

1 didn't prove it, that he knowingly lied to a Grand
2 Jury. That's what they're saying he did and he did
3 not unlawfully disclose Grand Jury materials. The
4 evidence is not there. It is your duty to find him not
5 guilty. Mr. Negangard is going to be able to speak
6 now and then the Court will instruct you. On behalf
7 of my client, Mr. Brewington, and myself, I want to
8 thank you for your time, your patience. I know this
9 has been a difficult case, simply because of the
10 length as well as the volume of documents that
11 you've been exposed to. Your attention has been
12 admirable and again on behalf of myself and Mr.
13 Brewington, I thank you and I ask you to carefully
14 consider the evidence as you paid attention to it and
15 I believe after you've done that and you deliberate
16 amongst yourselves that you will find him not guilty
17 of these offenses. Not because you agree with him,
18 not because you like him but because the State did
19 not prove their case. Thank you very much ladies
20 and gentlemen. Thank you, your honor.

21 **MR. NEGANGARD:** At the beginning of this case, I told you this case
22 was about accountability and responsibility. Again I
23 direct you to the stain glass window that quotes one
24 of our great founding fathers, John Adams. We are
25 a government of laws and not of men. No person,

1 man, or woman is above the law. The rule of law
2 must prevail. It is the cornerstone of our democracy
3 and our republic. Without it, our republic most, will
4 certainly fall. Our bill of rights, our constitution
5 means nothing without the rule of law. The
6 fundamental concept has its roots and western
7 philosophy. Plato said, for the law is subject to
8 some other authority and has none of its own, the
9 collapse of the State is not far off. Aristotle – it is
10 more proper that the law should govern than anyone
11 of its citizens. Cicero – we are all servants of the
12 law and order that we may all be free. And this
13 concept with Central and the American Revolution,
14 it was Thomas Payne who wrote in American, the
15 law is king. I want you to imagine a system of
16 justice in which a person can take the stand and lie
17 and not be held accountable for that. I want you to
18 imagine a system of justice where witnesses can be
19 subject to someone who has the time and resources,
20 who doesn't have to work and they can be subject to
21 daily attacks, daily threats, exposing them to
22 disgrace, contempt, ridicule, hatred and they can't
23 be held accountable. I want you to imagine a world
24 where witnesses cannot take the stand for fear of
25 retaliation that someone will spend their time

1 attacking them, tracking down pictures of them
2 from somewhere in the internet and posting them
3 and making fun of them and not be held
4 accountable, because our judicial system would fail.
5 It would belong to the strong. It would belong to
6 people like Dan Brewington. Dr. Connor, sorry I
7 disagreed with you, I don't want any problems - I'm
8 not going to testify. Judge Humphrey; I'll give Dan
9 Brewington whatever he wants, Melissa
10 Brewington's not the type to cause problems, Dan
11 Brewington obviously is, I'll give him whatever he
12 wants. That's the easy way out. That would
13 become our system of justice if we accept the
14 Defendant's premise that these are only opinions
15 and he was only expressing his political thought. If
16 we accept that premise, then that is the judicial
17 system that we will have. That will be brought on
18 by the invention of the internet. I submit to you that
19 that is not a judicial system we want. That's what
20 this case is about. It isn't about Judge Humphrey.
21 It isn't about Dr. Connor. It is about our system of
22 justice that was challenged by Dan Brewington and
23 I submit to you that it is your duty, not to let him
24 pervert it, not to let him take it away and it happens
25 if he's not held accountable. He's held accountable

