

State of Idaho v. Jessie James O'Malley

2025 IDAHO HIGH SCHOOL MOCK TRIAL CASE





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ACKNOWLEDGEMENTS

The Law Related Education Program thanks Idaho's Mock Trial Case Committee, including Hon. Jessica Lorello, Lori Fleming, Kale Gans, and Marciella Sanford for the countless hours they spent crafting a superb 2025 Idaho case, and Greg Dickison and Jessica Kuehn for reviewing the case.

DISCLAIMER

This case is a work of fiction. The names, characters, businesses, organizations, places, events, and incidents herein are (mostly) the product of the authors' very vivid imaginations.

VERSION CHANGES

VERSION 1.0

Version 1.0, dated October 4, 2024, does not include any changes.

VERSION 2.0

Version 2.0, dated December 3, 2024, includes the changes outlined in Appendix A.

FINAL VERSION

The final version, dated January 20, 2025, includes the changes outlined in Appendix A.

STIPULATIONS

- 1) The jurisdiction and venue for this case have been previously established and are proper.
- 2) All parties agreed to the jury instructions.
- 3) All exhibits included in the case materials are authentic and accurate representations of the items they depict, and the proper chain of custody with regard to the exhibits has been maintained. All parties must use the proper procedures for admitting exhibits into evidence, and all exhibits are subject to objection, except as to their authenticity.
- 4) All witnesses made the statements attributed to them in their own witness statements.



- 5) Any instances where a witness is referred to with gender specific language is inadvertent. All witnesses may be played by any student.
- 6) The dates of witness statements are not relevant and therefore not included. No challenges based on the dates of the witness statements will be entertained.
- 7) Witness statements were taken after the alleged incident but before trial. Each witness was given an opportunity to update or amend their statement before trial, and no changes were made.
- 8) The signatures and signature representations (items marked with /s/) on documents included in these case materials are authentic. No challenges based on the authenticity of signed documents will be considered.
- 9) In any instance where actual statutes differ from any law utilized in the mock trial case, teams must rely on the law as written in the case materials.
- 10) If a particular exhibit includes more than one page, all the pages are part of the same exhibit and teams may not try to exclude any information from the exhibit based on the exhibit occupying more than one page.
- 11) It is anticipated that the trial time will not permit use of all exhibits provided. Each party should select and use only those exhibits that best support and illustrate that party's theory of the case.
- 12) There is no dispute over the validity of Maeve O'Malley's will, including the change in executor.
- 13) Declan O'Malley's cause of death was a broken neck.
- 14) The 2 bullets found at the crime scene were matched to the gun found on the O'Malley property in May 2023, verified through test fire in a ballistics lab. Detective Magumbo has been authorized to discuss the lab results without being qualified as an expert.
- 15) Le Finest Works d'Art was incorporated on June 2, 2017.



INDICTMENT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO AND FOR THE COUNTY OF CASSIA

STATE OF IDAHO	)	
	)	
	)	Plaintiff
	)	Case No. IDMT2025
vs.	)	
	)	INDICTMENT
JESSIE JAMES O'MALLEY	)	
	)	
_____	)	Defendant

JESSIES JAMES O'MALLEY is accused by the Grand Jury of Cassia County, of the crime of:
AIDING AND ABETTING MURDER IN THE FIRST DEGREE, FELONY, I.C. §§ 18-4001, 18-4002, 18-4003(a), 18-204, committed as follows:

The Defendant, JESSIE JAMES O'MALLEY, on or between March 17, 2017, and November 26, 2017, in the County of Cassia, State of Idaho, did intentionally aid, abet, advise, hire, counsel, facilitate and/or encourage Mystic Garcia, who did willfully, unlawfully, deliberately, with premeditation, and with malice aforethought, kill and murder Declan O'Malley, a human being.

All of which is contrary to the form, force and effect of the statute in such case and against the peace and dignity of the State of Idaho.

A TRUE BILL

Presented in open Court this 10th day of August, 2023.

