

# Summary of Jury Instructions

1. The defendant is charged with 3 crimes. You must acquit the defendant unless the prosecution proves each element of the crime **BEYOND A REASONABLE DOUBT**. The burden of proof lies with the prosecution.  
You should also find the defendant not guilty unless the prosecution proves beyond a reasonable doubt that the defendant did not act in SELF DEFENSE. You may not find the defendant guilty of more than one crime.
2. The defendant is charged with **Assault with Intent to Murder**. The elements of this crime are:
  - a. An assault
  - b. Committed with the intent to kill another person
3. The defendant is charged with **Assault with Intent to Cause Great Bodily Injury**. The elements of this crime are:
  - a. An assault
  - b. Committed with the intent to cause a great bodily injury (an injury that would create a substantial risk of death, or could cause serious, permanent disfigurement, or substantial impairment of any body part)
4. The defendant is charged with **Assault with Gun or Other Dangerous Weapon**. The elements of this crime are:
  - a. An assault
  - b. Committed with a gun or other dangerous weapon
  - c. With intent to cause a battery (unconsented touching of a person, either directly by the defendant or as a result of some object set in motion by the defendant).
5. **Self Defense** is a valid defense when the defendant used force against another person in order to prevent the immediate infliction of unlawful force against his own person by another person. A person may not use more force than is reasonably necessary to prevent such unlawful force.
  - a. A person may use force likely to cause great bodily injury only where it appears reasonably necessary to do so in order to prevent great bodily injury to him/herself.
  - b. A person is not required to surrender things rightfully in their possession in order to avoid using force in order to avoid using force likely required to cause great bodily injury.

Evidence Organizer  
People of Michigan v. Pat Green

Statement of Chris Stover	
Evidence for the PROSECUTION	Evidence for the DEFENSE
Statement of Jerri Moffat	
Evidence for the PROSECUTION	Evidence for the DEFENSE
Statement of Pat Green	
Evidence for the PROSECUTION	Evidence for the DEFENSE
Statement of Ramsey Conn	
Evidence for the PROSECUTION	Evidence for the DEFENSE

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## STATEMENT OF CHRIS STOVER [Prosecution Witness]

I, Chris Stover state:

I was born on April 1, 1984. I live at 205 Melrose Avenue in Mill Valley, Michigan. I am a senior at Mill Valley High School. I play the trombone in the school band and I am on the softball team. I work at the Bijou Multiplex Cinema Center in Mill Valley as a ticket seller. I live with my parents and my sister Muffie.

On November 17, 1991, I was fooling around with a softball and a bat with Jerri Moffat at the ball field over at Sinclair Park. Jerri and I have been best friends for over 10 years. We often spend time together.

Afterward we left the park, we walked towards Pat Green's house on our way to Tower Records. I was carrying the bat.

We saw Pat sitting on her/his porch and we started saying things back and forth with him/her. When we were about 15 feet away, s/he suddenly pointed a pistol at me and said, "Freeze, turkey!" I couldn't believe it. I thought s/he was kidding and I really didn't know whether it was a real gun or not. Still, I was pretty angry.

I walked toward Pat and said something like, "Give me that, you little twerp!" Pat yelled, something like, "Right in the belly, sucker!" and then shot at me. I fell down on the grass. Jerri told me that Pat ran away as soon as s/he shot me.

I had the bat in my hand the whole time and it's possible I raised it up. But I never made any threatening move whatsoever. I think Pat was trying to prove s/he was tough, or maybe s/he saw too many Arnold Schwarzenegger movies. I don't know.

The bullet hit me in the thigh. The pain was horrible, worse than anything I ever felt. Ramsey Conn came over a few minutes later and drove me to the hospital; Jerri came also. I can't believe how much it hurt. All I could do was scream. I would have settled this without the police but I guess the hospital called them.

I have no idea what happened to the pistol. As far as I know, Pat still has it.

I have known Pat for 10 years. Pat has always been a little jerk—saying nasty things and making trouble. Last year, Pat tried to sneak in a movie where I work. I saw it and told the ushers and they threw Pat out. S/he has always been a troublemaker, even in grade school. I once got in a little scuffle with Pat outside the high school. S/he swore at me and I grabbed his/her book. Pat's parents are not so nice either. I heard that Pat's Dad is involved in a stolen car shop. I just generally try to not have anything to do with Pat.

I have read the above statement and it is true.

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Chris Stover

Dated:

**STATEMENT OF JERRI MOFFAT [Prosecution Witness]**

I, Jerri Moffat, state:

I was born on March 26, 1974. I live in Mill Valley, Michigan. I am a senior at Mill Valley High School. I live with my parents and two brothers. I am on my high school softball team. My address is 201 Melrose. My father is a butcher at Farmer John's Market. My mother is a math teacher at Shelby Middle School in Mill Valley.

Early in the afternoon on November 17, 1991, I was playing softball at Sinclair Park with Chris Stover. While we were there we saw Skeeter Smith drive up. We talked to Skeeter for a while, but nothing was said about Pat Green or a gun.

Later on we decided to take Littlefield back to my house. That's not the most direct way to my house, but we wanted to stop at Tower Records on the way. Chris was carrying the bat. It was just before two o'clock.

