

1 Each side will have equal time, but the State is
2 entitled to divide this time between an opening
3 argument and a rebuttal argument after the defendant
4 has spoken. Ms. Laskoff.

5 **MS. LASKOFF:** Thank you.

6 May it please the Court. Counsel. Members of the
7 jury, you sat through testimony for three days on this
8 case. At the outset of the case I told you that it
9 would be proved beyond a reasonable doubt that this man
10 on the night of October 25th, 2006 brutally stabbed a
11 gentleman to death. He brutally slashed, diced, cut
12 two other gentlemen, and in getting away from the
13 scene, then he points a gun at a man, shoots it at him
14 and continues to flee the scene.

15 On the night of October 25th, 2006 the defendant
16 attacked William Troy. On the night of October 25th he
17 attacked Andre Blanco. It is clear from the evidence
18 that you have heard from his girlfriend Deanna
19 Washington, from the defendant, from the three guys
20 that lived, Andre Blanco, Anthony Riollano and
21 Fransisco Blanco, as well as the two other gentlemen
22 that worked at the club, Phillip Westfall and Justin
23 Idle it all started inside the club.

24 You heard Deanna yesterday saying how William Troy
25 was inside the club disrespecting her. She thought he

1 was being a smart aleck. She didn't like him sticking
2 his nose in her conversation and it offended her. She
3 also indicated to you she told her boyfriend she didn't
4 like it. It made her angry and she thought he should
5 to something about it.

6 Nothing happened right then. A couple minutes
7 passes and it is quite clear then what happens. The
8 defendant goes to his car. Deanna Washington gets in
9 the passenger side. The defendant gets in his side as
10 well. Then you have the dead victim, William Troy, his
11 two friends that are stabbed, Fransisco and Andre and
12 Anthony Riollano.

13 Again, you heard Deanna tell you she thinks it was
14 Will. It might have been one of the other guys, but
15 they were making fun of him. What do you-all need
16 security to walk you out? You got any girls? They are
17 making fun of them. They are not threatening the
18 defendant's life at this point. They are not
19 threatening the defendant's life at any point. What is
20 threatened is his ego. His manhood.

21 You gonna let them get away with that? Aren't you
22 gonna do something about that? That ain't right. The
23 victims indicate the words are exchanged. Now, there's
24 some -- it's not quite clear from the folks that come
25 out on the scene whether or not the defendant had

1 initially driven by and parked his car, but the three
2 guys are quite clear the defendant and his girlfriend
3 are leaving. They are getting out of there. But when
4 they heard the words, the defendant parks. He parks
5 six spots away from the deceased victim and his
6 friends. Defendant gets out of his car. He walks
7 around and Andre Blanco is walking over. Defendant
8 says he didn't think it was no big deal. He doesn't
9 pay no mind to Deanna anyway. The fact that she was
10 talking, if you remember he said that yesterday. So he
11 gets out.

12 Suddenly there's a fist fight. Just for no
13 reason. Mr. Blanco just punches him in the face for
14 absolutely no reason. I ask that you use your common
15 sense. That's not what happened. The evidence is
16 contrary to what that claim is. In fact, what happened
17 is the minute this man got out of the car, he had his
18 knife in his hand. He came out. First contact he
19 makes is with Andre Blanco. He is slashed. He is cut.
20 He's down. He's spinning to the ground.

21 So gee, his friends see that this guy has just
22 knocked him down to such a point he's over there. So
23 Fransisco comes over, what's going on boom? Slash.
24 Cuts him. Cuts his mouth. Will comes over. Oh, my
25 God, the two friends are on the ground. This man is

1 attacking them, swinging violently. People are falling
2 left and right.

3 Will comes over, gets stabbed in the heart, in the
4 chest, gets stabbed again in the chest, gets stabbed in
5 the abdomen, gets sliced in the arm. He falls to the
6 ground. Anthony Riollano is able to come up behind the
7 defendant. And if you remember, the defendant told you
8 he couldn't stab him because he was behind him and he
9 had him in the head. Yeah, he was punching him. He
10 just sliced up two of his friends, and another, third
11 one, is laying there unconscious who eventually dies.

12 The next thing that happens is he gets in the car
13 with his girlfriend. As he's pulling out of the
14 driveway, Ms. Washington corroborates this,
15 Mr. Westfall indicates this, Mr. Holiday indicates
16 this, he's pulling out. Deanna's window is open.
17 Somebody is trying to get their license plate. People
18 are screaming, we have just been stabbed. Someone else
19 is screaming, he stabbed someone. Hanzel Holiday is
20 trying to be a good samaritan and tries to stop this
21 man. He is seeing people laying bloody all over the
22 ground and this guy fleeing from the scene. So he
23 tries to stop him.

24 The evidence has shown you he was not successful
25 in stopping him at this point. They are just pulling

1 out the parking lot. They continue going down OBT for
2 a short period and the defendant, again, he ain't gonna
3 put up with this. Pulls up his 9 millimeter, points it
4 directly at Mr. Holiday. His window is down. He pulls
5 the trigger, shoots at him.

6 Upon seeing the gun, Mr. Holiday has the wit about
7 him to slam on his brakes and pull off, pull away from
8 the defendant's vehicle to avoid being shot and killed.
9 Deanna tells you, the defendant pulled his gun out and
10 pointed it at Mr. Holiday.

11 Now, you can believe that the defendant just
12 coincidentally happened to be changing the magazine and
13 pulling the bullets out of the gun for safety purposes
14 when this gentleman drove up next to his car, but I
15 submit to you that's not what happened. What happened
16 is he pulled up the gun, he aimed it at Mr. Holiday and
17 he shot that gun. It is clear from all of the
18 testimony, from the evidence, the defense witnesses,
19 he's guilty of second degree murder with a cold,
20 depraved heart, reckless disregard for any life. He
21 stabbed to death William Troy.

22 It is clear from the evidence that the defendant
23 is also guilty of aggravated battery on both Andre
24 Blanco and Fransisco Gotay. Both of them were cut so
25 severely they needed staples. They needed stitches.

1 They have remaining scars. Mr. Blanco can't even use,
2 or not Mr. Blanco, Mr. Gotay, his mouth. He still
3 can't use it properly.

4 And Counts IV and V are clear as well, aggravated
5 assault with a firearm against Mr. Holiday. The
6 defendant with a firearm placed the victim,
7 Mr. Holiday, in a well-founded fear that he was in
8 imminent danger or imminent danger of death. Clearly
9 someone's pointing a gun at you, shoots it, that's
10 clear.

11 And then Count V, shooting from a vehicle at
12 another, in the vicinity of another person within a
13 thousand feet. Mr. Holiday was in a vehicle right next
14 to him. The defendant shot the gun at him. And again,
15 fortunately he did not make contact with that
16 gentleman.

17 Now, you are going to have an opportunity to
18 listen to defense counsel and they are going to argue
19 their position to you. After that, I am, again, going
20 to address you and explain to you further why, in fact,
21 the defendant should be found guilty of every single
22 count as he is charged.

23 **THE COURT:** Ms. Chien?

24 **MS. CHIEN:** Yes, Your Honor.

25 Members of the jury, late at night four men came

1 proof is proof beyond every reasonable doubt. And if
2 there's a conflict in the evidence, that is reasonable
3 doubt. And there are conflicts in the evidence and
4 they are handing it to you with five different versions
5 where testimony is not supported by evidence.

6 The State has not met its burden in this case and
7 we are asking you to follow the law and find Mr. Dobbs
8 not guilty on all charges.

9 **THE COURT:** Ms. Laskoff?

10 **MS. LASKOFF:** Thank you, Your Honor. Let's talk
11 about the State's burden of beyond a reasonable doubt.
12 Okay? Here we go. I am gonna bring your attention to
13 the part that says what a reasonable doubt is not.
14 It's not a mere doubt. It's not a possible doubt.
15 It's not a speculative doubt. It's not an imaginary or
16 a forced doubt. And such a doubt mustn't influence you
17 to return a verdict of not guilty if you have an
18 abiding conviction of guilt.

19 Therefore, possibly he didn't do it, no, I still
20 met my burden. You speculating he didn't do it, I have
21 still met my burden. You are imagining he didn't do
22 it? I still met my burden. And if you are forcing
23 some sort of situation that could have possibly
24 happened, I still met my burden.

25 Okay? And in regard to magic tricks and focusing

1 your attention from one thing to another, that's kind
2 of what the defense was doing, because they are trying
3 to draw your attention away from what the big picture
4 is. And let me show you what the pig picture is, and
5 there's no conflict in the evidence in this regard.
6 None.

7 This man stabbed this man to death. He died
8 because he stabbed him with a knife. There's no
9 conflict in that evidence. Secondly, Andre Blanco the
10 first man to be cut up by the defendant, he got cut
11 with a knife by the defendant. He got cut on the right
12 side of his face where he needed stitches and staples.
13 He got cut on the left side of his face where he needed
14 stitches and staples. He got put cut on his arm.
15 Staples in there. He got cut on his chest. He needed
16 staples. And again, on his arm.

17 How did he get cut? There's no conflict in the
18 evidence. This guy right here, he cut him with a
19 knife. Unfortunately, I don't have any pictures to
20 show you of Fransisco Gotay, because if you remember
21 the very pregnant crime scene tech that testified, she
22 said he was getting medical treatment at the time, but
23 you heard Fransisco Gotay say it too. There is no
24 conflict in the evidence that this man is the one that
25 cut him, sliced him up. But I guess we should excuse

1 it because he didn't use his gun. Fortunately they
2 didn't get shot, right? That's not what we are here
3 about.

4 There's also no conflict in the evidence about the
5 amount of time that William Troy was stabbed. Defense
6 was talking about oh, okay, the stabs were straight on.
7 He must have been defending himself. Well, it is the
8 State's position he was holding the knife like this.
9 If you look at Mr. Troy, he stabbed him four and a half
10 inches deep on one side of his chest. Look at this
11 blade. He stabbed him three and a half inches deep
12 with this blade on the other side of his chest. He
13 pierced his heart, his lung, his diaphragm. And then
14 there's yet another one in his abdomen, another three
15 and a half inches. If that's not a depraved heart, if
16 that's not ill will, if that's not spite, I don't know
17 what is.

18 Let's talk about these blood spatters. You have
19 the diaphragm that the crime scene tech collected.
20 Okay? And on it she indicates to you that some of the
21 spots are pieces of evidence that were collected and
22 the other ones are indication of blood. This is the
23 victim's car. And the defendant's car is somewhere
24 over here. If you look carefully, there's blood
25 everywhere, not a simple little trail just to the

1 defendant's car as defense counsel has indicated to
2 you. Okay?

3 You were also told that obviously the three guys
4 that were friends with the guy who died were lying.
5 They weren't lying. And who cares if they were drunk?
6 Who cares if they were drinking? Who cares if they
7 were convicted of felonies? Does that give him a right
8 to stab them, to come out of the car and attack them
9 with a knife because he's pissed off? It doesn't.
10 It's not justifiable. It's not necessary.

11 The only thing he was finding it necessary to
12 protect was his ego. It is the State's position that
13 it wasn't the five witnesses that miraculously got
14 together and they lied and came up with this fabulous
15 story. There's some conflicts in testimony.
16 Somebody's purse gets snatched out in the hallway and
17 12 people see it, you are going to get 12 versions of
18 what happened. But the ultimate truth is somebody's
19 purse got snatched, and by whom. Don't focus on their
20 magic tricks and pay attention to what's not important.
21 What is important is he killed him. He wasn't
22 justified. It wasn't self-defense. He got out of that
23 car. He was mad. He was fired up and he attacked
24 them. Boom, off the bat.

25 It started in the club, it built up. He was mad.

1 And if you remember Justin Idle, he also testified that
2 he heard the defendant when the group of guys was
3 talking to him and yelling over at him. He yelled
4 back, the defendant. I don't need no one to get my
5 back. He's gonna take care of himself. He did. And I
6 guess you shouldn't believe either that he killed this
7 guy and it wasn't self-defense because when he was
8 surrounded by the cops, he cooperated.

9 Well, he fled the scene. He had a cell phone.
10 Deanna told you that. Neither one of them called 911.
11 They didn't seek refuge from anyone. They didn't go to
12 any safe area because he knew he murdered someone and
13 he knew he was wrong. And to say that simply because
14 there should not be any conflict in the evidence, you
15 know what, if these guys, these victims are such good
16 liars, don't you think that they'd get their stories
17 perfectly straight and there wouldn't be any conflict
18 about things that really didn't matter?

19 You remember in jury selection I told you, this is
20 real life. This isn't C.S.I. This isn't Law And
21 Order. It's not a neat little package. They haven't
22 rehearsed. They haven't gotten together and they
23 haven't gotten their stories straight, but they know
24 what happened and what counted. They know this guy got
25 out of his car and attacked them with a knife, one

1 after another, after another. It wasn't a group
2 ambush. None of the witnesses, none of the five
3 witnesses said that. When the three gentlemen that
4 were involved or the two gentlemen that worked at the
5 club indicated that -- and actually, if you recall,
6 Justin Idle, the gentleman that worked at the club, he
7 told him three separate times before the fight started,
8 leave the parking lot. Leave the parking lot. Leave
9 the parking lot. Three times. And he didn't do it.

10 He could have left. He should have left. If only
11 he would have left, William Troy wouldn't be dead and
12 the two other gentlemen wouldn't be stabbed, brutally.
13 Yeah, they are mouthing off. But that doesn't justify
14 killing someone. Nor does that justify stabbing
15 someone.

16 You don't bring a knife to a fist fight. Okay?
17 And if he was really so scared for his life, wouldn't
18 you not display it visibly so everybody saw it? Back
19 off! I got a knife. You come near me I am gonna cut
20 you! None of the victims saw a knife. None of the
21 independent witnesses saw a knife until the end. And I
22 can't remember if it was Mr. Westfall or Mr. Idle, but
23 one of them said he saw something shiny in the
24 defendant's hand, and it was obvious it was a sharp
25 object by the way we saw the victims injuries.

1 Now, I wanted to talk about the GSR and whether or
2 not he stuck the gun out and shot it at Mr. Holiday.
3 Okay? You remember what Mr. Radcliffe, the FDLE expert
4 said about the gunshot residue. He said his findings
5 meant he either didn't shoot the gun, and that's why
6 they are negative, or he could have still shot the gun
7 and it was negative. Because when he shot the gun out
8 the window, the powder didn't have time to land on his
9 hand. Or, because six and a half hours transpired
10 between the incident and the actual shooting. Or, this
11 is a 9-millimeter, okay, it is a semiautomatic and if
12 you remember, he was indicating that the revolvers
13 dispel more ammunition.

14 Yeah, he had no GSR on his hand. Doesn't really
15 mean he did. Doesn't really mean he didn't. And I
16 guess we are supposed to believe that Mr. Holiday is
17 lying the other victims are too. And I want you to
18 take the fact that all the State witnesses are
19 obviously lying from a man who took the stand and he
20 says a gun basically magically plopped into his lap.
21 Come on. That's absurd. He's lying.

22 I also want to bring to your attention what the
23 woman said talking about the DNA, the blood evidence
24 and the knife. Okay? The majority of the blood was
25 from William Troy. Well, obviously because it was

1 shoved into his body four times, deeply. Okay? She
2 also indicated that Andre Blanco, Fransisco Gotay and
3 the defendant could not be excluded as contributors in
4 this. Okay? And why do you care? You care because it
5 is the State's position this cut on the defendant's arm
6 was caused by his own knife as he's wildly stabbing it
7 and swinging it and cutting everyone else. Okay?

8 Look at the pictures. Defendant is right handed.
9 He tells you that. The cuts are on his left arm.
10 Common sense tells us he cut himself.

11 Now, we talked about self-defense, and that's what
12 this is. He's done these things. Was he defending
13 himself? No. Under the legal standards, he was not.
14 Okay? It was not a justifiable homicide. Okay? It's
15 not justified when you instigate a fight. You get out
16 of your own car and because you are mad, you are
17 yielding a knife and you attack someone. Okay? It's
18 not. It simply is not.

19 They are outside of the car. He's not resisting
20 an attempt to murder or commit a felony on him. Come
21 on. The only time they start to engage in a brawl is
22 after he starts to stab and cut all of them. It is
23 absurd. Okay?

24 Now, the appearance of danger must have been so
25 real that a reasonably cautious, prudent person under

1 the same circumstances would have believed that the
2 danger could be avoided only through the use of that
3 force, and based upon appearances, he has to believe
4 the danger was real. You are telling me some guys are
5 walking over to his car, he thinks he's gonna die so he
6 has to jump out of his car and attack them with a
7 knife? No. That's not what we are talking about here.
8 That's not the kind of society we live in. That's not
9 what that's meaning.

10 Yeah, he has a right. He doesn't have to run or
11 retreat. And he has the right to stand his ground and
12 meet force with force, including deadly force. Okay?
13 There is one guy when he gets out of his car. Okay?
14 He's in his car when they walk over. He could have
15 left multiple times. He didn't.

16 He gets out of the car and attacks the first guy
17 with a knife. It's not excusable what he did. Okay?
18 It wasn't an accident. It wasn't misfortune. He
19 wasn't doing a lawful act. He intentionally got out of
20 the car with the knife and attacked them one by one by
21 one. And again, it's not an accident and it's not a
22 misfortune. Okay? It was an intentional act upon the
23 defendant.

24 Now, in regard to weighing the evidence, did the
25 witness seem to have an opportunity to see and know the

1 things about which he testified. Okay. Did they have
2 an accurate memory? And this is where you need to
3 weigh your credibility of all of the separate
4 witnesses. Okay? And I want to point out to you that
5 all of these apply to the defendant's testimony. Okay?
6 As well, did they have an accurate memory.

7 Let's talk about Deanna Washington, the
8 defendant's own witness. I asked her about the gun.
9 Did you see a gun? No. Did you see him hide the gun?
10 No. Oh, but do you remember making a statement to the
11 police right after it happened? Yes. Okay. Can you
12 look at it? Okay. Well, let me ask you this again,
13 did you see a gun, did he have a gun? Oh, yes, I did,
14 and yes, I saw him hide it. Okay.

15 Come on. She's trying to protect the defendant.
16 And when confronted directly with something and she
17 can't do it, she's called out on it. Okay? But then
18 the defendant doesn't want you to believe certain parts
19 of her testimony either, about, you know, she wasn't
20 egging me on. She wasn't mad. It wasn't bothering her
21 what these guys were saying. Okay. And that goes sort
22 of to the answering the attorneys questions straight.
23 And does the testimony agree with the testimony and the
24 evidence in the case? Okay. And it is the State's
25 position that all of our evidence clearly does. It

1 agrees where it matters.

2 Did the witness at some other time make a
3 statement inconsistent with the testimony he or she
4 gave in court? Ms. Washington did. Okay? And was it
5 proved the defendant has been convicted of a crime?
6 Yeah. So State witnesses were convicted felons. The
7 defendant is a convicted felon too. Okay? There is no
8 possible, speculative, imaginary or forced way this guy
9 didn't get out of his car and commit murder and
10 aggravated battery and shoot at Mr. Holiday. There
11 simply is not.

12 Now, let me talk to you about this. It is obvious
13 the defendant knew he did something wrong. He jumped
14 in his car and he left. He wasn't trying to escape the
15 danger. The danger had stopped because he stabbed them
16 and there was no attack. There were other people in
17 the parking lot. He was getting out of there to escape
18 and flee the scene.

19 He hid the gun in the back of his car. And you
20 heard him testify that he tried to wipe his prints off,
21 and he didn't want the gun connected to him because
22 there might be a body on it. I think that's what he
23 said. He didn't want that gun connected to him. Okay?

24 Now, he was scared for the girlfriend. She was
25 jumping on the guys attacking him. She said that.

1 Okay? And that would be very noble if, in fact, that
2 was what he was doing, but it's not. He had already
3 started attacking the men. And when one would come
4 over to protect his other friend and see why he was
5 falling on the floor from the defendant's attack, she
6 gets out of the car and she tells you she jumps on
7 their back and she starts to engage in the fight.

8 Yes, you heard Anthony Riollano come in and tell
9 you he pulled her off of one of the guy's backs. He
10 was actually concerned. Okay? You also heard Mr. Idle
11 say, the independent witness, say nobody attacked the
12 girl. It is the State's position that that's a magic
13 trick. You don't need to think about that. That's the
14 wrong way to focus your attention because that's not
15 what happened.

16 She became involved. They took her out of the
17 fight and did physically remove her by pulling her off
18 of one of the guy's backs that she was punching. Okay?

19 Now, you heard the defendant, the defendant
20 testify -- and I am almost finished. I just want to
21 bring out some testimony that he stated that kind of
22 draws a full picture of everything. He tells you,
23 yeah, I always carry a knife. I have a pocket knife.
24 It is a protective thing. He said -- and he's actually
25 blaming the fact that William Troy died on the fact

1 that Anthony Riollano got involved in the fight because
2 of the way that everybody was moved. If you remember
3 he goes, it was Anthony Riollano's fault that William
4 Troy died. Think of the absurdity of that. Okay?

5 He also tells you he doesn't pay no attention to
6 Deanna. He doesn't listen to her. She wasn't egging
7 him on. That's completely contradictory to what Deanna
8 says. Okay? And I just think this whole veracity is
9 shown when he says the gun just magically appeared in
10 his lap. That's just absurd. Okay?

11 Guns don't just magically materialize. He did
12 these things. It wasn't self-defense. Okay? He could
13 have left. He should have left and he didn't. He got
14 out of the car with a knife in his hand and immediately
15 attacked the guys. Okay? And then the next one would
16 come -- not in a gentleman fight. No, in a manner to
17 see what in the world is going on with my friend. Why
18 are they falling down and being attacked. Okay.

19 Now, it's not self-defense. It simply is not.
20 And I implore you to look at the evidence and you are
21 going to have a ton of jury instructions to read
22 through. Okay? He was ticked off from the outset.
23 William Troy disrespected his girl in the club. Okay?
24 More verbal exchange happened outside the club. He's
25 had it. He defends his ego. He defends his honor.

1 He's not defending his life. He needs to be found
2 guilty of every single count because he is guilty of
3 committing every single offense. They were not
4 justified. He was not defending himself and they are
5 not excusable. Nor were they necessary to any manner
6 whatsoever. Thank you.

7 **THE COURT:** Ladies and gentlemen, I suspect it's
8 going to take me half an hour to 45 minutes to read the
9 jury instructions to you. I suppose you probably want
10 a break at this point. Am I right?

11 **A JUROR:** Yeah.

12 **THE COURT:** Okay. 15 minutes sufficient? I will
13 give you a 15 minute break. Do not discuss the case
14 amongst yourselves. Do not let anyone discuss it with
15 you. When you come back, I will read the jury
16 instructions to you and then you will retire to begin
17 your deliberations. We have already faxed your lunch
18 order off to the deli and it should be arriving, I
19 hope, at 11:45. That's the time I asked them to have
20 it here. With that being said, leave your pads and
21 pens on the chairs. They'll be there when you return,
22 and I will see you back in 15 minutes.

23 (Jury exits the courtroom.)

24 **THE COURT:** Counsel, it is my intention to give
25 the jury these copies of the jury instructions. I will