Otto*, 141

N.M. at 447. The New Mexico Supreme Court has held that photographs should be excluded where they "arouse the prejudices and passions of the jury and … are not reasonably relevant to the issues of the case." *State v. Boeglin*, 1987-NMSC-002, ¶ 21. In this case, the probative value of the Victim photographs is of limited value and does not offer anything reasonably relevant to the issues of this case. The manner of death was an overdose of opioids, and the photographs add little value to establishing the manner of death. Moreover, the allegations in this case as to the Defendant's actions leading to the Victim's death do not have a direct connection to anything shown in the photographs. A jury viewing the photographs, however, may find them disturbing and may feel compelled to reach a guilty verdict. There is a real danger of unfair prejudice to the Defendant if the photographs are shown to the jury.

The Court finds that the limited probative value of the photographs is substantially outweighed by the danger of unfair prejudice to the Defendant. Defendant's motion in limine to exclude the photographs is granted. However, the State may present pictures of the crime scene that do not depict the victim if those photographs meet the requirements of Rule 401 and other rules of evidence.

BY THE COURT:

/s/ Matea Santiago
District Judge

STATE OF NEW MEXICO COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT

No. D-1226-CR-2023-00499 STATE OF NEW MEXICO,
Plaintiff,

vs.

JESSE WHITE,

Defendant.

Stipulations

1. All documents, signatures, and exhibits, including pre-markings, included in the case materials are authentic and accurate in all respects; no objections to the authenticity of the documents will be entertained. The parties reserve the right to dispute any legal or factual conclusions based on these items and to make objections other than to authenticity.

2. Jurisdiction, venue, and chain of custody of the evidence are proper and may not be challenged.

3. All statements were notarized on the day on which they were signed.

4. All evidence was constitutionally recovered, and all statements were constitutionally obtained. No objection will be entertained to the constitutionality of any evidence, nor will any motions to suppress on constitutional grounds be permitted.

5. Defendant Jesse White has waived her/his/their right against self-incrimination under the Fifth Amendment to the United States Constitution, and either party may refer to White's decision to testify in opening.

6. The drugs ingested by Jane Margolin were tested at and by the New Mexico Department of Public Safety Forensic Laboratory. Any witness who has provided information in an affidavit about those test results may testify as to those test results.

7. The baggies and the pill bottle collected by Pat Sanchez were sent to the New Mexico Department of Public Safety Forensic Laboratory for drug testing analysis. In both baggies, the pills were determined to be timed release 40 mg dose oxycodone. The pills in the pill bottle were found to be timed release 60 mg dose oxycodone and 5 mg dose acetaminophen. Acetaminophen commonly goes by the name of Tylenol. Any witness who has provided information in an affidavit about these test results may testify to those results.

8. Oxycodone is a Schedule II controlled substance, and Percocet contains oxycodone. A person may have oxycodone or Percocet in their possession only when it has been obtained pursuant to a valid prescription of a licensed medical doctor or other person licensed or certified to prescribe and administer drugs that are subject to the Controlled Substances Act.

9. The baggies collected by Deputy Sanchez were sent to the New Mexico Department of Public Safety Forensic Laboratory for fingerprint testing analysis. The fingerprint analysis found no usable fingerprints on the baggies. Testing did find Jane Margolin's prints on the pill bottle, and no other usable fingerprints of anyone else on the bottle. Any witness that has provided information in an affidavit about these test results may testify to those results.

/s/ Henry Schrader
Assistant District Attorney

Date: December 19, 2023

/s/ Sydney Goodman
Defendant's Attorney

Date: December 19, 2023

Applicable Law

NMSA 1978, Section 30-2-10. Controlled Substance Third Degree Murder.

Whoever, without intent to cause death, proximately causes the death of a human being by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance listed in Schedule I or II of the New Mexico Controlled Substances Act, is guilty of murder in the third degree.

List of Witnesses

The prosecution and the defendant must call each of their respective witnesses. Jesse White is permitted to sit at counsel table as the Defendant.

For the State of New Mexico:

- **Pat Sanchez:** a first responder to the scene of Jane Margolin's death;
- **Alex Otona:** a small business owner and friend of both Jesse White and Jane Margolin.

For the Defendant, Jesse White:

- **Jesse White:** Defendant;
- **Taylor Jenkins:** a friend of Jane Margolin who attended Jesse White's party on July 4, 2023.

Pronunciation Guide

- acetaminophen (uh·see·tuh·**mi**·nuh·fn)
- asphyxiation (uhs·fik·see·**ay**·shn)
- Alex Otona (al·ex uh·**tone**·uh)
- oxycodone (aak-see-**kow**-down)
- pulmonary edema (**puhl**·muh·neh·ree uh·**dee**·muh)
- Percocet (**purr**·kuh·suht)
- rigor mortis (**ri**·gr **mor**·tuhs)

Witness Statements

Statement of Pat Sanchez

My name is Pat Sanchez, and I have been a Deputy Sheriff for Lincoln County since 2018. As a Deputy Sheriff, I patrol parts of Lincoln County, where I grew up. I think I always wanted to work in law enforcement. I completed a two-year associate degree in criminology then entered the New Mexico Law Enforcement Academy in 2005. I trained as a First Responder and ultimately completed the paramedic course in 2013. I am a Certified Emergency Medical Technician (EMT). I maintain my EMT certification and my Peace Officer's License through regular mandatory classes. My classwork included Basic Crime Scene Processing and Basic Narcotics Investigation.

On July 5, 2023, at 11:43 a.m., I was working the day shift and was walking into Legal Grounds Coffee Shop when I was dispatched to investigate a report of an unresponsive 48-year-old person. The Lincoln County Sheriff's Department responds to all ambulance calls, and a deputy sheriff often is the first person on the scene. I recognized the address as belonging to Jane Margolin. Ms. Margolin was a prominent accountant, served on the Chamber of Commerce and was well-known in the community. On the way to the scene, I became anxious because "unresponsive" usually translates to "found dead" and Jane Margolin dying would be a big deal in Lincoln County.

Upon arrival, I was met at the door by Ms. Margolin's spouse, Walter. Walter Margolin said he had gone home to check on Jane when Jane didn't show up for work. Walter was weepy and kept repeating "I can't wake her up!" Walter brought me to the living room. At first glance, the room seemed normal. The room showed no signs of a struggle and there were empty beer bottles around the room. I recognized Jane lying on the couch with a tell-tale sign of an opioid overdose, a cone of white, fine bubbly foam on the face.

Jane was wearing jeans and a T-shirt, no shoes, one sock and would have appeared to the untrained eye to have simply fallen asleep. However, on closer look, she not only displayed the foam cone, but was also ashen gray. I put latex gloves on my hands for evidence handling, and I reached to touch the body's neck/face. She was cold to the touch. I also detected the odor of beer near her. I began my own personal attempts at resuscitation even though it was clear that the person was deceased. I then took a few pictures with my Sheriff's Department-issued smartphone. As soon as the ambulance crew came through the door, I began a survey of the scene.

On the coffee table in front of the body was a plastic sandwich baggie with what appeared to be

over a dozen pills. These pills were tested later; the laboratory positively identified them as oxycodone tablets. I also noted that the baggie seemed to have some sort of tape with numbering on it. I also counted five beer bottles around the room, all opened and empty. I did find more evidence in the deceased's upstairs master bathroom, a closed orange prescription bottle without a label. There were red pills inside that were later tested by the DPS Forensic Laboratory and found to be Percocet, a type of oxycodone.

The baggies were later sent to the DPS Forensics Laboratory for fingerprint and drug testing analysis. First, they came back as oxycodone, in a dosage unit of 40 mg per pill. Second, I learned that there were no usable prints found on the baggie. That wasn't a huge surprise. The DPS Forensics Laboratory confirmed that the orange pill bottle found upstairs with red tablets were identified as 60 mg oxycodone and 5 mg acetaminophen, meaning they were likely Percocet.

