

GLADIATOR OLYMPICS 2022



UNITED STATES

v.

TRACY HANCOCK



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Synopsis

On July 4, 2022, Tracy Hancock was stopped by police while driving to a political rally for gubernatorial candidate Carla Gebo. Based on what police found in the car, Hancock is charged with attempted murder. Trial begins October 30.

Questions/Revisions

If you spot errors or have questions, email director@standupmocktrial.com by October 21. By October 24, we will release a corrected version of the case.

Rights and Distribution

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Author's Note

This case is entirely fictional. Similarities to real persons, entities, and institutions are also purely coincidental.

The characters are named in honor of coaches who have supported Gladiator: Tracy Hancock (Montgomery Bell in TN); Patsy Lester (East Islip in NY); Maureen Stinger and Kristin Walinski (Henrico in VA); and Carl Gebo (Grady High in GA). You make Gladiator a better event.

Special thanks to William Warihay, Riya Lakkaraju, and Bennett Demsky for proofreading this case and helping to organize the Gladiator Olympics.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ROMA

UNITED STATES,

v.

TRACY HANCOCK

Criminal Case No. SU-MO-22

PRETRIAL ORDER

General

1. The Government has charged Defendant with attempted murder under 18 U.S. Code § 1113. The Defendant has pled not guilty. The parties may not amend the pleadings at trial.
2. The Government is calling two witnesses: Agent Patty Lester and Maury Walinski. The Defense's witness list includes only the Defendant (though of course this does not mean the Defendant must, or will, elect to testify).

Motion in Limine

3. The parties agree that Exhibit 3 accurately summarizes the Defendant's criminal record, but they dispute the admissibility of the information contained within it.
4. Defendant has moved to exclude any evidence of or reference to Defendant's criminal history, under Rules 401-404 of the Federal Rules of Evidence. The Government has opposed that motion, citing Rules 401-404, 608, and 609.
5. The Court will hear oral argument on Defendant's motion before trial. The Court urges counsel for both parties to address how the Defendant's decision to testify relates to the motion.

Permissible Authorities

6. The only legal authorities that may be cited – during the oral argument on the motion in limine and during trial – are this Pre-Trial Order, the Jury Instructions, and Federal Rules of Evidence.

Stipulations

7. The Defendant is the lawful owner of the weapon depicted in Exhibit 4, which the Defendant properly registered in the State of Georgia on June 1, 2022.
8. The parties waive all objections arising under the United States Constitution and its Amendments. All stops, searches, searches, interviews, and interrogations were constitutional and lawful.

Rick Lewkowitz

Presiding Judge

October 1, 2022

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ROMA

UNITED STATES,

v.

TRACY HANCOCK

Criminal Case No. SU-MO-22

JURY INSTRUCTIONS

The Court shall read these instructions to the jury before closing arguments:

1. Members of the jury, the evidence and arguments in this case have been completed, and I now will instruct you as to the law.
2. The evidence consists only of the testimony of the witnesses and the exhibits which the court has received. Neither opening statements nor closing arguments are evidence, and any statement or argument made by the attorneys which is not based on the evidence should be disregarded.
3. You should consider all evidence in the light of your own observations and experience in life.
4. The evidence may be either direct or circumstantial evidence. Direct evidence is testimony about what a witness personally saw, heard, or did. Circumstantial evidence is testimony about one or more facts that logically lead you to believe the truth of another fact. You should consider both direct and circumstantial evidence in reaching your verdict. You may decide the facts in this case based upon circumstantial evidence alone.
5. The defendant is charged with attempted murder in violation of Section 1113 of Title 18 of the United States Code. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt: (A) the defendant did something that was a substantial step toward killing Carla Gebo and that strongly corroborated the defendant's intent to commit that crime; (B) when the defendant took that substantial step, the defendant intended to kill Carla Gebo; and (C) the attempted killing occurred within the United States.
6. Mere preparation is not a substantial step toward committing the crime. To constitute a substantial step, a defendant's act or actions must unequivocally demonstrate that the crime will take place unless interrupted by independent circumstances. Jurors do not need to agree unanimously as to which particular act or actions constituted a substantial step toward the commission of a crime.
7. The Defendant is presumed innocent. This presumption remains with the Defendant throughout every stage of the trial and during your deliberations on the verdict; it is not overcome unless from all the evidence you are convinced beyond a reasonable doubt that the Defendant is guilty.
8. "Proof beyond a reasonable doubt" does not require proof beyond all doubt, as such certainty is not possible with human affairs. Instead, proof beyond a reasonable doubt requires a moral certainty that leaves one without hesitation to act.

SECRET SERVICE INVESTIGATIVE REPORT

AGENT QUALIFICATIONS

My name is Patty Lester. I have been an agent with the United States Secret Service since 1997. I specialize in public official protection. I have been assigned to protect dozens of public officials, including Supreme Court Justices, United States Senators, one United States President, and candidates for federal office. I completed my protection and investigation training at the Rowley Center in Maryland. I also hold a bachelor's degree in criminal justice from Georgia Tech and a Master's in Criminology from UCLA.

ASSIGNMENT

On July 4, 2022, I was on assignment in the State of Roma. My job was to protect Carla Gebo.

Gebo is a community organizer running for the open United States Senate seat in Roma. The election will be in November 2022. Gebo is running as an independent and had managed to lead the traditional party candidates in polls. Gebo has been outspoken on controversial issues in ways that defied easy political classification. For example, she has sought to ban assault rifles, fought for lower taxes and less government oversight, and advocated for a compromise position on abortion.

