

PRO PER DEFENDANT CLOSING ARGUMENT PARODY

my
TRIAL
TRANSCRIPT
EXCERPTS

1 that's important enough? The victim is not here. Then that's
2 really the question, why isn't the victim here? That's the real
3 question to me.

4 Well, you know what, Mr. Prosecutor said I can make a
5 case without a victim. I am good. Aren't I good? But imagine
6 I was rich, imagine if I was white. Imagine if I was young.
7 Imagine if I was good looking. Do you think you could do this
8 to me? You bet he couldn't. He couldn't touch me.

9 I don't know. He said he found a gun in the trunk.
10 The defendant said he didn't. There were two people driving the
11 car. I guess it was just a reasonable theory to believe it was
12 my wife as well as myself. I am not trying to shift weight. In
13 fact, if she had told me she had put it in, I would never tell
14 on her. But the point is, it's equally -- this -- the burden of
15 proof is on him, not for me to prove, it's not my gun, but for
16 him to prove that I knew it was there.

17 And didn't you think it's kind of odd to see -- for him
18 to say that the weapon was found in a plastic bag unloaded with
19 the bullets like hanging next to them or dangling next to them?
20 I am not a forensic psychologist, but I think that weapon was
21 more in transportation -- being transported more than being
22 used.

23 And the weapon -- the weapon was in the trunk and
24 Miss Rodriguez said she never heard the door slam. She never
25 heard a trunk slam. And I have -- Mr. Rodgers was standing out
26 there for two hours. He didn't care about the police. He
27 didn't care about nobody. He was in front of God, country, and
28 everybody. He didn't care about the police. So he just had to

PRO PER DEFENDANT'S "PARODY"

PRO PER DEFENDANT CLOSING ARGUMENT PARODY

1 take off.
 2 Why would he take his time, go over to the trunk,
 3 unload the bullet -- of course didn't leave no fingerprints.
 4 Unload the gun, put it in there and put it in the bag and leave
 5 it in the trunk and get in the car and take off. And Joyce is
 6 sitting there, you know, he tried to kill me, but what the hell
 7 I am sitting here. Must be fun to me. That's how stupid this
 8 story is. This story is childish. It's just pure stupid.
 9 Do you know the sad part about it? He is good enough
 10 to make somebody believe him. That's what scares me. That's
 11 what really scares me, that you will go back in there and you
 12 will actually believe this story without proof. You know every
 13 right can't be -- every wrong can't be right. Sometimes you
 14 can't cross all the Ts. And if you don't have evidence, leave
 15 it alone, don't just destroy when you -- when you don't just
 16 break what you can't join.
 17 The prosecutor, he is dependent on your prejudice,
 18 that's exactly what he is dependent on. He says, well, they are
 19 lying. Well, maybe they weren't lying. Maybe Miss Rodriguez
 20 was mistaken. Everybody can be lying. Don't always have to be
 21 a bad guy.
 22 He would have you think, well, Mr. Rodgers is an
 23 animal. Look at him. Look how he looks. He is an animal. He
 24 took a gun and put it to her head for two hours. He is an
 25 animal. I am not no animal. I am not no black beast. I am not
 26 no -- not no subhuman creature. I am just like you. I am not
 27 saying I am -- I have a record -- I have a record. My life has
 28 not been perfect. It hasn't even been that good. But do I

Parody

3175
WHITMAN'S LIES

RACISM

DA KING CLOSING ARGUMENTS / LIED ON PRO (PER) DEFENDANT

Defendant Disrespectful Jury

1 have done if Mr. Rodgers were white? No. Let's take racism,
2 white, black, thing out of the question in this particular case.
3 Again, I hope at some point in time in our future we
4 don't have to talk about this stuff anymore. And everything
5 that Mr. Rodgers has done during the course of this trial has
6 been done to try to engender some sympathy for him. All the way
7 up to the point of refusing to get a simple suit and show you
8 some respect. He would rather parade around here, walk around
9 in his orange jumpsuit, thinking that, hey, if they know I am in
10 custody, they know I am in jail, maybe they will feel sorry for
11 me. Don't fall for it.

12 Mr. Rodgers has made a big deal -- well, before I even
13 address that, let me -- let me say one thing: Nothing that I
14 tell you, nothing that Mr. Rodgers tells you during the course
15 of these closing arguments is evidence in this particular case.
16 You could choose to sit here and absolutely ignore me. I hope
17 that you don't. You could ignore Mr. Rodgers. Nothing that we
18 tell you is evidence.

19 But some things are said in closing argument that I
20 hope you catch, and it came during Mr. Rodgers' closing
21 argument. If you remember, none of the witnesses in this
22 particular case and nobody even insinuated during the course of
23 their testimony that Mr. Rodgers stood at the back of his car,
24 took the handgun, unloaded the handgun, placed the gun and the
25 bullet in the plastic bag and closed the trunk. The only time
26 that we have heard anything like that was about ten minutes ago
27 from Mr. Rodgers. And that's exactly what he did that night.

28 Where is the victim? Mr. Rodgers knows exactly where

LIED see 027-343, 344, 387
Mischaracter Pro Per Defendant's Argument / Perjury

"LIAR" HE WASN'T THERE

HOW WOULD THAT KKK-RACIST MAN/WOMEN KNOW?
THAT-THAT IS EXACTLY WHAT HAPPENED

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PROSECUTOR KING ATTACKS HIS
UNAVAILABLE VICTIM, LIES AND GIVES TESTIMONY
HE KNEW DAMN WELL THE VICTIM MADE SPONTANEOUS STATEMENT (CT-119:8-9)

1 the victim is, and he told you that from the stand. She is in
2 Phoenix. Mr. Rodgers is aware of all the efforts that were made
3 to bring her here. And if she was this loving wife that cared
4 so deeply for Mr. Rodgers, I think that is a legitimate
5 question, why isn't she here? Because she could have easily
6 come in here.

7 The defense, Mr. Rodgers, has the power of subpoena to
8 bring anybody into court that he likes, and in this particular
9 case, state expense, and have them testify. And she could have
10 sat right there in that chair and told you that none of this
11 happened. He never pointed a gun at my head. He never
12 threatened to kill me. He never hit me. And I wasn't crying
13 when the police officers pulled us over. But that's not what
14 happened. Mrs. Rodgers isn't here.

15 He hasn't seen her for about two months. Why is that?
16 Why isn't she here? I think we can make a pretty good inference
17 the reason why she is not here is because everything that's been
18 testified to in this court is exactly what happened the night
19 that Mr. Rodgers and his wife had a fight out in that apartment
20 complex parking lot.

21 Mr. Rodgers said one thing that I thought -- he said a
22 couple of things. I always crack up when I see somebody -- it
23 obviously happens on television, that said, "If I am not telling
24 the truth, may God strike me dead." I would pay money to see
25 that happen one day, because I have never ever seen it happen.
26 So it's safe to say it's a pretty fair statement to make, and if
27 that's not fair, then may God strike me dead.

28 And it just -- I have always waited for the sky to open

TOPICAL BIGOTRY / MALICIOUS VINDICTIVENESS
AGAINST A BLACK PRO PER DEFENDANT
STANDING UP W THE WHITSMAN'S COURTROOM

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THE COURT: Well, that's up to you, sir. If you want more time to read the probation report, you certainly have a right to do so. We can put your sentencing over till next week, if you would like.

MR. ROGERS: Your Honor, also, if you are going to deny counsel --

THE COURT: You are not going to get counsel, Mr. Rogers. You made this election to represent yourself. Everybody tried to talk you out of it at the time. You insisted you wanted to do it. You are doing it. We aren't going to substitute in an attorney at this time.

MR. ROGERS: I would like to file this motion for a new trial, Your Honor.

THE COURT: A motion for a new trial, okay. How long is that going to take you?

MR. ROGERS: Well, I am going to need to get the transcript, Your Honor. I would like to have another two months.

THE COURT: Have you got the funds to pay for the transcript?

MR. ROGERS: No, sir, I do not.

THE COURT: Do you have any grounds upon which you believe that you have a right to a new trial?

MR. ROGERS: Yes, I do, Your Honor.

THE COURT: What are they?

MR. ROGERS: I would say there is probably about 10 to 15. I would say I want to file this motion for the newly discovered evidence that we have, affidavits of the named

1 PROCEEDINGS OF WEDNESDAY, JULY 30, 2003

2 BEFORE THE HONORABLE J. THOMPSON HANKS, DEPARTMENT 52

3 THE COURT: Okay. The Rodgers matter.

4 MR. KING: Yes. Brian King for the People, Your Honor.

5 THE COURT: Mr. Rodgers is here in pro per.

6 All right. Did you get your people here who wanted to
7 say something about you, Mr. Rodgers?

8 MR. RODGERS: No, Your Honor.

9 THE COURT: You did not. Okay.

10 Can you think of any legal cause why you shouldn't be
11 sentenced?

12 MR. RODGERS: Yes, Your Honor.

13 THE COURT: What is it?

14 MR. RODGERS: You denied me a fair trial, Your Honor,
15 systematically discriminated against me. You are aware of my
16 filing a motion for new trial because the victim had exculpatory
17 evidence that would have been ~~pernographic~~ ^{EXCULPATORY}. You deprived me of
18 my review by closing the file on it. And Mr. King was aware of
19 it.

20 And the only grievance I have got from you, Your Honor,
21 is I represented myself in pro per. That seems to be my only
22 offense that you are talking about. Mr. King's position that I
23 pulled a gun on my wife, of course he wasn't there.

24 And on top of the fact that his witness commits
25 perjury, simply denied me a fair trial.

26 MR. KING: Your Honor, just for the record, I know we
27 were all present for this proceeding. I think Mr. Rodgers got a
28 very fair trial, got away with things that a normal attorney