1 by a verdict of guilty. That's how he's held
2 accountable and that's what we're asking you to do.
3 You cannot allow our system to be perverted that
4 way. The rule of law will fail and ultimately our
5 republic. I submit to you that that is not a result that
6 we want to have happen. That is why we are here
7 today. Think about the premise the Defense
8 attorney has said, I don't like your decision so I'm
9 going to stand on a public sidewalk in front of your
10 house and call you a child abuser all day long, eight
11 (8) hours a day because I don't have job, because
12 mommy pays for me to live. I'm going to stand
13 there eight (8) hours a day calling you a child
14 molester, calling you a pervert, calling you evil,
15 calling you vindictive and you can't do anything to
16 stop it. It doesn't matter that none of it's true. The
17 first amendment does not protect lies and we'll talk
18 about that in a minute. It does not protect lies.
19 That's why it's important and relevant what the
20 truth is, because you can't just get here, you cannot
21 get up and say lies about people and say, oh, it's just
22 my opinion, just my opinion. You can't do it. The
23 law doesn't allow it. If you accept the Defendant's
24 premise, you accept that and Defense counsel
25 suggested that, Defense counsel suggested that this

1 is a case of first impression. I'll give you Giles
2 versus State 531 N.E. 2d, 220, Indiana Court of
3 Appeals decision from 1988 where it made clear,
4 fighting words are not protected by first amendment
5 prohibitions. The thrust of the fighting words
6 exception is become whether an objective standard,
7 the words were stated as a personal insult to the
8 hear and language and (inaudible) likely to provoke
9 a violent reaction. What's worse than calling
10 someone a child abuser? In that case, Giles was a
11 preacher who was standing outside of some concert
12 calling people the f word and whores and all that
13 stuff. He wasn't allowed to stand behind that and
14 say it's just my opinion because it's not allowed.
15 That was in 1988. The subject, this is why it's your
16 decision. You get to decide the words. This
17 doesn't set some dangerous precedence because it
18 will always be subject to a jury to decide whether
19 that line's been crossed. You get to decide in this
20 case whether the line's been crossed. It doesn't take
21 down our first amendment if we ignore this. It's
22 more important, I would submit to you, in fact, that
23 we protect our system of justice and not let someone
24 do this. Understand, Dr. Connor said in twenty (2)
25 years of practice with mentally ill people, he's never

1 had anyone do to him what Dan Brewington's done.
2 Judge Humphrey said in his over twenty (20) years
3 of public service, prosecuting child molesters,
4 rapists, murderers, drug dealers, he's had only one
5 other person threaten his family. So we're not
6 coming here every day with people who cause
7 problems. We're going to only come here under an
8 extreme circumstance like this case and then we're
9 going to let you decide whether he's crossed the
10 line. It's not an abuse of power by the government.
11 This is an attempt to protect the people who serve
12 us and the system they serve. That is why we're
13 here today. Defense doesn't really dispute the facts.
14 They're right here. Now he brings up reasonable
15 doubt and suspicion or speculation. Well we're not
16 speculating that Dan Brewington said it. He
17 admitted to saying it. There's no dispute that these
18 are his words. That's where the suspicion or
19 speculation comes. There's no doubt he said that.
20 You get to decide what those words mean. We
21 can't ignore the meaning of words. He also
22 suggests, he essentially acknowledges that a tort's
23 been committed. He says he doesn't agree with his
24 client's opinions, that they are opinions and he has
25 the right to say it. I disagree with that because

1 they're not just opinions. He didn't say Judge
2 Humphrey was a bad judge. I think he did in some
3 of that and that's protected. He said he was a child
4 abuser, a liar, a criminal. He isn't any of those
5 things. The evidence showed that he's not. What
6 the evidence showed, he could have said he's a bad
7 judge, he's not fair, I don't like him, don't vote for
8 him. That's political speech. There wasn't
9 anything in here that contributed to political
10 discourse. They were the rantings of someone who
11 would not take no for an answer. He wouldn't take
12 no from an answer from the Indiana Appellate
13 Court. What did he call them when they disagreed
14 with him? Child abusers. What did he call the
15 Kentucky Board of Psychology when they disagreed
16 with him? That they would protect child abusers.
17 These are the rantings of a man who will not take no
18 for an answer and then he wants you to say, it's
19 okay, it's your opinion. Well it doesn't work that
20 way. If you go so far, we have to say you cross the
21 line, otherwise our system of justice falls. Defense
22 would submit to you that there's a civil remedy.
23 Listen, there's nothing, that is not a defense. Judge
24 Humphrey could have sued for slander or liable.
25 Dr. Connor could have sued for slander or liable but