Jem Trotter
Jem Trotter
Cassia County Prosecuting Attorney

PLAINTIFF WITNESSES

MYSTIC GARCIA: ARTIST, BARTENDER AT DOYLE'S PUB & GRILL

1 I guess, given my background it would not be unimaginable that this is where I'd end up.
2 And here we are. My name is Mystic Garcia and Jess O'Malley hired me to kill Declan
3 O'Malley. It's really hard to talk about this because I've always liked Jess. Jess was really the
4 only person who befriended me when I lived in Burley. But friend or not. I've never had a
5 friend I would take a murder rap for.

6 Like all stories, I suppose I should start from the beginning so you can understand how we
7 got here. I was pretty much an orphan. My parents abandoned me when I was only 2. All they
8 left me with was this rather interesting name. Hated it a lot growing up, but I've gotten used to
9 it. I spent my childhood going from one bad foster family to another and I carry a lot of anger
10 and sadness from those experiences. I really never had any expectation of a better life until my
11 high school art teacher took me under her wing and helped me realize I had the talent to
12 become an artist.

13 By my late twenties, I was living a great life in San Francisco. I had gotten my art degree
14 from the California College of the Arts and was doing innovative work in printmaking and
15 textiles. While I was starting to get noticed for my work, it takes a long time to become a
16 successful artist, and I was definitely not making enough money yet to help support my family.

17 Thank goodness my spouse Chris was making a good living as a high-profile criminal
18 defense attorney at a big firm in the city. Chris was such a supportive partner and such a good
19 parent to our daughter, Chole. It was looking like I was finally going to have the stable life I had
20 always wanted as a child, but then Chris disappeared. As crazy as this sounds, Chris left for
21 work in November 2014 and never came home. Still to this day, many years later no one knows
22 what happened. Without Chris' income, I was left completely broke with no real means of
23 stable income to take care of me and Chole. Suddenly, I found myself as this grieving, destitute,
24 single parent. I was so desperate that I moved to Burley, Idaho in January 2015 so I could be
25 with Chris' family, pretty much the only family Chloe and I had left.

26 Let's just face facts. Burley is not what one would call a sophisticated arts community. So,
27 there I was, a refined artist living in a paint by numbers town. I had to find something other
28 than art to earn a living. I took a job as a bartender at Doyle's Pub & Grill, a long time Burley
29 fixture owned by the O'Malley family. I told myself it was only temporary while I got back on
30 my feet, but temporary turned into 2 years. By that point, I was kind of a vacant shell of the
31 person I had worked to become with little hope I could ever get back to the life I had once been
32 creating for myself.

33 The one real ray of light in my time in Burley with Jess O'Malley. Jess was my manager and
34 also spent time at Doyle's studying for the Bar exam. We saw a lot of each other at Doyle's and
35 developed a pretty tight friendship. We would chat a lot when I was at Doyle's and also texted
36 each other all the time.

37 Often, we would commiserate over our mutual dislike of Declan O'Malley, Jess' brother.
38 What did Declan do to earn our dislike? You want a list? More like what didn't he do. I know
39 you're not supposed to speak ill of the dead but I'm not going to lie. Declan was generally a
40 horrible person. Let's start with the demeaning way he talked about Chris. Once when Chris
41 and I were visiting Burley, we ran into Declan. Chris said hello but Declan was barely civil.
42 Chris told me that Declan would call Chris "Burley's favorite affirmative action child" because
43 Chris had beaten Declan out as their high school's valedictorian and gotten into Stanford. Like
44 somehow in Declan's mind Chris hadn't really earned the honors and had cheated Declan out
45 of his due. It made my blood boil that Declan would talk about my loved one like that.

46 Of course, I had my own antagonistic interactions with Declan. While Declan did hire me to
47 work at Doyle's, he always went out of his way to be nasty to me. He spread rumors that I had
48 something to do with Chris' disappearance. He even accused me of stealing money from the
49 cash register at Doyle's when it was the O'Malley siblings who had been getting money from
50 the till on a regular basis. Besides, it would have been hard to steal when both Jess and Tully
51 were working the same shifts as me. Though I use the term "working" loosely when it comes to
52 Tully. As far as I could see, it was Tully's job to hang out, drink, and talk with friends.

53 All of this made it hard for me to feel settled into the community but also trapped there.
 54 There's not a lot of employment opportunities in Burley so I really had nowhere else I could
 55 work besides Doyle's. I grew to detest the way Declan treated Jess and me and so many others.
 56 In retrospect, I think that was part of why it took so long to uncover what really happened. I
 57 know there was a long line of people who secretly wished Declan dead.

