

**State of Utah v. George Howard**  
*Receiving Stolen Property*

**Characters**

- (1 &/or 2 students or a presiding judge from the court visited) *The Judge*
- (3) *The Court Clerk*
- (4 & 5) *The Deputy Attorney General for the State of Utah* (Prosecutor)
- (6 & 7) *The Public Defender (Defense Counsel)*
- (8) *Michael Clark* (Prosecution witness; former friend of George Howard)
- (9) *Robert Sanders* (Prosecution witness; car thief George Howard bought his car from)
- (10) *Officer Thomas Jones* (Prosecution witness; state trooper who stopped George Howard)
- (11) *George Howard* (Defense Witness; accused of receiving stolen property)
- (12) *Susan Smith* (Defense Witness; George Howard's ex-girlfriend)

**Script**

**Court Clerk:** All rise. The District Court for the District of Salt Lake is now in session, the Honorable \_\_\_\_\_ (fill in the name of the student or the judge) presiding.

**Judge:** Please be seated. Is the Prosecutor ready to proceed with the opening argument?

*The Prosecutor rises and goes to the lectern.*

**Prosecutor:** Yes, Your Honor. Ladies and gentlemen of the jury, the Government intends to prove that the defendant, George Howard, did buy a car which he, in fact, knew to be stolen in violation of Utah Code Section 76-6-408. This law makes it illegal to purchase any motor vehicle which has been stolen and which one, in fact, knows or believes to have been stolen. The Government intends to prove that the extremely low price of the car; the questionable nature of the registration papers given to the Defendant at the time of the car's purchase; and the fact that the Defendant is very knowledgeable about cars demonstrates that he should have and, in fact, did know that the car he purchased was stolen. The Defense will, no doubt, argue that there was no way that the Defendant could have known that the car was stolen. However, I assure you that the facts of the case will bear a different interpretation. The Government will present Testimony that will indicate the Defendant has the necessary information to know that the car was stolen. At the conclusion of this trial, I will ask you to return a verdict of "Guilty" as charged. Thank you.

*The Prosecutor sits down at counsel table*

**Judge:** Does the Defendant wish to make an opening statement at this time?

*The Defense Attorney rises and proceeds to the lectern.*

**Defense:** Thank you, Your Honor. The Defense does wish to make an opening statement. Ladies and Gentlemen of the jury, what the Government is attempting to do here today is nothing less than shameful. The Government says that my client is guilty of receiving stolen property. The Government says that since my client is knowledgeable about cars, he should know if a car is stolen. The Government says that he should have the ability to tell when a document is forged. Furthermore, the Government says that, when he fails to do these things, my client should be treated as a criminal. The evidence will show that my client had no way of knowing the car he purchased was, in fact, stolen. We will show that the person he purchased the car from was a career criminal who conned my client into thinking that he was entering into a perfectly legal transaction. Make no mistake, ladies and gentlemen of the jury, the only thing that my client is guilty of is getting a good deal on a car, and, as far as I know, that is not against the law. At the conclusion of this trial, I will ask you to return the only just verdict; that being "Not Guilty." Thank you.

*The Defense Attorney sits down.*

**Judge:** The Government may call its first witness.

*The Prosecutor makes his/her way to the lectern.*

**Prosecutor:** Your Honor, the Government calls Michael Clark to the stand.

*Michael Clark comes forward and stands near the witness box as the Court Clerk stands and raises his/her right hand to administer the oath.*

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth?

**M. Clark:** I do.

**Court Clerk:** Please be seated.

*Michael Clark sits in the witness box. The Court Clerk sits down.*

**Prosecutor:** Please state your full name for the record.

**M. Clark:** Michael Clark.

**Prosecutor:** What is your occupation?

**M. Clark:** Well, I'm actually a student at James Madison High School. A senior. I also have a part time job. On the weekends and during the summer I get paid to do some work on cars for a local mechanic.

**Prosecutor:** Do you know the Defendant?

**M. Clark:** Yes, we were good friends.

**Prosecutor:** Has the Defendant ever worked on any cars with you?

**M. Clark:** Yes. Actually, we've put together our money in the past, bought some old cars, fixed them up, and sold them. We've made some good money, I mean, for high school students working part time.

**Prosecutor:** During the time you two were putting together your money to buy, fix up, and sell cars for profit, did the defendant ever decide not to purchase a certain car?

**M. Clark:** Yes. There were two such times.

**Prosecutor:** Why did he refuse to buy these cars?

**M. Clark:** Well, George basically told me that he thought the cars were stolen. He said the prices were way too low. He said the sellers seemed shady and other stuff about the sale just didn't seem right. For example, with one car, the seller could not find the registration papers but wanted to sell it anyway. That made George suspicious and he wouldn't go through with the deal. In general, I say he knows more about cars than I do so I didn't push it.

**Prosecutor:** Do you know if the defendant was correct about any of his speculations about the cars being stolen?

**M. Clark:** Yes, within a week of the two sales, the local paper reported that the cars were stolen and that the sellers were arrested for grand theft auto or something like that.

**Prosecutor:** Why was the defendant so worried about not buying the cars he thought may have been stolen?

**M. Clark:** He kept telling me that it was illegal to buy cars when you know they're stolen. If he hadn't told me, I would have done the deal anyway because I didn't know about the law and I thought we were passing up a good thing. As it turned out,

I'm glad I listened to him.

**Prosecutor:** One last thing, Mr. Clark. Would you please read to the Court the following lines from the agreement of stipulated facts which both the Prosecution and Defense agree to?

**M. Clark:** Certainly:  
“... It is agreed that on (date) the defendant, George Howard, purchased a (make and model) car for \$2,500 from Mr. Robert Sanders, alias Mr. William (Bill) Smith. It is further agreed that the blue book value of the car in question was at least \$20,000 at the time of the sale and that the Defendant, George Howard, knew the approximate blue book value of the car before purchasing it. The Defendant did not do any online research or seek other information to determine the car's history....”

**Prosecutor:** Mr. Clark, would you say that the Defendant's behavior in this case was different from his actions in past transactions involving cars that the two of you purchased together?

**M. Clark:** Yes.

**Prosecutor:** Why?

**M. Clark:** The difference in the prices, the fact that he never checked the car's history. I mean, in the past, he always tried to make sure that a car wasn't stolen. This time he kind of looked the other way. He must have known it was stolen.

**Defense:** Objection, Your Honor! Speculation. The witness could not possibly have  
(*Standing*) known what was in my client's head.

**Judge:** Sustained. The jury will disregard the witness's last statement.

**Prosecutor:** No further questions Your Honor.

*The Prosecutor sits down at counsel table as the Defense Attorney rises and walks to the lectern.*

**Judge:** Cross examination?

**Defense:** Yes, thank you, Your Honor. Mr. Clark, you are not a certified mechanic, are you?

**M. Clark:** No.

**Defense:** You said that you and George were good friends. Are you still?

**M. Clark:** We were pretty ticked off at each other a few months back, if that is what you are getting at.

**Defense:** What was the nature of that falling out?

**M. Clark:** As I said, we put our money together to buy, fix up, and then sell cars to make money. A few of the cars George suggested I buy didn't make us any money. In fact, we lost quite a bit. I had saved up some money to buy a car I really wanted. The deal fell through when we kept losing money.

**Defense:** How much did you lose?

**M. Clark:** About \$2,500.

**Defense:** Why do you blame George?

**M. Clark:** I didn't want to buy these cars. They had been totaled, but he insisted. He's the reason I lost my money.

**Defense.** So, you're still pretty angry with him, aren't you?

**M. Clark:** Yes.

**Defense:** Angry enough to try to send him to prison?

**Prosecution:** Objection! Argumentative.  
(*Standing*)

**Defense:** Withdrawn. No further questions Your Honor.

*The Defense Attorney sits down, and the Prosecutor goes to the lectern.*

**Judge:** Redirect from the Prosecution?

**Prosecution:** Yes, Your Honor. Mr. Clark, do your personal feelings toward the Defendant have anything to do with your testimony in this case?

**M. Clark:** No.

**Prosecution:** Are you trying to get Mr. Howard in trouble and humiliate him in the community because you blame him for the fact that you lost \$2,500 and the chance to buy a

car you really wanted? If you can't have the car you want, neither can he? Is that it; is that what you mean?

**M. Clark:** Absolutely not. I mean, I'm mad at him but I wouldn't sink that low. Anyway, the blame is mine, too, for losing the money. I went along with him. I didn't have to.

**Prosecutor:** Why are you here testifying today?

**M. Clark:** I received a subpoena telling me that I had to come here, or I could go to jail.

**Prosecutor:** No further questions.

*The Prosecutor sits down, the Defense Attorney goes to the lectern.*

**Judge:** Re-cross?

**Defense:** Thank you, Your Honor. I just have one question. Mr. Clark, you realize that a subpoena requires you to appear in Court to tell the truth, not what the Government wants you to say, right?

**Prosecution:** Objection!  
(Standing)

**Defense:** Withdrawn.

**Judge:** Defense counsel will refrain from any other such comments in the future. Mr. Clark, you may step down. Does the Government have any other witnesses it wishes to call?

*Michael Clark steps down from the witness stand and walks to the back of the courtroom.*

**Prosecution:** Yes, Your Honor. The Government wishes to call Mr. Robert Sanders.

*Robert Sanders proceeds to and stands next to the witness box. The Court Clerk raises his right hand to administer the oath.*

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth?

**R. Sanders:** I do.

**Court Clerk:** You may be seated.

*Robert Sanders sits in the witness box. The Court Clerk sits down.*

**Prosecution:** Would you please state your full name for the record?

**R. Sanders:** Robert Sanders.

**Prosecution:** Where do you currently reside, sir?

**R. Sanders:** I am currently incarcerated in a federal detention center.

**Prosecution:** What was your crime?

**R. Sanders:** I stole some cars and then sold them to various people. I've been charged with five counts of auto theft and three counts of selling stolen property.

**Prosecution:** Have you entered a plea on those charges?

**R. Sanders:** Yes, I've pleaded guilty.

**Prosecution:** Is that guilty plea pursuant to an agreement with the Government?

**R. Sanders:** Yes.

**Prosecution:** As part of your guilty plea are you expected to testify against the Defendant?

**R. Sanders:** Yes.

**Prosecution:** Has the Government made any promises in exchange for your testimony?

**R. Sanders:** The Government promised to ask the Judge for a reduced sentence.

**Prosecution:** Have you ever seen the Defendant before (pointing to George)?

**R. Sanders:** Yes, I sold a car to him.

**Prosecution:** Let the record reflect that the witness pointed to the Defendant.

**Judge:** The record will so reflect.

**Prosecution:** Mr. Sanders, did you have an alias when you sold the car to the Defendant?

**R. Sanders:** Yes

**Prosecution:** What was that?

**R. Sanders:** Bill Smith.

**Prosecution:** Was the car in question one that you stole?

**R. Sanders:** It was. I stole it from a car lot just over the state line and drove it here. From what I heard a few cars had been stolen from the lot lately, so the cops were attempting a sting to get them all back. I thought I'd better unload the car as fast as I could. I overheard George one day in a restaurant describe his dream car – the one I had– so I decided this was a good chance to get rid of it. He took the bait.

**Prosecution:** Took the bait?

**R. Sanders:** Bought it.

**Prosecution:** Did you ever hear the Defendant say anything that gave you the impression that he knew the car was stolen?

**Defense:** Objection. Speculation.  
(*Standing*)

**Prosecution:** I'd ask for a little leeway.

**Judge:** You can have a little. The objection is overruled. Mr. Sanders, you may answer the question.

**R. Sanders:** Well, I thought he was getting suspicious. When he came to see the car and I told him the price, he asked me something like, "There's nothing shady about this deal is there?" I thought he was on to something, so I told him my wife and I recently had some financial difficulties, so we needed to get rid of it as soon as possible. To put some pressure on him, I told him that I had another offer.

