

New York State Bar Association
2024-2025 NYS High School Mock Trial Tournament

“Leyton Manns

vs.

“Sandy Townes”

Correction Memo #1 – Issued January 7, 2025

Print this Correction Memo and keep it with your case materials for reference.
Bookmark this link to the Mock Trial page: <https://nysba.org/nys-mock-trial/>.

Replace current pages with the most recently revised pages. Revised pages are identified with Page Number-Revision Number and Date of Revision (for example: If page 55 was changed, it becomes 55-R1 (1.07.25). Revisions on affected pages are indicated by **BOLD AND UNDERLINE**.

It may be preferable to replace an entire section rather than just individual page(s).

DOCUMENT	CORRECTIONS (CORRECTION MEMO #1 – Issued January 7, 2025)	OLD PAGE / NEW PAGE
RULE 314 WITNESS EXAMINATION	<u>i. Answer Non-Responsive [New]</u> <u>If on cross-examination a witness gives an answer that the inquiring attorney reasonably believes is evasive and/or is not related to the question asked, the attorney may object to the answer as being non-responsive. [See the partial strike example provided in connection with Rule 805: Motion to Strike.]</u>	<u>_/37</u>
RULE 402 ADMISSION OF A PARTY OPPONENT	A judge may admit hearsay evidence if it was a prior out-of-court statement made by an opposing party in the case . Essentially, the party’s own out-of- court statement is being offered into evidence because it contains an admission of responsibility or an acknowledgment of fault. The party who made the prior out-of-court statement can hardly complain about not having had the opportunity to cross-examine themself. They said it, so they must live with it. They can explain it on the witness stand.	38/38

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<p>RULE 405</p> <p>PRESENT SENSE IMPRESSION</p>	<p>A judge may admit a declarant’s out-of-court statement describing or explaining an event or condition made while the declarant was perceiving the event or condition, or immediately thereafter. The rationale for this exception is that a declarant’s description of an event as it is occurring is reliable because the declarant does not have the time to think up a lie.</p>	<p>40/40</p>
<p>RULE 805</p> <p>MOTION TO STRIKE</p>	<p>Example: (Partial strike)</p> <p><i>Cross-Examining Attorney: “Isn’t it true that you were seen leaving the victim’s apartment at around midnight on April 1, 2024?”</i></p> <p><i>Witness: “Yes, the neighbor across the hall saw me, but I did not take anything from the apartment.”</i></p> <p><i>Cross-Examining Attorney: “Your Honor, I object to the witness’s answer after the word ‘me’ as non-responsive.”</i></p> <p><i>Judge: “Sustained.”</i></p> <p><i>Cross-Examining Attorney: “Your Honor, I move to strike that portion of the witness’s answer after the word ‘me.’”</i></p> <p><i>Judge: “Granted.”</i></p>	<p>45/45</p> <p>46/46 EDIT</p>

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CASE SUMMARY	<p>Paragraph #4: In the meantime, however, Dr. Manns needed to complete their final year as superintendent of HSD, <u>which included preparing the budget for the upcoming academic year 2023-24</u>. Like every year, the academic year 2023-24 presented its own administrative challenges for Dr. Manns. The most notable of these problems was setting the budget for each school in the district. Because of the poor economy due in part to the significant shortfall in tax revenues, Dr. Manns had to make huge cuts at most of the schools in the district. After receiving and reviewing the proposed budget from the principal at Athena High, Dr. Manns completely zeroed-out the funding for the Computer Science Club. While most student clubs at Athena High, like the celebrated Mock Trial Team, were trimmed slightly, no other clubs were eliminated.</p> <p>Paragraph #7: Sandy Townes, a freshman in academic year 2021-22 and elected in April 2022 to be the vice president of the Computer Science Club for academic year 2022-23, sought a meeting with Dr. Manns to petition for reconsideration of funding for the club. Townes met with the superintendent on June 20, 2023, and proceeded to tell the superintendent how important the computer club was to Townes, the other members, and the school itself. Dr. Manns, however, raised the issue of the graphics and pressed Townes to divulge the names of the students involved in producing the insulting graphics. Townes assured the superintendent that Townes was not part of that misadventure, but that Townes did not know those who were involved. Townes then proceeded to ask that the computer club funding be restored. Dr. Manns said the club members should have thought about that before producing the insulting graphics. Townes said it was unfair to blame the whole computer club for the action of a few. The superintendent then said, “Just chalk it up as a lesson well-learned.” Townes said, “I am sorry you feel that way. A lot of students are being hurt by your actions and situations like this don’t always end very well.” Townes then left the meeting. Unbeknownst to the superintendent, Townes had recorded the conversation using Townes’s cellphone.</p>	<p>52/52</p> <p>52/52</p>

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VERIFIED ANSWER	2. Defendant denies the allegations in paragraphs 12, 13, and 17.	63/63
	3. Defendant denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 3, 4, 5, 7, 8, 9, 14, 15, and 16.*	63/63
	10. With regard to the allegations in paragraph 23 of the Complaint, Defendant admits that Plaintiff, as Superintendent of Helios School District, removed the line item for the Athena High School’s Computer Science Club from the school district’s budget but denies the remaining allegations in paragraph 23.	64/64
	11. With regard to the allegations in paragraph 24 of the Complaint, Defendant denies that Defendant disseminated a fake video and/or a fake audio recording and denies knowledge or information sufficient to form a belief as to the remaining allegations in paragraph 24.	64/64