Gebo had a rally scheduled for noon on July 4, 2022, in Olympic Park, located in Roma City. We expected tens of thousands of attendees – some supportive, some not. The security team included a dozen Secret Service agents and about 50 state level law enforcement officers. I oversaw the security checkpoints. People began arriving at the main parking lots at 7:00 a.m.

FACTS

At 7:30 a.m., a black Chevy Suburban approached my checkpoint. There were no bumper stickers, dents, or other unusual characteristics. The vehicle had a Georgia plate. As we did for every vehicle entering the park, I asked the driver to roll down their window and show identification. The driver handed me a Georgia license with the name Tracy Hancock, age 26. Georgia and Roma are not adjacent states, so that caught my attention. I asked Hancock why he was attending the rally. Hancock stared ahead for about five seconds before answering. Hancock said, "I'm here for the rally." I asked Hancock to be more specific, which resulted in another five second pause while staring ahead. "I am a big fan of Carla Gebo," Hancock said. The entire exchange seemed suspicious. I asked Hancock to please step out of the vehicle. Hancock said, "I would rather not." I ordered Hancock out of the vehicle, and Hancock complied.

Hancock was wearing a black t-shirt, blue jeans, and white tennis shoes. I frisked Hancock. I found nothing on his person except a wallet and keys to the Suburban. The only items in the wallet were the ID card he showed me earlier and five \$20 bills.

I searched the Suburban. The glovebox contained title and insurance, indicating Hancock owned the Suburban. The front seat was empty. The front seat console had two cupholders. One contained a coffee from Seven-Eleven, and the other contained an iPhone that was connected to a USB port with a charger/adaptor. The backseat was empty. The trunk contained the following items: two one-gallon jugs of water; a janitorial jumpsuit with the name "D. Lyle" sewn into the front; two Snickers candy bars; an AR-15 assault rifle (Exhibit 4); two full clips of ammunition; and a wheelable trash cart.

I asked Hancock if I could search his iPhone. He said, "sure" and unlocked it for me. I checked the phone thoroughly, including text messages, emails, browsing history, and apps. The apps included Reddit, Twitter, and Facebook. On the entire phone, I found nothing incriminating or suspicious at all – including nothing about Gebo or the July 4th rally.

I Mirandized and then questioned Hancock on scene. Hancock told me that he worked at a sporting goods store. He was single with no kids. The gun belonged to him, and he had a valid permit. I asked him why he brought the gun to the rally and he said, "I wasn't going to use it. I just have it with me." I asked Hancock about the janitorial jumpsuit and the wheelable trash cart. Hancock said, "Those aren't mine." I said, "Whose are they? D. Lyle's? Who's D. Lyle?" At that point, Hancock stopped speaking and eventually asked for a lawyer.

I arrested Hancock for attempted murder.

I later verified everything Hancock told me. He works at Bell's Sporting Goods in Atlanta. The AR-15 is properly registered in his name in Georgia. He has no connections to any janitorial service or anyone who works at a janitorial service.

I interviewed Hancock's co-workers. They were unaware of his trip to Roma. They had never heard him mention Carla Gebo or the July 4th rally. They said he never talked about politics. I asked them if he had any friends I might interview. They said they weren't aware of him having any friends.

I am aware of Hancock's criminal history, Exhibit 3.

This report includes all relevant information about my work in this case.

Patty Lester
Patty Lester

July 10, 2022
Date

Affidavit of Maury Walinski

I am 37 years old. I run Henrico Hotel, a 12-room inn in Roma City. We are about five miles from Olympic Park, the site of the Gebo rally on July 4, 2022.

I have an interesting backstory. I would be happy to tell you about it.

Tracy Hancock checked into the Hotel on July 3, 2022 and checked out on July 4, 2022. He was wearing a Gladiator t-shirt (from the Russell Crowe movie). He paid cash. He showed me his driver's license.

He was very strange when he checked in. I asked, "I see you're from Georgia. What brings you to Roma?" Mr. Hancock looked at his shoes.

"Nothing," he said.

"What do you mean, nothing?" I asked. "You have to be here for something."

"Just visiting," Mr. Hancock said. Roma City doesn't have a lot of tourism.

"Are you going to the rally?" I asked.

"No," he said.

I gave him a key to his room, 108. That was the last I saw him.

When I cleaned his room around noon on July 4, I found a map of Olympic Park on the dresser. I also found the Gladiator t-shirt, underwear, and socks on the floor next to the bed. They all looked worn. There was a toothbrush in the bathroom. I put all those belongings in a bag in case Mr. Hancock returned for them. I left a voicemail on the cell number he gave when checking in. But after I didn't hear from him for a few days, I disposed of all those belongings.

This statement includes everything I know about this case.

Maury Walinski
Maury Walinski

July 10, 2022
Date

State of Georgia
Record of Criminal History

Name: Tracy Hancock
DOB: January 1, 1995
Gender: Male

Arrest #1

February 1, 2013 Arrested for felony attempted murder for firing weapon into crowd in school cafeteria where subject was senior in high school. No one injured.

February 15, 2013 Subject pleads guilty to illegal use of a firearm and felony reckless endangerment. Sentenced to 18 months in prison. Released February 1, 2014 on good behavior. Probation for two years.

Arrest #2

March 3, 2016 Arrested for and charged with felony assault for starting a bar fight.

April 8, 2016 Charges dismissed.

Arrest #3

May 4, 2020 Arrested for and charged with felony stalking and domestic violence regarding then-girlfriend (now ex-girlfriend).

May 28, 2020 Subject enters into plea agreement with State. Subject will plead guilty to felony domestic violence, with stalking charge dismissed, and the following sentencing recommendation: no prison time, two years' probation, 200 hours of community service, and order to stay away from victim. Court accepts plea agreement and follows sentencing recommendation.