**Prosecution:** Anything else?

**R. Sanders:** Yeah, the registration. He really looked it over and seemed antsy about it.

**Prosecution:** Why do you say that?

**R. Sanders:** Well, I mean, I told him I had to give him a copy because I lost the original. It was a very bad copy of a document; you could barely read it. George asked me if



anything was wrong with it. I said no and that was the end of it.

**Prosecution:** Did he say what he needed the car for?

**R. Sanders:** He said to get to school and work. Oh yeah, and something about a girlfriend. I think that last reason was why he wanted it so badly. He wanted to impress her.

**Prosecution:** Thank you. No further questions.

*The Prosecutor sits down as the Defense Attorney rises and walks to the lectern.*

**Judge:** Cross-examination?

**Defense:** Did my client ever directly ask you if the car were stolen?

**R. Sanders:** No.

**Defense:** You have recently pleaded guilty to five counts of auto theft and three counts of selling stolen property, have you not?

**R. Sanders:** Yes.

**Defense:** And you are currently waiting to be sentenced?

**R. Sanders:** Yes

**Defense:** So, you're a criminal?

**R. Sanders:** That's not what my friends calls me.

**Defense:** But you have lied to people, such as my client? Part of how you sold your stolen property is by lying, correct?

**R. Sanders:** I think they call it alternative facts. Or some people call it spin.

**Defense:** So, are you lying here today?

**R. Sanders:** No.

**Defense:** How do we know?

**R. Sanders:** I'm under oath.

**Defense:** Of course. No further questions.

*The Defense Attorney sits down as the Prosecutor proceeds to the lectern.*

**Judge:** Re-direct?

**Prosecution:** Yes. Does your plea agreement with the Government require you to testify truthfully?

**R. Sanders:** Yes.

**Prosecution:** And if you don't?

**R. Sanders:** The Government won't ask for a reduced sentence.

**Prosecution:** Thank you, Mr. Sanders. No further question.

**Judge:** Re-cross?

**Defense:** No, your Honor.  
(Standing)

*The Prosecutor sits down.*

**Judge:** Very well. Mr. Sanders, you may step down.

*Robert Sanders steps down from the witness stand and is returned to the custody of the U.S. Marshals.*

**Prosecution:** The Government would like to call Officer Thomas Jones to the stand.

*Officer Jones proceeds to and stands next to the witness stand. The Court Clerk stands and raises his right hand to administer the oath.*

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth?

**O. Jones:** I do.

**Court Clerk:** You may be seated.

*Officer Jones sits in the witness box. The Court Clerk sits down.*

**Prosecution:** Please state your name for the record.

**O. Jones:** Thomas Jones.

**Prosecution:** What is your occupation?

**O. Jones:** I am a sergeant in the State Police Highway Patrol.

**Prosecution:** Have you ever seen the Defendant before (pointing to George)?

**O. Jones:** Yes

**Prosecution:** Where have you seen the Defendant?

**O. Jones:** On the night of (date), he was in a vehicle going southbound on Highway 5. I was using my radar on the side of the road and clocked his car as doing 80 in a 55 mile-per-hour zone. I proceeded to pull him over.

**Prosecution:** What happened then?

**O. Jones:** I followed standard procedure and asked for his license and registration. When he handed me the registration, I became suspicious—it was a photocopy. I checked the information on it with a computer database in my patrol car and it reported that the Defendant's car was stolen. It belonged to a car dealership in the next state. At this point I went back to the Defendant's car, informed him of the situation, and asked him to accompany me to the police barracks until this could be straightened out.

**Prosecution:** How did the Defendant respond?

**O. Jones:** Well, he accompanied me back to the police barracks but didn't say anything. His father was contacted, and the father had his lawyer come to the barracks. After this, the Defendant began to talk. He said that he didn't steal anything and that he bought the car from a Mr. Bill Smith. He even produced the receipt. At this point, we decided to release the Defendant to the custody of his parents. I informed him that the Attorney General's Office would be opening an investigation to determine whether he would be charged with the offense of receiving stolen property.