Investigation quickly revealed that there had been a party at Jesse White's house the night before the death, and there was some indication that painkillers had been discussed. After clearing the death scene, I went immediately to Jesse White's house. White allowed me into the house and agreed I could search the house and their computer. White was informed that they could refuse my request and I would be happy to get a search warrant. White said, "I'm heartbroken to find out about Jane. I want to do whatever I can to help." and invited me to "do whatever you need to do."

The search of the house revealed the following items of note:

1. There was a box of fresh, new sandwich baggies in Jesse White's kitchen drawer that were the same shape, size, and type of baggie that were found on the coffee table in front of Jane Margolin's body.

2. A Google search had been done on "oxy overdose" on the Defendant's computer within minutes of Walter calling 911 to report the body of Jane Margolin. The search had been deleted in the last twenty minutes.

3. A strong box was found under Jesse White's bed in the master bedroom. Found inside was a sandwich baggie matching the sandwich baggie found at Margolin's home, with a similar scotch tape label and black marker numerals, this time for the number "52891." The baggie had a noticeably larger quantity of oxycodone tablets inside than the baggie found at Margolin's house, but DPS Forensic Laboratory testing found that the pills were the same type and dose: 40 mg. Also, in the strong box were two $100 bills and some personal papers.

Later that day, I met with Jane Margolin's regular physician, Dr. H. C. Quintana in her office. Dr. Quintana had treated Margolin for various medical issues for several years by this point, and told me that Ms. Margolin had serious chronic back pain. Margolin had once been addicted to narcotics in college, so Dr. Quintana purposefully kept her at a low oxycodone dosage. When I mentioned finding some 60 mg Percocet pills, Dr. Quintana stated that Ms. Margolin had been given a prescription for 60 mg Percocet several years ago following a car accident, but only a sufficient number for about six weeks. Dr. Quintana noted that some pain patients keep a few old, stronger pills "just in case" they have a bad day. Dr. Quintana repeatedly scolded Ms. Margolin about drinking alcohol when on pain meds, but Ms. Margolin would wave the doctor off, saying, "I know, I know – it's a killer combo!" Dr. Quintana added, "The drinking didn't help her diabetes either."

Pat Sanchez October 17, 2023

Signature DATE

Statement of Alex Otona

My name is Alex Otona. I own and manage a local coffee shop called "Legal Grounds" and a bookstore here in Lincoln County. At this rate, things are going very well for me financially. I have an assistant manager for both businesses, but in order to make sure I'm taking home enough to pay the bills and student loans, I'm typically working about 70 hours a week between the two jobs.

About 9 years ago, I was working at the coffee shop, and I got involved with some of the local protestors. We were part of a local group for the Rally to Restore Sanity. During one of the protests, officers were going through and ticketing us for trespassing. I thought it would be funny to tell the officer my last name was Soyka. That got me charged with giving a false name to a police officer. Though I felt like it was a badge of honor at the time, I was convicted of a misdemeanor for providing a police officer with a false name and given a weekend of community service. Since then, I've stopped with the protests and started getting involved elsewhere.

I've been involved with the local Chamber of Commerce for the past 8 years. For the last five years I served the local Chamber of Commerce as a member of the Board of Directors. This is how I got to know Jane Margolin and Jesse White. They are both a little older than I, and I think they decided to take me under-wing as a mentee. In the first few months of knowing them, they had started regularly taking me out to lunch and talking business. They always had great insight for me, from managing staff, to general business management. Both of them were previous Board members and they nominated me to join the Board. Although they were no longer on the Board, they still came out to a lot of the events.

Shortly after meeting them at the Chamber of Commerce, Jane and Jesse would invite me to parties: they would call them "networking events," although there wasn't much networking being done. It was a large group of people, but it was pretty rare to see a new face. The events would generally be attended by local business owners and professionals in the community. Jesse would generally host an event at his/her/their house on the 4th of July. Jesse's events would generally start out pretty quiet and tame in the early afternoon, just barbecuing whatever people brought. It was unusual for people to get heavily intoxicated, although it did happen.