58 I think the final straw for both Jess and me was the night of Maeve O'Malley's wake at
 59 Doyle's, St. Patrick's Day in 2017. I was working during that shift and the place was wild.
 60 Anyone who thinks a reception for dead person should be a somber affair have never met an
 61 Irish person. I was really too busy to do anything but pour beer and mix drinks. But I did look
 62 up at one point and I saw Declan and Jess shouting at each other. I don't know exactly what
 63 was said, but Tully O'Malley and Rowan McGee were standing right next to Jess and Declan so
 64 they would know the exact conversation. Later I talked to Jess and found out that the fight was
 65 about Declan being sleezy, stealing the estate executor role out from under Jess.

66 That same night, Declan left me no tip on an \$8,000 bar tab. We're talking a tip of probably
 67 \$2,000 at a time when I was desperate for money. A couple months earlier my daughter Chloe
 68 got appendicitis and had to have her appendix removed. Luckily, it wasn't life threatening, but
 69 it was \$25,000 in medical expenses and we had no insurance.

70 I know this whole plot sounds crazy. I don't think either Jess or me are some kind of
 71 homicidal sociopaths. I think we were two people who felt desperate and were able to wind
 72 each other up to do something awful. I truly believe that Declan's murder is one that neither of
 73 us would have committed on our own but together we managed to convince ourselves that
 74 there was no other option but to get rid of person who was standing in the way of better lives.
 75 Jess needed to be in charge of the O'Malley estate. I needed money. And unfortunately, in this
 76 case one plus one equals murder.

77 Jess and I spent the next few months planning all the details of what we were going to do. I
 78 would take care of Declan and Jess would pay me a total of \$150,000 broken into 12 payments to
 79 get the job done. I'll be honest with you. I don't know where Jess got the money to pay me. I just

80 assumed that since Jess came from a wealthy family that \$150,000 was no big deal. To make the
81 financial transactions look legitimate, we set it up to look like sales of my art. Jess and a friend
82 set up a fake company called Le Finest Works d'Art. Then Jess set up an account for Le Finest
83 on a bitcoin currency exchange called Coinbase. Jess would deposit the funds to the exchange
84 and then I would go into the Le Finest account on the exchange and convert the bitcoin to cash
85 and then withdraw the cash into my personal bank account. We did this to make the
86 transactions look legitimate and to add some layers that made the funds more difficult to trace.

87 A few months before we did what we did, I found a gun stored underneath the bar at
88 Doyle's that was kept there in case the place got robbed. Jess told me to use that gun on Declan.
89 On the night of the murder, Jess went to Declan's house to meet with Declan about the estate.
90 Jess was supposed to put a sedative in Declan's drink so he would be asleep when I got there.
91 After going to Declan's, Jess went to Doyle's and hung out there all night.

92 The idea was that I would make it look like a robbery gone wrong. I waited until just about
93 11:00 PM to go into the house thinking Declan would be sound asleep from the drugs Jess gave
94 him. Jess had left a downstairs window unlocked and I entered the house through that window.
95 I went upstairs into Declan's bedroom where he was sleeping. I had never shot a gun before, so
96 I didn't really know what I was doing. I aimed and pulled the trigger. That shot missed.

97 Either Jess didn't give Declan a sedative or it had worn off, but Declan woke up during the
98 commotion. He was a little groggy but furious. He lunged at me, and I fell backwards into the
99 TV room across the hall from Declan's bedroom. We struggled and Declan got the gun away
100 from me. He fired towards me but missed. I knew at that point that it was either him or me. I
101 was so hopped up on adrenaline that I didn't really know what I was doing. I charged at
102 Declan, and we struggled for the gun. I got it away from him and I shot at Declan again but this
103 time I hit him in the shoulder.

104 He lost his balance, and I pushed him as hard as I could and he fell backwards out of an
105 open window that was behind him. I looked out of the window and Declan wasn't moving. He
106 must have landed in a way that broke his neck. I went through the house pulling open drawers

107 and pulling things out to make it look like a robbery and then I went to check if Declan was
108 dead. He was. Jess told me to leave the gun in a dumpster behind Doyle's. We didn't want the
109 gun to be in Doyle's in case the police searched the pub. I don't know what happened to the gun
110 after I left it in the dumpster.