1 that's not a defense. We're here in criminal court.
2 As he said, this is a criminal case. The State of
3 Indiana, by its laws, has made slander and liable a
4 criminal act under certain extreme specific
5 circumstances when it is done in fear of retaliation
6 and it is done with an intent to have contempt, to
7 expose that person, to contempt, hatred, disgrace or
8 ridicule. There's no question when you call a child
9 abuser, that's what you're trying to do – absolutely
10 no question. We're not speculating to that. There's
11 no question that's what it's designed to do and why?
12 Because Judge Humphrey ruled against him. He
13 made the decision all of you would have made
14 giving it to Melissa Brewington over him and
15 asking him for his sake to get a mental health
16 evaluation so that he could see his kids. That's all
17 Judge Humphrey did and to that end he was
18 attacked, retaliated against, relentlessly within days.
19 I want to clear up something really quick. He
20 suggests he didn't communicate it to Judge
21 Humphrey, he attached it as part of State's 142,
22 Motion to Grant Relief from Judgment and Order.
23 His blog posting was attached. But what he says to
24 the Judge – I didn't say he communicated it directly,
25 look at all the motions he attaches his blog postings.

1 Of course he communicated directly. Let's nip that
2 in the bud right now. We have absolutely met our
3 burden in this case. But let's look back at this,
4 should have pursued it civilly. This is not criminal.
5 The State has passed a law that under these specific
6 circumstances you cannot go this far. You all said
7 you agreed with that law. We're asking you to
8 enforce that law. Under these specific
9 circumstances where there was retaliation for a prior
10 lawful act and the threat was to expose the person to
11 contempt hatred, disgrace or ridicule. Now as a
12 practical matter, I mean, Judge Humphrey and Dr.
13 Connor aren't interested in engaging Dan
14 Brewington. They just want to be left alone. Judge
15 Humphrey and Dr. Connor aren't interested in a pay
16 date, they just want justice. They don't get to
17 decide whether a criminal remedy. If they want a
18 civil remedy, they're allowed to pursue it. But let's
19 look from a practical matter as why they would
20 want to do that. The last person who sued Dan
21 Brewington civilly is still in litigation. That is
22 Melissa Brewington. Would anyone want to be in
23 Melissa Brewington's shoes? She's been in
24 litigation with him since 2007. She spent fifty
25 thousand dollars (\$50,000.00) in attorney's fees.

1 She's won her case at the trial level and at the
2 Appellate level and at the Indiana Supreme Court
3 level because they did not grant transfer. She has
4 still not received one dime from the judgment she
5 received. Were you really expecting Judge
6 Humphrey, are we going to say not here, not here,
7 we don't want your justice? You spend thousands
8 of dollars of your own money which you'll never
9 recover to get a piece of paper that says he owes you
10 money. What's that worth? That's not
11 accountability. Accountability, they're not going to
12 do that because all they want is to be left alone.
13 Now the allegation is that it's not serious because
14 they didn't make the complaint. The complaint was
15 made and then each of them were interviewed by
16 the Sheriff and they made a complaint to him.
17 There's no formal complaint process. A crime is
18 reported and investigated. A crime can be reported
19 by a neighbor who heard the crime committed and
20 called 911 but once it's reported, it's investigated
21 and those facts were presented to the Grand Jury.
22 So that's not a defense ladies and gentlemen. We
23 are in criminal court and we're asking you to apply
24 the criminal law. Do not entertain this notion that it
25 should have been civil. That is not a defense. You