**Prosecution:** What became of the investigation?

**O. Jones:** Well, the State's Attorney investigated the matter for a few days and decided there was enough evidence to charge the Defendant with receiving stolen property. That was the last I heard of the matter before I was informed that I would be called to testify here today.

**Prosecutor:** Thank you Officer Jones, no further questions.

**Judge:** Any cross examination?

*The Prosecution sits down as the Defense Attorney proceeds to the lectern.*

**Defense:** Just one question, Your Honor. Officer Jones, the Defendant, Mr. Howard, was never actually charged with any crime while you were investigating this matter, was he?

**O. Jones:** No. He was being questioned. I believe the Deputy Attorney General was the first person to formally place him under arrest and charge him with committing a crime.

**Defense:** Thank you, Officer Jones. No further questions.

*The Defense Attorney sits down.*

**Judge:** Re-direct?

**Prosecution:** No, Your Honor.  
(Standing)

**Judge:** Very well, Officer Jones you may step down.

*Officer Jones steps down from the witness stand and takes a seat in the back of the courtroom.*

**Prosecution:** Your Honor, the Prosecution rests.  
(Standing)

**Judge:** Is the Defense ready to proceed?

*The Defense Attorney approaches the lectern.*

**Defense:** Yes, Your Honor. We would like to call Mr. George Howard to the stand.

*The witness, George Howard, comes forward and stands at the witness box. The Court Clerk stands and raises his right hand to administer the oath.*

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth?

**G. Howard:** I do.

**Court Clerk:** You may be seated.

*George Howard sits in the witness box. The Court Clerk sits down.*

**Defense:** Please state your name for the record.

**G. Howard:** George Howard.

**Defense:** Mr. Howard, would you say that you have a good knowledge of automobiles – how they work, what they cost, etc.?

**G. Howard:** Yeah, I guess so.

**Defense:** In the past, you've had a pretty good track record of figuring out if cars were stolen or not, haven't you?

**Prosecution:** Objection. Defense counsel is leading the witness.  
(*Standing*)

**Judge:** Sustained.

**Defense:** Sorry, Your Honor. Are you aware that it is against the law to buy stolen property knowing that it is stolen?

**G. Howard:** Yes, that is why I didn't buy certain cars in the past when Mike and I were fixing them up. We could have made a lot of money because they were being sold so cheaply but I thought that something was not right. The prices were too low, the seller looked shady, and stuff like that.

**Defense:** Did you have any hesitations about buying the car that got you into this mess?

**G. Howard:** At first, yes.

**Defense:** Why?

**G. Howard:** Well, because of the price, at first, I thought that either there was something wrong with the car itself, bad transmission or something, or it may have been stolen. I mean the price was too good to be true. I thought I got lucky – guess not.

**Defense:** What changed your mind?

**G. Howard:** Well, Mr. Sanders, who I knew as Bill Smith, told me that his wife and he had some financial difficulties and needed to sell it right away. I felt guilty and kind of wanted to offer more to help him out but then I would have been short on cash myself. I felt bad but I really wanted it. Plus, he looked like a decent guy and had the registration papers ready. He didn't seem shady like the two sellers I turned down. Those guys, I later found out through the paper, really did steal the cars.

**Defense:** The Prosecution made an issue about the registration papers. Was anything wrong with them?

**G. Howard:** Well, they were only copies and they looked different from the registration papers on my last car and most of the cars I've worked on lately. Mr. Sander's car was only six months old. I figured maybe these were new papers, or something. I haven't been to the Department of Motor Vehicles in a while, and it has been two years since I bought my last car. I haven't worked on any cars that new, either.

**Defense:** Did you know that the car you purchased from Mr. Sanders was stolen?

**G. Howard:** No, I didn't. Like I said, at first, I had my suspicions that something may have been wrong with it, but Mr. Sanders made me feel like everything was on the up-and-up. I would never buy something I knew was stolen. That's against the law and you can get arrested for it.

**Defense:** No further questions.

*The Defense Attorney sits down and the Prosecutor proceeds to the lectern.*

**Judge:** Cross-examination?

**Prosecution:** Mr. Howard, wasn't there another reason you wanted this car so badly?

**G. Howard:** I don't think I understand the question.

**Prosecution:** Weren't you trying to impress your girlfriend?

**G. Howard:** Doesn't every guy want a cool car?

**Prosecution:** Mr. Howard, you admitted that you thought that something wasn't quite right about this deal. Then, you seemed to convince yourself that everything was fine. Is it true that Mr. Sanders' explanations convinced you that the car was not stolen or is that what you wanted to believe? Truth is, you wanted this car to improve your social life and to impress your girlfriend, didn't you? You knew it was stolen but

you had too much to lose to pass it up. You purposely looked the other way, didn't you?!

**Defense:** Objection! The government is testifying for my client!  
(*Standing*)

**Judge:** Sustained.

**Prosecution:** No further questions.

*The Prosecutor returns to the counsel table and the Defense Attorney proceeds to the lectern.*

**Judge:** Re-direct?

**Defense:** Thank you, Your Honor. In good faith, Mr. Howard, you believed the car not to be stolen, didn't you?

**G. Howard:** Yes! As I said, I wouldn't buy something that I knew was stolen.

**Defense:** No further questions.

*The Defense Attorney returns to counsel table.*

**Judge:** Re-cross?

**Prosecution:** No, Your Honor

**Judge:** Very well, the witness may be excused.  
*The witness, George Howard, leaves the witness stand and goes to the defense counsel's table.*

**Defense:** The defense calls Ms. Susan Smith.

*The witness, Ms. Susan Smith, comes forward and stands near the witness box as the Court Clerk stands and raises his right hand to administer the oath.*

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth?

**S. Smith:** I do.

**Court Clerk:** You may be seated.

*Ms. Susan Smith sits in the witness box. The Court Clerk sits down.*

**Defense:** Please state your name for the record.

**S. Smith:** Susan Smith

**Defense:** What is your relationship to the Defendant?

**S. Smith:** I was his girlfriend.

**Defense:** Was?

**S. Smith:** Yes, after he was arrested, my Dad wouldn't let me see him anymore. He's still a good friend but, until this is cleared up, I can't see him.

**Defense:** Did George need to have a cool car to keep your interest?

**S. Smith:** No! I mean I liked it, but I'm not that shallow.

**Defense:** Did you ever tell George that he didn't need status symbols to impress you?

**S. Smith:** Yes.

**Defense:** So, there would be no reason why he felt under any obligation to get it, not even to impress you? He simply got a good deal?

**Prosecution:** Objection. Defense counsel is speculating and testifying.  
(*Standing*)

**Defense:** Withdrawn. No further questions.

*The Defense Attorney sits down.*

**Judge:** Cross-examination?

**Prosecution:** No, Your Honor.  
(*Standing*)

**Judge:** Very well, the witness is excused.

*Ms. Susan Smith steps down from the witness stand and walks to the back of the courtroom.*

**Defense:** The Defense rests.  
(*Standing*)

**Prosecution:** The Government offers no rebuttal case. The Government rests.  
(*Standing*)



**Judge:** Are both sides ready to proceed to final arguments?

**Prosecution:** Yes, Your Honor.  
(*Standing*)

**Defense:** Yes, Your Honor.  
(*Standing*)

*The Prosecutor proceeds to the lectern and faces the jury.*

**Prosecution:** Ladies and gentlemen of the jury, the evidence has shown that the Defendant, Mr. George Howard, knew that the car he purchased from Mr. Robert Sanders, or Mr. William (Bill) Smith as he was known to the Defendant was, in fact, stolen. The Defendant contends that he did not know this. This is how the defendant wished to construe the facts. However, when viewed objectively, the facts are clearly different from Mr. Howard's perspective on them.