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AFFIDAVIT OF LEYTON MANN	<p>Para. #9: My whole problem with Townes began not long after I was re-elected to the county legislature. In September 2021, unidentified student members of the Computer Science Club started producing computer graphics making fun of me. <u>Three of the images I printed out were portraying me as a clown, a crying baby, and a donkey, respectively.</u> At first, the graphics did not bother me. But then they started appearing month after month and were becoming increasingly juvenile, vile, and tawdry. The images stopped when the school year ended in June 2022. I'm sure Townes, a member of the computer club, had a big hand in this shameful activity. I gave my attorneys <u>the three disgusting images I had printed out.</u></p>	68/68
	<p>Para. #11, Line 2: Any appeals from the schools were required to be <u>in</u> written form and received by me on or before June 15, 2023.</p>	69/69
	<p>Para. #11, Line 13: Then Townes tried to assure me that Townes was not part of that fiasco, <u>and</u> that Townes did not know those who were involved.</p>	69/69
	<p>Para. #17, Line 10: Edwards also said the QuikChat message contained a statement to the <u>effect</u> that no one would vote for me after seeing the RicRoc <u>video</u> and hearing the Seddit audio recording.</p>	70/70
	<p>Para. #19, Line 2: With the false information out in the public for almost one month, people lost interest in helping my campaign; campaign <u>fundraising</u> ceased; paid staff were let go; volunteers stopped showing up; and campaign headquarters were shuttered in the late afternoon on April 30, 2024, two weeks before the primary.</p>	71/71
	<p>Para. #20, Line 7: Despite this, <u>Jamie</u> King, the club's faculty advisor, and Fran Gates, the district's director of technology, claimed there was no evidence tying Townes to the creation of the media.</p>	71/71
AFFIDAVIT OF DAELYN EDWARDS	<p>Para. #6, Line 3: I don't know the other students, but <u>Townes</u> appeared to be the Ringleader.</p>	74/74

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AFFIDAVIT OF SANDY TOWNES	<p>Para. #4, Line 7: Although Manns was high up in the polls at the time, we were all hoping they would lose the election to the State Senate. I would not be surprised if some former club members tried to do something to make that happen. We were all mad enough to do anything.</p>	81/81
		82/82
	<p>Para. #12: My lawyers have learned through pre-trial discovery that Daelyn Edwards claims that I sent a message on QuikChat to the executive committee of the computer club sometime in late June 2023, just before the end of academic year 2022-23, promising to make Superintendent Manns pay dearly for defunding the computer club. The executive committee is composed of the president, vice president, secretary, treasurer, and parliamentarian. <u>Elections for positions in the club are held in April of the preceding academic year. Eighth graders who are interested in computers and are planning to attend Athena High can run for office. So, in April 2021, I ran for treasurer and won, much to everyone’s surprise! Then in</u> April 2022, when I was a freshman and, <u>of course</u>, treasurer of the computer <u>club</u>, I won the position of vice president for academic year 2022-23 over Edwards, who at the time was a sophomore and secretary of the club. Edwards has held a grudge against me ever since losing the election, especially the notion of a sophomore losing to a freshman. Anyway, as everybody knows, QuikChat messages are automatically deleted within 24 hours of delivery. My attorneys have learned that Edwards does not have a copy of this so-called bombshell QuikChat message. Besides, Edwards was not a member of the executive committee <u>when I sent the message</u>.</p>	83/83
	<p>Para. #14, Line 1: To be clear, I did send a QuikChat message sometime in the afternoon on <u>June 22, 2023</u>, the last day of school, to thank the executive committee members for all of their hard work during the past year.</p>	83/83
<p>Para. #14, Line 6: Equally preposterous is Edwards’s baseless assertion that my QuikChat message also contained a statement to the <u>effect</u> that no one would vote for Manns after seeing the RicRoc <u>video</u> and <u>hearing</u> the SeddIT audio <u>recording</u>.</p>	83/83	

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AFFIDAVIT OF JAMIE KING	Para. #6, Line 2: I saw some descriptive metadata showing that a QuikChat post was made on June 22, 2023 , the last day of the school year, at about 2:30 PM. Sandy has confirmed that Sandy sent a QuikChat post to the executive committee at that time on June 22 .	92/92
PROF. QUINCEY ROBERTS INVESTIGATIVE REPORT	I, Quincey Roberts, am a Professor of Computer Science at the State University of New York at Poseidon. My educational background includes: Bachelor of Science in Mathematics from New York University (2000) Master's in Mechanical Engineering from Columbia University (2006) Ph.D. in Computer Science from Columbia University (2008)	123/123

Editor's note for clarification purposes only:

2020-21 Edwards is a freshman and treasurer of the Computer Science Club;

2021-22 Edwards is a sophomore and secretary of the CSC. Townes is a freshman and treasurer of the CSC;

2022-23 Edwards is a junior and not an officer of the CSC. Townes is a sophomore and vice president of the CSC;

2023-24 Edwards is a senior and not an officer of the CSC; Townes is a junior and would have been president of CSC if the CSC had not been defunded;

2024-25 Edwards is a freshman in college. Townes is a H.S. senior.

The affidavits have been corrected to reflect this information.