

Case Packet:

1. **Page 10, line 43:** after “statements.” add “They may also testify to any relevant information they would have reasonable knowledge of from the fact situation, witness statements and exhibits.”
2. **Page 12, line 15:** add “**CALCRIM 223 (Direct and Circumstantial Evidence)**  
Facts may be proved by direct or circumstantial evidence or by a combination of both. Direct evidence can prove a fact by itself. For example, if a witness testifies, he saw it raining outside before he came into the courthouse, that testimony is direct evidence that it was raining. Circumstantial evidence also may be called indirect evidence. Circumstantial evidence does not directly prove the fact to be decided but is evidence of another fact or group of facts from which you may logically and reasonably conclude the truth of the fact in question. For example, if a witness testifies that he saw someone come inside wearing a raincoat covered with drops of water, that testimony is circumstantial evidence because it may support a conclusion that it was raining outside. Both direct and circumstantial evidence are acceptable types of evidence to prove or disprove the elements of a charge, including intent and mental state and acts necessary to a conviction, and neither is necessarily more reliable than the other. Neither is entitled to any greater weight than the other. You must decide whether a fact in issue has been proved based on all the evidence.

**CALCRIM 224 (Circumstantial Evidence: Sufficiency of Evidence)**

Before you may rely on circumstantial evidence to conclude that a fact necessary to find the defendant guilty has been proved, you must be convinced that the People have proved each fact essential to that conclusion beyond a reasonable doubt. Also, before you may rely on circumstantial evidence to find the defendant guilty, you must be convinced that the only reasonable conclusion supported by the circumstantial evidence is that the defendant is guilty. If you can draw two or more reasonable conclusions from the circumstantial evidence and one of those reasonable conclusions points to innocence and another to guilt, you must accept the one that points to innocence. However, when considering circumstantial evidence, you must accept only reasonable conclusions and reject any that are unreasonable.”

3. **Page 17, line 34:** after "opinions," add "bracketed information,"
4. **Page 17, line 35:** after “found in” delete "Pretrial Facts" and add "brackets"
5. **Page 18, line 10:** add “Amendment XIV Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
6. **Page 19, line 40:** delete “768 P.2d 610” and add “48 Cal. 3d 247”
7. **Page 20, line 22:** delete “153 Cal. Rptr. 3d 641” and add “214 Cal. App. 4<sup>th</sup> 70”
8. **Page 21, line 6:** delete “786 P.2d 892” and add “50 Cal. 3d 262”
9. **Page 21, line 40:** delete “262 Cal Rptr. 323” and add “213 Cal. App. 3d 1248”
10. **Page 22, Line 24-25:** after “voluntary” delete “and so was the subsequent statement”
11. **Page 22, Line 27:** after “interrogation is” add “also”
12. **Page 27, line 18:** delete “even with my position at BOI, I never take any work home with me nor do I usually keep anything confidential in the house.”
13. **Page 27, line 33:** delete “the back of my head” and add “my forehead”
14. **Page 31, line 29:** after “first degree” delete “robbery” and add “burglary”
15. **Page 45, line 4:** delete “The following day,”
16. **STIPULATION - Page 11, Line 26 (after stipulation 9):** add “10. Remi maintained possession of the briefcase at all times and did not share the contents with Lee.
17. **Page 30, line 24:** delete “as a witness”

18. **Page 32, line 41-42:** delete "Despite displaying hesitation,"
19. **Page 37, line 45:** delete "as a witness"
20. **Page 47, line 19:** delete "guy" and add "person"
21. **Page 47, line 20:** delete "his" and add "their"
22. **Page 47, line 21:** delete "him" and add "Marshak"
23. **STIPULATION - Page 11, Line 26 (after stipulation 10):** add "11. Lee Croddy, the defendant, is present during the trial. Under the conditions of an online trial, any witness that knows or should know the defendant, is assumed to have correctly identified Lee Croddy as the defendant in this case."
24. **Page 34, line 39:** after "contest in" delete "June" and add "July"
25. **STIPULATION - Page 11, Line 26 (after stipulation 11):** add "12. During the investigation, the officer properly collected the evidence listed as Exhibit A, B, and C."
26. **Page 14, line 36:** after "self-incrimination." add "The Miranda case established that when a defendant is in custody and being interrogated, the following warning must be given 'You have the right to remain silent, anything you say can and will be used against you in a court of law, you have the right to the presence of an attorney, and if you cannot afford an attorney one will be appointed to you prior to any questioning.' "
27. **Page 17, line 33:** after "include:" add "any relevant testimony to be found in any witness statements,"
28. **Page 42, line 11:** delete "magazines" and add "publications"
29. **Page 33, Lines 5-11:** delete "Groupthink can also be used positively. This concept is clearly portrayed by the MeToo movement, which began online in 2017. Women, who may not have felt the power or willingness to share their experiences of being victims of sexual harassment and violence individually were able to share their stories online because they did so as a large group, united online by a hashtag in solidarity with each other."
30. **Page 11, line 5:** after "to" add "two felonies,"
31. **Page 14, lines 47-49 to Page 15, lines 1-5:** delete "There are two components...officer interrogating are not controlling." and replace with "The test for custodial interrogation has two parts: First, the circumstances of the interrogation must objectively amount to custody (i.e., a reasonable person under those circumstances would believe that they are not free to leave). Second, there must be an interrogation, which can be questioning by a law enforcement officer or statements by the officer that the officer should know could produce incriminating responses. This two-part test is objective and based on a reasonable person's perspective; the subjective beliefs of the person being interrogated, and the officer interrogating are not controlling.
32. **Page 17, line 34:** delete "bracketed information"
33. **Page 17, line 34-35:** delete "Witness statements found in brackets are" and add "Relevant witness testimony is"
34. **Page 44, lines 29-30:** delete "2017 and into early"
35. **Exhibit C:** Updated with various text time stamps.