Later in the evening, most of the families would go home and it would be a smaller crowd. People would normally be hanging out in smaller groups of two and three, talking about how bad business is, or how their health is failing with their latest ache or pain, or the latest gossip or drama inside or outside the group. Jesse always had a large number of health-related issues to complain about. Sometimes it was cholesterol, or heart disease. Sometimes Jesse was waiting on

a biopsy for yet another mole that might be skin cancer. But generally, there was a lot of pain. Jesse seemed to have some pretty severe back pain from when s/he/they served in the military. Jesse also had a really good doctor. Well, I guess it might not be a really good doctor, but a doctor that definitely prescribed a lot of pills. Jesse wasn't stingy with the pills either. I never saw Jesse take any, but I definitely would see Jesse share the pills when other friends would complain about aches or pains.

One year at Jesse's Fourth of July party, I was talking to another guest, and Jesse was listening. I mentioned that I had spent the previous day carrying boxes of books up and down the steps for the bookstore, and that morning I could barely get out of bed due to my back. Later that evening, before I headed home, Jesse pulled me aside and handed me a little baggie with about a dozen pills in it. Jesse told me to take one before I went to bed, and one in the morning after I get to work until the pain went away. Jesse told me not to drive for a few hours after taking them. I'll admit, I took them, and I did as Jesse suggested. The pain went away, but that didn't make it okay. I've always regretted taking them. Who knows what could have happened.

Since that time, I've seen Jesse handing out other baggies to guests at other events. I would normally see Jesse pull someone aside and hand something to the other person. I never said anything, and I never heard anyone else say anything about it. I mean, Jesse never asked for money. It wasn't like Jesse was selling drugs. I never heard anyone asking Jesse for drugs either-before July 4th, 2023, I mean. Jesse was just trying to help other people out. But I wish I had said something now.

I attended the party hosted by Jesse on July 4th, 2023. I arrived early and brought some whole bean coffee samples received at the store earlier in the week. I brought the coffee beans in baggies because I didn't have enough of any other type of container. I also brought a case of hard cider. When I arrived, I opened one of the cans of cider and sat down to talk to Jesse as they prepared the grill. I finished my first can about the same time that the first round of burgers was ready. So, I made some food and grabbed another can of cider and went and talked to a few of the other guests.

A couple hours in, I had just opened my third can of hard cider. That was the first time I remember seeing Jane that day. I remember her having a drink, but I'm not sure what it was. She appeared to have jumped into a conversation and was starting to take over the discussion. It was clear to everyone but Jane herself that the interjection was unwelcome. People started to disengage in the conversation and drift to other groups. Looking back on the interaction, I'm not sure what was up with her, but at the time I had thought that she was probably drunk.

A few hours later, I think I was on my fourth drink, and Jane came over and joined in the conversation I was having with a few other guests. When Jane showed up, the other guests

peeled off pretty quick to join other conversations. This left me alone talking to her. She was complaining about her latest ache or pain. I can't remember specifically what it was. I tried to change the subject a few times, but she was focused on how much she hurt, and how much the doctors cost, and the problems with the healthcare system. Eventually, I told her that my drink was gone and I needed to go get another as a way of escaping the conversation. I liked Jane, she was a good friend. Looking back on that day, I regret ignoring her and pushing her away. I just thought she was drunk. I didn't know that was the last time I was going to talk to her.

I did see Jane later that night talking to Jesse. This was after most of the families had left and it was getting pretty quiet. I had my back to them initially, but I could hear Jane going on very loudly about her pain and suffering. I heard her saying, "I know you have something, you always have something. Is it about the money? I can pay." At that point I turned around and saw that she was talking to Jesse. Jesse seemed to be slowly shaking his/her/their head; I wasn't sure what part of the conversation Jesse was responding to. I remember Jesse saying something like "Are you sure? Are you sure you think that's the best idea?" Then Jesse broke away to say goodbye to some other guests.