1 know, Judge Humphrey could have taken the easy
2 way out here. He could have ignored the law. He
3 could have given Dan Brewington everything he
4 wanted. He wouldn't have had to deal with this
5 problem, wouldn't have had to deal with the attacks,
6 wouldn't have had to change his life because he
7 brought his wife into it and the fear that was
8 brought onto their family from that. He could have
9 avoided all this. He could have given in to him like
10 a two (2) year old throwing a tantrum. That's what
11 he does. Anyone who doesn't agree with him, he
12 attacks. But Judge Humphrey, it worked on one
13 doctor. One doctor withdrew – I don't want to treat
14 your kid – I don't want to deal with you but Judge
15 Humphrey and Dr. Connor were better than that,
16 right? Now they should be punished? Judge
17 Humphrey is better than that. He's not going to
18 allow anyone to intimidate. He believes in the rule
19 law and our justice system. He did his job. He did
20 the right thing. He made his decision based on the
21 law and not it is time for you to do the same. I want
22 to go through each of the counts here. First of all
23 and I want to go specifically, I want to talk a little
24 bit more about political expression because it
25 doesn't apply to all of the counts of that defense, as

1 suggested by defense counsel. Political expression
2 cannot be a defense to a private party. Dr. Connor
3 is a private citizen, in this case hired by the
4 Defendant and Melissa Brewington. Indiana
5 Supreme Court has stated in Whittington versus
6 State where an individual's expression focuses on
7 the conduct of a private party, it is not political. So
8 he's not even allowed to argue the first amendment
9 with regard to Dr. Connor and Heidi Humphrey
10 because they are private parties in this. That's the
11 law. I also want to read to you what the U.S.
12 Supreme Court says with regard to the first
13 amendment. There are certain well defined and
14 narrowly limited classes of speech, the preventions
15 and punishment which have never been thought to
16 raise any constitutional problem. These include the
17 lewd and obscene, the profane, the libelous,
18 meaning lies perpetrated by other people. And the
19 insulting or fighting words, those by which their
20 very utter-ness inflict injury or tend to incite an
21 immediate breach of the peace. It has been well
22 observed that such utterances are not essential part
23 of any exposition of ideas and are of slight social
24 value (indiscernible) that any benefit that may be
25 derived from them is clearly out raved by the social

1 interest in order and morality. That's the law.
2 That's the law with regard to the first amendment.
3 It is not an absolute protection and certainly not in
4 this case. His intent to intimidate – defense counsel
5 suggests there's not evidence of his intent to
6 intimidate. He calls Dr. Connor an abuser of
7 children. He calls them a pervert. He says I would
8 like to beat him senseless. He calls him a predator.
9 He says you got nice houses on your street. What is
10 the intent of that but to intimidate? Why else would
11 you say that? There's no other interpretation of
12 there are nice houses on your street. And all the
13 parties know that he hasn't returned a gun that he
14 was ordered to return. Did Dr. Connor express that
15 he was in fear? He's been dealing with mentally ill
16 people for twenty (20) years. Nobody has put him
17 in fear like that man – nobody. He testified to that.
18 You saw him get upset at what he has had to go
19 through by the actions of this man and all Dr.
20 Connor did was his job. He was hired to give an
21 opinion. He gave an opinion and he didn't back
22 down from his opinion because of the attacks. It
23 would have been easy. Others would have but he
24 didn't. He deserves and he's entitled to the
25 protection of the law. The Defendant is clearly

1 guilty as to Count I. As to Count II, Intimidation of
2 a Judge, that is more serious because it involves a
3 Judge but because it involves a Judge, we do need
4 to look at the first amendment issues because you
5 are allowed to criticize judges. Right? I mean, I'm
6 not. Defense counsel's not because we are
7 attorneys. But remember he says he's acting like an
8 attorney so we should treat it as he's acting like an
9 attorney. Well if he's acting like an attorney, then
10 he needs to accountable like an attorney. He could
11 hire his own attorney but he didn't. So you know
12 and he has to suffer the consequences. So the
13 Judge, the issue there is, is there an actual harm?
14 Was there a tortuous harm, meaning was it liable,
15 slanderous, did it cause the Judge harm? Well it
16 certainly did. He testified it's changed their life.
17 They had to go to the school, they've had to get a
18 security system which they never had to do, when
19 he was prosecutor in the 80's. He prosecuted
20 capital murder cases and didn't have a security
21 system. He had to get a security system, they had to
22 do firearms training, they've had the Greendale
23 police check on them. Everybody's got Mr.
24 Brewington's picture and on the look out for him,
25 where their kids go to school, it was then locally,