The Defendant has been working on cars for years. He reads about them, works on them in his spare time, helps a local mechanic, and even fixes up used ones and sells them for a profit. He didn't buy certain cars in the past because he thought they were stolen. They were suspiciously low priced and there were problems with the registration papers.

Ladies and gentlemen of the jury, these are the same facts that have been presented in this case. The Defendant bought a \$20,000 car for \$2,500. He acknowledged that he knew the blue book value. Mr. Sanders testified that the Defendant questioned him about the price difference and about the registration papers. The Defendant would have us believe that Mr. Sanders' explanations reassured and convinced him that nothing was wrong with this transaction.

Are we to believe this? Is it probable that a young man so experienced in automobiles as the Defendant could have not known that something was wrong with this transaction? Ladies and gentlemen of the jury, the fact of the matter is this: the Defendant wanted this car to raise his social standing and to impress his girlfriend. He let this cloud his judgment and this led him to buy a car he knew

was stolen. It led him to break the law.

We have presented testimony that he knew that he was buying stolen property. Now we must make him realize this. That is all the Government is asking. All we are asking is that he take responsibility for his actions. For these reasons, we ask you to return the only possible verdict in this case “Guilty.” Thank you.

*The Prosecutor sits down, and the Defense Attorney makes his way to the lectern. When the Defense Attorney begins his argument, he/she will be facing the jury.*

**Judge:** Is the Defense ready to proceed with its closing argument?

**Defense:** Yes, Your Honor, thank you. Ladies and gentlemen of the jury, I’m going to begin by asking you a question. How many of you like to throw money away? How many of you like to buy a product for full price at one store when you know it is 50% off at another nearby location? You don’t have to answer me, but I would ask you to reflect on these questions.

You see, the only reason my client, George Howard, is on trial today is because he was looking for a bargain—something we do as often as possible. My client happened to be very lucky. He found his dream car and, I will acknowledge, he seemed to get it dirt cheap. What I, and I hope you, would call a good deal, the Government attempts to call something very different. The Government calls this “Sale or receipt of stolen property.”

I don’t argue with this law. Those who knowingly receive or buy stolen property should be subjected to it. However, I object most strenuously when it is used to charge an unknowing young man with a felony! Yes, George knows a lot about cars. He testified that, at first, he thought there was something amiss with this transaction. However, Mr. Sanders, being the thief, con-artist, and criminal that he is, was able to convince my client that everything was okay.

Instead of trying to punish Mr. Sanders even more for this, the Government comes after young George and even goes so far as to recommend that Mr. Sanders receive a reduced sentence for his testimony!

Ladies and gentlemen of the jury, this is inexcusable. What this case comes down to is just two simple points: (1) The Government is attempting to punish my client because he is not omnipotent and could not tell that the car he bought was stolen, and (2) They are attempting to punish him for nothing other than getting a good deal. Make no mistake, George has suffered a grave injustice at the hands of the Government which is supposed to protect him. I trust that you will let this injustice continue no longer and return the only just verdict in this case: "Not guilty." Thank you.

*The Defense Attorney sits down. Addressing the jury, the Judge begins reading the jury instructions.*

**Judge:** In order to convict the defendant, George Howard, according to the law as set forth in the Utah Code, you must find, beyond a reasonable doubt, that he:

"received, retained, or disposed of the property of another knowing that the property is stolen, or believing that the property is probably stolen"

In other words, you must find that the Defendant, George Howard, bought the property in question knowing it or believing it to have been stolen.

If you cannot find this beyond a reasonable doubt, you must find the Defendant "Not Guilty."

If you find, beyond a reasonable doubt, that the Defendant bought the property in question knowing it to have been stolen, then you may return a verdict of "Guilty."

Remember that your verdict must be unanimous. The jury now may begin its deliberations.

**Court Clerk:** All rise, for the members of the jury (and the judge) as they depart the courtroom. The Court will stand in recess until a verdict has been reached.