A friend had agreed to give me a ride home, and I left about half an hour after that conversation. I was going to say goodbye to Jesse but noticed that Jane and Jesse were together. It looked like Jesse handed something small to Jane, who then gave Jesse a hug, and it looked like they had worked out whatever their issue was. I couldn't tell exactly what Jesse handed to Jane, but it looked like a baggie. That said, I couldn't tell if it was a baggie that had some of the coffee beans I'd brought or if it contained something else. That was the last time I saw Jane alive. I took a ride share home, and I stopped by early the next morning to pick up my car, but I didn't see Jesse. That was the last time I was at Jesse's place.

A few days later I learned of Jane's death from some other guests who stopped into the coffee shop. There was a funeral a few days later. I attended, as did Jesse, but we didn't talk. Nobody really talked at the funeral. There were rumors that Jesse had given Jane some pills that she ha taken and overdosed.

Alex Otona	October 17, 2023
Signature	Date

Statement of Jesse White

My Name is Jesse White. I am forty-eight years old. I am a Certified Public Accountant at Louis and Tully. I guess I have always worked with money. I joined the Army right out of high school and somehow ended up working in the finance office of the base. While I was in the Army, I got hurt pretty bad in a car crash. One of my friends was driving under the influence and we both got banged up pretty bad. We both had been drinking all night, but I thought he was safe to drive. I knew I wasn't in any shape to drive. He ended up going to jail for a while for the accident. I have been on pretty significant pain medication and muscle relaxers for my back since that injury. The doctors say I have a thoracic spine injury and it's not going to get better.

College is where I met Jane Margolin and I stayed close with Jane throughout college. We both took the same business and accounting courses and graduated together. We both studied for the CPA exam together and passed on the first try. Jane and I both got internships at Louis and Tully right out of college. It was nice to start a career with a friend. We worked together for almost twenty years before she died.

Unfortunately, she developed a little bit of a drug problem early in her career. She always liked to party, and accounting is a pretty stressful business. Sometimes, she would ask to "borrow" a muscle relaxer or painkiller after a long day at the office. Once or twice, years ago, I let her have a pill or two, but I always made her promise that she wouldn't drink or drive after she took it. Like I said, accounting is stressful, and Jane deserved to unwind. I found out later that she was doing more than taking an occasional pill.

Jane and I really worked to grow the business together. That meant a lot of social gatherings with clients and potential clients. Along with the usual types of events—concerts, ball games, dinners,

that kind of thing—I started hosting an annual Fourth of July party. It started as a social gathering with friends, but after a few years I started inviting clients too. Jane usually came to the party. It was like old times in college. She and I would make sure there was plenty of food and booze, most of which I was able to put on my expense report for work since it was a networking event.

After a few years, my Fourth of July parties became the centerpiece of my marketing efforts and the highlight of my summer. Jane and I recruited a lot of clients at those parties. Many of our clients came back year after year. They weren't all business though. At times the Fourth of July party was more of a social event with a little marketing mixed in; it all depended on who made it out to the house on any given night. Some of my fondest memories are from those parties and a lot of those clients have since become good friends.

Over years of talking, I learned that a few of the clients who came to my Fourth of July parties had chronic pain like mine. We compared notes on doctors, treatments, and medications. We talked about our medications outside the Fourth of July parties too. I gave some of these people a couple of my pills sometimes, just to try. These were responsible adults—some of whom I had known for years—so there wasn't any harm with giving a few pills, just to try. They gave me a couple of their pills to try too. It's not like we were trading drugs though. We were all responsible adults with serious pain conditions who were trying to help each other. When we got something new that worked for us, we gave it to our friends to see if it would help them manage their pain. Nothing really helped me though. I also made sure I was safe before taking anything I got from anyone who wasn't my doctor. I Googled drug interactions, overdose risks, and other safety risks before trying any pills that my friends gave me. I assume they did the same; it is the responsible thing to do before trying new drugs.

My back started to hurt more over the years too. I also developed a couple of other medical conditions as I got older. With all the different medications I was taking, I started keeping pills in numbered plastic baggies. It was just easier to organize the pills that way than try to keep the bottles straight. I put each bottle's pills in a different baggie to conserve space. To prove they were my pills, I kept the stamp of the bottle in marker on the baggie, just in case I was accused of hoarding pills that aren't mine. I kept the pill baggies in the medicine cabinet in my master bathroom.

Jane always seemed interested in my conversations with our friends (and clients) about pain medication. She probably got a few pills from people she met at my Fourth of July parties over the years, but I never actually saw anything like that. After Jane went through rehab, she still hung around when we were talking about pain and pain management but was more reserved and never asked anyone for pills.

I hosted my usual party on July 4, 2023. Jane and her family came to the party. As usual, some of my guests and I started talking about our chronic pain and the latest and greatest strategies for living with it. Jane was really weird about that conversation that night. What I mean is, she said that she had been in pain since she pulled her back doing yard work a few weeks prior. I don't remember Jane saying anything about her back hurting before July 4, 2023, but I do remember her complaining about an oxycodone prescription she got in 2021 for a torn ligament.

Anyway, on July 4, 2023, Jane was talking a lot about oxycodone. I heard her ask a few of my guests if they had ever taken oxycodone, if they liked how it affected them, and if they ever had any side effects with oxycodone. I had to tell Jane to knock it off at one point, after one of the guests complained. After all, we were all there to have fun and it was still, at least in part, a marketing event. I couldn't have her making anyone uncomfortable. She was drinking pretty hard that night too. I remember it was a pretty hot day and most of my guests were drinking water instead of alcohol; not Jane though.

At some point on July 4, Jane stopped me and asked me if I had any oxycodone. This struck me as really weird. She knew I took oxycodone for my back. She eventually stopped asking, but told me that she had been under a lot of pressure lately at work and was looking for anything to take the edge off, if just for one night. I remember being worried that she might be falling back into bad habits.

The party wrapped up around 11:00 that night. That is pretty common with my Fourth of July parties. We watch the fireworks around 10:00 and people start leaving shortly afterwards. Jane was one of the last people to leave that night. That is pretty normal too. She liked to make sure she saw all of her clients at some point during the party. Her spouse Walter drove them both home. The last time I saw Jane alive was standing on my front porch as I said goodnight to her and Walter. I had a scheduled vacation the next three days (Wednesday, Thursday and Friday) and did not go back into the office that week at all.

Jane's spouse, Walter, called me the next day to tell me that Jane had died. I was devastated. I knew her for over twenty years. We were close friends almost our entire adult lives. Then, I found out on the news that

she had died of a drug overdose of some kind. It made me think about all those comments she made at the July 4 party about oxycodone. So, I Googled oxycodone overdose and some other things related to that. I don't remember exactly what I looked up, probably some stuff about drug interactions, since I take oxycodone and other medicines and I was worried that I might be in danger too.

I went to Jane's funeral, but I don't think her family was too happy to see me. I sent flowers and signed the card we passed around the office. I even made the firm hold Jane's office open for a month before giving it out to some new junior partner, which was a pretty big deal where we work. Of course, I made sure that her clients were taken care of too. The work has to go on.

I know some people are saying that Jane might have gotten the oxycodone from me. If she did, they had to have been stolen from me. I didn't give her any pills on July 4. I never would've done anything to hurt Jane. I honestly have no idea where Jane got the pills that she overdosed on. Maybe she was connected with one of the other guests at my party and convinced that person to give her some pills. Maybe she still had some pills leftover from her 2021 prescription and decided to take those. Maybe some of her friends from their "party days" had some. I don't want to believe it, but I suppose Jane could have taken pills from my bathroom too. She had been in my house several times and knew I had all kinds of pills for my back. She also went into my bathroom a few times on July 4. If she really put her mind to it, I suppose she could've stolen some pills from me. I just know I didn't give Jane any pills.