1 now at the college or one of the kids was in college,
2 now both are. So there was actual fear there. So
3 there's been an actual harm. That's the law and you
4 can't go so far as to lie. He just didn't say he's a
5 bad judge, he's not a fair judge, he didn't listen to
6 me. That's fine. He could have even called him a
7 son-of-a-bitch if he wanted, alright? That's
8 probably okay. Not smart but probably okay. Not
9 smart when you got cases in front of him. But he
10 can say that. But what he can't say, he's a child
11 abuser because it's not true and it's a fighting word
12 and it's designed to get a, invoke a response, it's
13 designed to get people mad at him and then you put
14 that in the context is I'm going to get people mad
15 and I'm going to say what a rotten lousy judge he is
16 and he's bad, I'm going to lie about him and then
17 I'm going to say by the way, here's the wife's
18 address and here's where they live and then I'm
19 going to do it under the coy thing, well she's an
20 Ethics and Professionalism Committee Advisor.
21 Not this is where we ask you to use your common
22 sense, reasonable doubt also says, actual, logical
23 and based upon common sense. Defense is
24 basically asking you to ignore your common sense.
25 Okay, just because he gets smart and coy and

1 creative about it doesn't mean he's not guilty of it.
2 In fact, it's more evidence of his intent. He says he
3 didn't know Heidi Humphrey, and we're going to
4 get the perjury thing in a minute, didn't know Heidi
5 Humphrey was his wife, he puts, it was clear from
6 the computer that he knew Heidi Humphrey was
7 Judge Humphrey's wife. Every one of Judge
8 Humphrey's orders is signed James D. Humphrey.
9 There's three (3) people who come up Humphrey
10 when you look through the Assessor's records. We
11 didn't speculate that he looked in the Assessor
12 records - that's what he testified to in his Grand
13 Jury. That's how he said he got it. We didn't
14 speculate to that. He said it. Right there, Judge
15 James D., Heidi D. Humphrey. And here's the
16 other thing if you're supposed to as he suggests send
17 complaints to the Ethical and Professionalism
18 Committee Advisor, of course to get to that web-site
19 you would have had to skip the part that said how to
20 file a complaint against a judge. Okay, let's ignore
21 our common sense and ignore that a guy who can
22 get pictures that no one knows how you can get
23 pictures on the internet, skipped the obvious one on
24 how to file a complaint for a judge and ignore the
25 fact that he talks about filing a complaint long

1 before this even happened. Let's ignore that. That
2 would be ignoring our common sense. Of course,
3 he knew. He just figured out a way. That's why he
4 found it. If they intended for you to send letters
5 there, they would have put her address there. They
6 didn't put the address on the web-site, did they?
7 They didn't do that because you weren't supposed
8 to send them letters. All she was, was a spouse
9 advisor. She went to one meeting. She was
10 supposed to plan a party for the other judge's wives.
11 That was her role – not get complaints from people
12 and if she was supposed to do that the address
13 wouldn't have been posted. He knows that and he
14 went to the Assessor's web-site to look for it. It's
15 still a step that other people wouldn't have to make
16 and then he published it. The Assessor doesn't
17 publish your address. You can go to it if you really
18 want to find someone. He published it. He sent
19 that letter to everybody. He's put it on the web-site.
20 He put it on the other blogs so other people could
21 see it. He sent that information out to as many
22 people as possible so that they would have that
23 information and you don't think that didn't scare
24 Judge Humphrey and Heidi Humphrey a little bit
25 that someone would go to those lengths? You

1 cannot go that far and one of the biggest, I mean
2 there's lots of evidence there and that's because our
3 burden's high. We didn't flood you with
4 documents. We presented a number of documents.
5 We didn't present you every time he called Judge
6 Humphrey a liar and a child abuser. We tried to
7 boil it down. It's hard when there was boxes of
8 stuff. Happy Father's Day, Judge Humphrey,
9 Exhibit 174 - that demonstrates his intent beyond a
10 reasonable doubt ladies and gentlemen. I encourage
11 you to look at it. This is where he says his intent is
12 so that his grandchildren will know that he's a child
13 abuser. That's basically what he says. I'm not
14 going to get into it because I'm sure you're tired of
15 listening to me, but you look at State's Exhibit 174,
16 he says, this is my gift to you. I'm giving you the
17 gift of knowing that your children and/or
18 grandchildren will see how their father/grandfather
19 punishes defenseless children for his own personal
20 gain. The next time one of your kids/grandkids or
21 one of their friends does a search on any one of the
22 combination of the above key words, he uses his
23 expertise to manipulate his web-site so that they
24 would come up high on any search. That's clear
25 evidence of his intent here ladies and gentlemen.

1 It's not a political discourse. It is so he can
2 humiliate, expose Judge Humphrey to hatred,
3 contempt, and ridicule. Your friend does a search
4 on any combination of the above key words, there's
5 a good chance that it will direct you to a web-site
6 that give a better understanding of how you abuse
7 children in your courtroom. Not how you rule -
8 how you abuse children. Every child and
9 grandchild should have the opportunity to
10 understand who their father or grandfather really is.
11 No thanks needed – it's the least I can do. Is this
12 political discourse? Is this political speech or is this
13 something intended to punish Judge Humphrey for
14 ruling against him? You get to decide but I think
15 the evidence is clear and it's clear beyond a
16 reasonable doubt. I like reading the reasonable
17 doubt instruction 2 because I think it's clear what
18 that is. It's not any doubt. It's a reasonable doubt, a
19 fair, actual, logical doubt based upon reason and
20 common sense. We have met that burden and he's
21 guilty of Count II. Again Count III, Heidi
22 Humphrey is a private citizen. We do not get into
23 the political expression there. That's not at issue
24 according to the law. She's a private citizen. In
25 fact, that's what Judge Humphrey and Heidi

1 Humphrey expect you, there is not reason to put me
2 in this process. I am simply the Judge's wife. The
3 only reason to include her in the process is to
4 intimidate her and her family and it worked. It
5 scared them. Did it make the Judge change his
6 mind? Did it make him back down? No, because
7 he's better than that. But is Judge Humphrey who
8 comes in here every day and enforces the law on our
9 behalf, is he not entitled, is his wife not entitled to
10 the same protection that he does every day? I
11 submit to you that we should protect the people who
12 serve us as much as we should protect everyone
13 else. It's clear that he is guilty of Count III. Now
14 IV, political expression, Count IV, is Attempt to
15 Commit Obstruction of Justice. It doesn't, political
16 expression doesn't even come into play. You
17 cannot say, it's my opinion, it is a defense. It
18 wasn't his opinion. He sent letters to Dr. Connor
19 saying you pull it or else and else happens to be a
20 threat - a threat to expose Dr. Connor to contempt,
21 hatred, disgrace and ridicule. You pull the custody
22 evaluation or else, because if he pulls the custody
23 evaluation, then he can't come here and testify. The
24 law is clear and I want to read it to you. The
25 political expression thing doesn't even come into

1 play. It's not even relevant. It's just whether it
2 happened or not. There's no question it happened.
3 We gave you the document. He admitted. He took
4 full responsibility for it. There is, this almost
5 reaches the no doubt level. I mean this is so
6 abundantly clear. Defendant knowingly or
7 intentionally induced by threat, coercion or false
8 statement, he threatened him – pull it or else. That
9 is a threat. A witness, Dr. Connor, in an official
10 proceeding, a divorce proceeding, to withhold, to
11 pull the custody evaluation, to not testify or
12 producing any testimony, information, document or
13 thing. That's the law. That's what he asked him to
14 do. It was clearly an attempt. It couldn't be clearer.
15 An attempt to commit a crime is still a crime. The
16 fact that Dr. Connor had the integrity and honor to
17 come in here and do it, knowing what he was
18 dealing with doesn't mean Dan Brewington didn't
19 commit a crime. Now the Defendant, I submit to
20 you is guilty of Count IV. Count V is the perjury
21 count. Ladies and gentlemen – here is what he said.
22 You posted his wife's name on the internet.
23 Answer; I didn't know it was his wife. He didn't
24 qualify that in any way. Now he later tried to
25 qualify that. That only shows he's lying. The fact

1 that he lies and then he back off from the lie is
2 somehow evidence that he didn't lie? No. That just
3 means that he started to admit that he was lying
4 even then. We cannot allow and this material, see
5 there's lots of things that could have been lies, that
6 could have been perjury but perjury is a material
7 element. See and here's where, you know this is the
8 crux of this thing, right. If he's lying, saying he
9 doesn't know Heidi Humphrey is the Judge's wife,
10 the reason he lies is because then he can argue this, I
11 didn't have this intent. Oh, she's the Ethics and
12 Professionalism, right? But if he knows it's his
13 wife, that is evidence of his intent – so it's material
14 to the other charges, right? That's why it's perjury,
15 because you just can't file perjury just because you
16 come in and lie. It's got to be something relevant,
17 right? And it is, it doesn't get much more relevant.
18 If he didn't know it was Judge Humphrey's wife,
19 that's why he lied about it. That's why he knew
20 about it and tried to lie about it, backed off from it a
21 little bit, just a little, where there was a
22 (indiscernible), problem. What's that mean? You
23 either knew or you didn't know. I didn't, and he
24 didn't say initially I wasn't sure, thought maybe, he
25 said I didn't know it was his wife. I didn't know it

1 was his wife. That's a lie and it was under oath and
2 it was material to the crimes he was under
3 investigation for. That's why he's charged with it.
4 That's why the Grand Jury indicted him. I submit to
5 you, that's why you should convict him. Count VI –
6 that's not why we're here today. You know, the
7 Grand Jury indicted him on that, he clearly, you
8 know, I submit to you that they were offended by
9 the fact that we went over and over, you're not to
10 post anything about the Grand Jury and then sure
11 enough he did the very next day. But that's not why
12 we're here today. I don't really care about that
13 charge. I think, you know, you guys decide whether
14 you think he violated it, look through Exhibit 10
15 and see whether he crossed the line. That is not
16 why we're here today ladies and gentlemen – not at
17 all. Do not get hung up on that one. We are here
18 today to hold the Defendant accountable,
19 responsible for his actions. No one – not Dan
20 Brewington – not anyone is above the law. I'm
21 asking you today to hold him responsible for his
22 acts against the victims and our judicial system.
23 Today let your verdict uphold the rule of law and
24 our great tradition of justice. Veritas dictum - that's
25 where verdict comes from. It means to speak the

1 truth and I say this on almost every closing
2 argument because I think it just goes to the heart of
3 the matter, right? Because that's why we're here
4 today - about the truth -- not about lies but about the
5 truth. Let your verdicts speak the truth. Let your
6 verdicts speak the truth that Dan Brewington
7 crossed the line, that our justice system will not be
8 perverted in this manner, that Dan Brewington will
9 be held responsible as our constitution says but for
10 the abuse of that right, you shall be responsible. I'm
11 asking you to let your verdict hold him responsible
12 and find him guilty for the crimes that he
13 committed. Thank you.

14 COURT: Bailiff? Ladies and gentlemen of the jury these are
15 your final instructions. I believe a copy has been
16 distributed to counsel and each to yourselves. .
17 (Reading of final instructions -- not transcribed -- see
18 Court's file). Will the Bailiff please step forward?
19 Will you please raise your right hand? Do you
20 solemnly swear to keep the jury together in the jury
21 room in this courthouse, to permit no person to
22 speak or communicate with them, to speak or
23 communicate with them yourself only by order of
24 the Court or to ask them whether they have agreed
25 upon a verdict and return them into Court when