When we got close to Pat Green's we saw Pat sitting on the porch. It looked like s/he had a pistol pointing at us and pretending s/he was shooting at us. S/he's raise her/his arm and point it in our direction and then suddenly move her/his hand like s/he had fired the gun and it was throwing her/his hand back. Then s/he said, in that snotty way s/he has, "Don't worry, it's loaded."

Chris told Pat s/he was acting dangerously and that s/he should put the gun down. Pat kept pointing it and Chris just got madder. I was really freaked. I stopped and started to back up. But Pat refused to be intimidated and wouldn't stop. Chris told Pat s/he had no right to do that. Then out of the blue Pat shot Chris. I couldn't believe it.

I kneeled down and tried to help Chris and then Ramsey ran over. Eventually we took Chris to the hospital in Ramsey's car.

I have read the above statement and it is true.

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Jerri Moffat

Dated:

## STATEMENT OF DEFENDANT, PAT GREEN

I, Pat Green, state:

I live at 626 Littlefield in Mill Valley, Michigan. My street runs east and west. I am in the 11th grade at Mill Valley High School. I am in the Chess Club. I was born September 12, 1973. I work part time as a volunteer at Children's Hospital in Mill Valley. My father works at Newbourne Used Cars and Collision in Mill Valley. My mother died when I was three. I have a brother, 27. I don't know where he lives.

On November 17, 1991, I found a small silver revolver in a closet in my Dad's bedroom. There was also a box of bullets, so I loaded the gun too. We have lived in that house for 12 years, but I have no idea how long the gun has been there — I never saw it before. I thought it would be fun to just sit on my porch, holding the gun.

I was sitting on my front porch playing with the pistol when Skeeter Smith drove by. Skeeter's a 12th grader that I've known a long time. I held the pistol up for him to see. He stopped and came up to the porch, but I wouldn't let him hold it. When he left, he continued on eastward. I guess that's how Chris and Jerri heard about it, since it was obvious they knew about it before they showed up and I didn't tell anyone else.

Some time after Skeeter left, I saw Chris Stover and Jerri Moffat walking westward on the sidewalk, on my side of the street. They are jerks and I planned to just ignore them. I had the pistol in my lap, but they couldn't see it from where they were. The porch is three feet above ground level, with five stairs in the middle leading up to it.

Chris said, "What's that you got there, you little twerp? Could it be a gun? Let me see it!" I said, "No way." S/he said, "Look you little twerp, you let us see it or you won't be sitting out on this porch again for a long time!" At the same time, s/he waved the bat like s/he wanted to hit me. The, both of them started walking towards me, trying to look tough. I was sure they were going to club me with the bat if I didn't give them the gun. And if I did give it to them, who knows what they'd do.

I said "Freeze" and I pointed the gun at their feet. Jerri stopped, but Chris kept on coming and calling me names, so I pointed at the ground and pulled the trigger. I figured that shooting at the ground in front of them would scare them away.

I guess I accidentally raised my hand a little when I fired, because I hit Chris in the leg. I really got scared and I ran away. I don't know what happened to the pistol.

I have known both Chris and Jerri since grade school — we all went to the James Vernor Elementary School together. They have always been bullies, pushing around younger kids. A week before the shooting accident, I saw them at the movies and they made fun of me in front of a lot of people.

I have read the above statement and it is true.

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Pat Green

Dated:

## STATEMENT OF RAMSEY CONN [Defense Witness]

I, Ramsey Conn, state:

I was born on July 2, 1973. I live at 629 Littlefield in Mill Valley, Michigan, which is right across the street from Pat Green's house. My house is a one-story house. I have lived there my whole life. Sinclair Park is three blocks North of my house and my street runs into it. The shortest way from the park to Tower Records is to go South on Littlefield.

I am in the 11th grade at Mill Valley High School. I am in the Drama Club and played the stage manager when we did "Our Town" as the school play last year. I work at Dawson's Hardware and Sporting Goods every day after school and on Saturday. On Sunday, November 17, 1991, however, I was home with a bad cold. I was sitting in the living room watching TV when I happened to look out the front window. It was about two in the afternoon.

I saw Chris Stover go to hit Pat Green with a baseball bat, just before Pat shot Chris. I was watching television when I heard Pat yell at Chris and Jerri. The TV is in the living room, which is in the front of the house. You can't see out the front window from where I was sitting, so I got up to look.

When I looked out, Pat was sitting on the steps and Chris was standing on the sidewalk shaking the bat at Pat and yelling at her/him. It looked to me like Chris was threatening Pat with the bat. S/he had it over his/her head. I was afraid of what Chris was going to do and I don't blame Pat for shooting. I don't see what else Pat could do, since pointing the gun didn't do any good.

Although my windows were open, I could not make out what anyone was saying, but I could sure hear that they were yelling.

After the gunshot, I ran out to Chris and Jerry and then drove Chris to the hospital. Chris said, "That twerp! I was only kidding." S/he didn't say anything else.

I had a run-in with Chris last March. I was in the cafeteria line and Chris cut in, in front of a girl a couple of people ahead of me. That girl is a wimp and didn't say anything, so I did. Chris came over to me and pushed me against the wall and then left. I knew Chris was a jerk even before that, even though nothing like that happened before, but that just confirmed it.

I have read the above statement and it is true.

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Ramsey Conn

Dated: