

Prosecutor arguing to jury against Lazor:

1609

1 TRYING TO MAKE, LADIES AND GENTLEMEN, IS WAS MR. ALLRED
2 DISABLED AFTER THE FIRST SHOT, AFTER THE SECOND SHOT, AFTER
3 THE THIRD SHOT, THE FOURTH SHOT, OR DID HE FINALLY BECOME
4 DISABLED AFTER THE FIFTH SHOT? I THINK ONE OF THE THINGS YOU
5 HAVE TO CONSIDER IN THAT RESPECT IS THE DEFENDANT'S TESTIMONY,
6 WHICH YOU SHOULD CONSIDER OF COURSE IN ALL OF THE RESPECTS
7 THAT WE ARE SPEAKING, IS THAT THE DEFENDANT, BY HIS OWN
8 ADMISSION, INDICATED THE DEFENDANT WAS "DEFINITELY DISABLED" --
9 EXCUSE ME -- MR. ALLRED WAS DEFINITELY DISABLED. REMEMBER THE
10 DEFENDANT SAYING THAT? HE WAS DEFINITELY DISABLED. HE WENT

11
12 TO PICK IT UP TO USE IT. THE PHONE WASN'T WORKING PROPERLY AT
13 THE

14 HIS
15 HE W

ADDED COMMENTARY
LAZOR NEVER MADE ANY SUCH "ADMISSION":
HE RATHER SAID THE ATTACKER MOMENTARILY
HAD "APPEARED" TO BE DISABLED BUT QUICKLY
PROVED HE WAS NOT

17 TRAP
18 GRIP
19 USE
20 LOOK

THE PROSECUTOR'S LIES REPEATED SO MANY
TIMES WITHOUT OBJECTION, OVERSHADOWED AND
TENDED TO MENTALLY SUPPLANT WHAT HAD BEEN
SAID. LAZOR NEVER SAID THIS, EITHER

21 WAS BEING HELD. HE TRIED TO USE THE PHONE AND THEN FOR SOME
22 REASON, HE SAID THAT THE -- ALLRED WAS SOMEHOW MOVING AROUND A
23 LITTLE B

24 SO I STOOD OVER HIM AND I FIRED AGAIN. IS THAT A MAN
25 SHOOTING AT SOMEBODY WHO IS DISABLED, WHO HAD ALREADY BEEN
26 SHOT AT THAT POINT THREE TIMES BY THE DEFENDANT'S OWN
27 ADMISSION? THINK ABOUT IT.

EXHIBIT

CC

2 PAGES

Judge reading jury instructions to jury:

1713

1 WHICH WOULD APPEAR TO BE NECESSARY TO A REASONABLE PERSON IN A
2 SIMILAR SITUATION AND WITH SIMILAR KNOWLEDGE, AND HE MAY
3 PURE

4 IF 1
5
6 MORE
7 FROM
8 SELF

ADDED COMMENTARY
THIS JURY INSTRUCTION MANDATED THE JURY TO CONVICT LAZOR BASED ON THE PROSECUTOR'S LIES, WITHOUT OBJECTION, THAT HE ADMITTED SHOOTING A DISABLED MAN (WHICH SCHROEDER TRICKED AND COERCED LAZOR TO SURMISING TESTIMONY ABOUT -- THE "APPEARED TO BE DISABLED" SCENARIO [SEE ITEM #35])

NGER
IGHT
ING
IFY
HICH

10 AROUSES IN HIS MIND A REASONABLE PERSON AN HONEST
11 CONVICTION AND FEAR THAT HE IS ABOUT TO SUFFER BODILY INJURY,
12 AND IF A REASONABLE MAN IN A LIKE SITUATION SEEING AND KNOWING
13 THE SAME FACTS WOULD BE JUSTIFIED IN BELIEVING HIMSELF IN LIKE
14 DANGER AND IF THE PERSON CONFRONTED ACTS IN SELF-DEFENSE
15 UPON SUCH APPEARANCE AND FROM SUCH FEAR AND HONEST
16 CONVICTIONS, HIS RIGHT OF SELF-DEFENSE IS THE SAME WHETHER

THE RIGHT OF SELF-DEFENSE EXISTS ONLY AS LONG AS THE REAL OR APPARENT THREATENED DANGER CONTINUES TO EXIST. WHEN SUCH DANGER CEASES TO EXIST, THE RIGHT TO USE FORCE IN SELF-DEFENSE ENDS.

THE RIGHT OF SELF-DEFENSE CEASES TO EXIST WHEN THERE IS NO LONGER ANY APPARENT DANGER OF FURTHER VIOLENCE ON THE PART OF THE ASSAILANT. THUS, WHERE A PERSON IS ATTACKED UNDER CIRCUMSTANCES WHICH JUSTIFY HIS EXERCISE OF THE RIGHT OF SELF-DEFENSE AND THEREAFTER, HE USES SUCH FORCE UPON HIS ATTACKER AS TO RENDER THE ATTACKER INCAPABLE OF INFLECTING FURTHER INJURIES, THE LAW OF SELF-DEFENSE THEN CEASES