I can’t verify that though. I actually don’t know how many oxycodone pills I had on July 4. I don’t wait until the end of a prescription to fill the next one, because my back pain is extreme when I don’t have any painkillers. I know that I had all of my baggies filled when the police came to my house, but I also had a bottle of oxycodone with some pills leftover from a previous prescription in it. Jane easily could have taken – stolen – some of those pills when they were in the bathroom.

In fact, I was worried that, if she stole pills out of my bathroom, other people could have taken some too. After I learned that she died, I went to the hardware store, bought a small lockbox, and moved my pills to that box. I paid cash for the lockbox because credit cards are just a scam and I don’t ever use my bank card because criminals might steal my account information. I keep the key to my new lockbox in my wallet, which is always on me. Like I said, I don’t know if Jane stole oxycodone from me. If she did, however, I bought that lockbox to make sure that no one else ever does it again.

I feel really bad about Jane. We were friends for a long time. I didn’t have anything to do with her death. Wherever she got those pills from, it wasn’t me.

Jesse White	October 24, 2023
Signature	DATE

Statement of Taylor Jenkins

My name is Taylor Jenkins. I'm 44 years old. I've known Jane Margolin for ages. We first met when I was in college, and we've been friends ever since. I was in school at UCLA, and Jane and I met at a party when she came out to L.A. to visit some relatives out there. We both grew up around here, and I always looked forward to seeing her when I came home for summer. I don't remember Jane engaging in any real drug use. Jane's dad worked at the local airport directing air traffic or something like that, and had hammered into Jane that anything that impaired somebody's ability to operate a vehicle or stay on top of things was something to be avoided. I had the sense it kept her from indulging in anything more serious.

I ended up dropping out of school to pursue my passion for the outdoors. I moved to Colorado and worked ski patrol in the winter and waited tables in a restaurant the rest of the year. Let me tell you, those are two environments where there are lots of drugs around. After a while living the life of a ski bum, I went back to school at UCLA and went into accounting, too, joining a CPA firm in Southern California. I heard Jane was doing the same thing back in New Mexico.

I made a boatload of money, but I'm not exaggerating when I say that accounting is the most stressful thing I've ever done. Some nights I'd just stay awake worrying about work, even though I knew that not getting sleep would just make me less productive at work. Around tax time I'd be working 16–18-hour days, ordering food to the office, stress eating cookies. My colleagues called me the cookie monster. Come May, I'd have to exercise off 15 pounds. Some of my coworkers decided driving home wasn't worth it and slept under their desks. Others burned out and went back to doing whatever they did before. Others self-medicated.

On top of that, I had a family at home. It's hard balancing work and spending time with kids. I feel like I'm constantly disappointing everyone, never able to give anybody the time and attention I think they deserve. It can really take a toll.

A couple of years ago I moved back to New Mexico. While I was excited about moving back and being closer to my parents, I was also really excited to spend time with Jane again. So when we got back, I gave her a call and set up some time to get together; we decided on having some drinks at a bar and then going to a concert. When the day finally came, she was late, which was peculiar. As we sat down, I noticed that she wasn't really herself, or at least not the Jane I thought I knew. She slammed back beer after beer at the bar, and it made me uneasy. I got really uneasy when she said, "You ain't seen nothing yet! Just wait 'til tonight!"

Despite the fact that Jane drove to the bar, I decided it was probably better if she left her car so I could drive to the concert. She sobered up in the car a little bit, but once we got there, she quickly started mingling, moving from one person to the next. I didn't really know what was going on, but when she came back it all made sense. She said she'd scored some drugs and really wanted me to do them with her. I reminded her who drove and said it might not be a great idea, but she popped some pills and enjoyed the concert. She was definitely a little out of it, but never to the point where I was concerned.

Shortly before the Fourth of July this year, Jane invited me to the last party I'd ever go to with her. It was at her friend Jesse White's house. Well, Jane called it a house. I'd call it more of a mansion. Gorgeous place, lots of patios. Infinity pool. Jesse was an accountant too. I think Jesse had some success with finding really big-name clients and was doing very well financially. At this point, Jesse was really working for fun. At least that's what it seemed like to me.

At the party, Jane started hitting the booze, as usual. Jane's very social, and that night she was all over the place, happy as a clam. She was enjoying the shrimp cocktail and made a joke about some sauce that spilled on her shirt. I wish I had that kind of confidence. While I was talking to another guest, I saw Jane approach Jesse, and she started hitting Jesse up for drugs. Jesse said s/he/they had some, but tried to talk Jane out of it; said it wasn't a good idea, she was already kinda drunk, had sauce on her shirt, and maybe leave it alone.

Jesse walked away and Jane continued mingling, maybe asking for drugs, maybe not. She talked to a few more guests and after talking to a guy who seemed to know Jesse well, made a beeline for the bathroom. I figured Jane was going to clean her shirt, but when she came out, she still had that stain. I guess I'm not really sure what she did in there.

Later that evening I went to the same bathroom Jane visited. I had to wash my hands and looked around for some Tylenol to ease a headache I'd had. I didn't really find any, but I did see some random pills scattered about on the counter. Almost every day since, I've wondered if those pills killed my friend Jane. That was the last time I saw her. A couple days later I heard she was gone. I miss her and I hope that one day I'll find out what happened.

Taylor Jenkins	October 24, 2023
Signature	DATE

Exhibit List

Exhibit 1: Lincoln County Sheriff Dept. Crime Scene Investigation Report

Exhibit 2: Photo - victim's coffee table in living room

Exhibit 3: Photo – defendant's lock box with baggie

Exhibit 1

Crime Scene Investigation Report

Investigator's Name: Officer Pat Sanchez **Case No: 2023-0705** **Crime Scene Location: 22 Baker St. Lincoln, NM**
Describe death scene. Did death take place where the body was discovered or was it moved?
Arrived at scene at 12:15 p.m., July 5, 2023. Shown into Dec's living room. Dec lying on couch, face up, dressed in jeans, T-shirt, sock on left foot. Dec's face gray; white, foamy spittle around, over Dec mouth and nose. Approaching Dec, smell of alcohol around Dec; Dec cold to touch. Observed 5 beer bottles around the room, baggie containing suspected narcotics pills on coffee table in front of Dec. Baggie, contents collected in evidence. Baggie had numbers written on it. Preliminary search did not reveal illegal street narcotics. After the ambulance crew showed up, I observed paper under one of the beer bottles – Exit Form for Dec from Wayfarer Recovery, Incident Report from same place; collected as evidence.
Describe secondary search site(s).
Investigated Dec bedroom, bathroom for additional clues, to determine what suspects were involved. Bathroom revealed unlabeled prescription bottle; bottle and pills bagged, marked EB #2.
Was there any attempt to alter the scene?
Entry to crime scene provided by Dec spouse Walter Margolin. There did not appear to be any attempts to move the Dec or otherwise alter the crime scene prior to CSI Photogs.
Is the case of death clearly apparent?
Cause of apparent opioid drug overdose or combo of opioid drug overdose exacerbated by alcohol consumption. Baggie containing pills and unlabeled prescription bottles makes this a suspicious death; further investigation required to determine who supplied drugs.
Results of Forensic Testing

-Evidence Bag #1: pills found inside of plastic sandwich baggie on table field-tested positive for oxycodone

-Evidence Bag #2: pills inside of plastic sandwich baggie in lock box field-tested positive for oxycodone

s/Deputy Sherriff Pat Sanchez, Badge 91202 Report finalized on August 3, 2023

Exhibit 2

Close-up picture containing oxycodone; found on victim's coffee table in living room.

Exhibit 3

Defendant's Lockbox with baggie of more oxycodone inside.