111 Right after the murder, the police came to Doyle's. Jess was definitely a suspect, and
112 someone mentioned that Jess had been spending a lot of time at the bar talking with me so they
113 also asked me some questions. I don't think I was a suspect, at least not to Detective Magumbo,
114 who seemed to buy the theory that the murder was part of a robbery gone wrong. I definitely
115 got the sense that the other police officer, Slade, thought that something fishy was going on.
116 Slade asked me about the bill on the night of the wake and for a minute there, I thought Slade
117 was onto us.

118 Slade saw the bruises on my arms and asked what had happened. I made some excuse
119 about getting bruises from carrying kegs of beer and Slade seemed to buy it. But I will say that I
120 was pretty banged up on both my arms and on my face and I am shocked to say that neither
121 Slade no Magumbo asked me about any of the bruises on my face. Jess told me to just keep my
122 cool and eventually it seemed like everything had blown over.

123 A year later, I had used my \$150,000 to pay off the medical debt for Chloe's surgery and go
124 back to San Francisco. As you know, I have become the famous artist I had expected to be.
125 While my role in Declan's death will always haunt me, there are some days when I forget all of
126 this even happened. It feels like a movie I once watched or like something that happened in
127 another life. For many years, I managed to avoid suspicion. Jess and I agreed it would be better
128 if we didn't communicate anymore and I haven't laid eyes on or spoken to Jess in many years.

129 I left Burley in my rearview, thinking all of this was behind me. I had no idea that Rowan
130 McGee was making a podcast about Declan's murder until Rowan reached out to interview me.
131 I tried to ignore the outreach but Rowan was persistent so I figured I had to do an interview so I
132 didn't look suspicious. I have to say that Rowan is a pretty good interviewer. I was peppered
133 with questions, and I did my best to be vague, but I admit that in my nervousness I may have

slipped up a couple of times. At one point I remember saying that I wouldn't be where I was today without Jess' investment. I could see the look on Rowan's face after I said that, but I was hoping that a connection wouldn't be made. I was wrong.

It wasn't long after that interview that I was asked to meet with Detective Magumbo. Again, I wanted to look cooperative, so I decided to voluntarily travel to Burley to meet with the detective. Magumbo started talking about how I was connected to a DNA match for a gun and about the bitcoin and financial transactions. It was clear that the police had more evidence than I thought. When Magumbo informed me that Jess was being questioned at the same time as me and that the first person to confess would probably get a better deal, I realized that the gig was up.

I did some soul searching and decided it was time to come clean and tell the truth about how Jess had hired me to kill Declan. I came to realize that the rest of the O'Malley family deserved the truth and the kind of closure I never got with Chris' disappearance. I confessed to my part in the scheme, providing the full details of the murder and the role Jess played in hiring me. Because I agreed to tell the truth about what happened and Jess' role in Declan's death, I was given a plea deal and a reduced charge of second-degree murder.

I have come to deeply regret my actions and the pain I have caused for the O'Malley family, for my daughter, and for my many, many fans. Honestly, I'm almost glad to tell someone so I don't have to carry the secret around with me anymore and I am prepared to face the consequences of my actions and hope that my confession can bring some measure of peace to the grieving family.

FRANCIS MAGUMBO: DETECTIVE, TWIN FALLS POLICE DEPARTMENT

1 The thing I don't understand... is why anyone would wanna know about me. But, since you
2 asked, I'm Detective Francis Magumbo. People who know me call me "Frankie" or "Fran" or
3 just Magumbo. Been with the Twin Falls police department for about 30 years now. Grew up
4 right in the city. I drive an old '85 Impala, call her "Suzy." She gets me where I need to go, even
5 if she's running on fumes most days. I've got a thing for trench coats—usually wear two cause I
6 figure I might need the extra pockets. Keys? Always losing them. Sometimes I even forget who
7 the heck I am. I've got seasonal sciatica and permanent bedhead, like I've been wrestling with
8 my pillow all night. But beneath all this...frazzle, I've always had a capable nose for sniffing out
9 the truth, even if it's buried under a mountain of lies and red herrings.

10 I started as a lowly patrol officer but worked my way up to become a detective investigating
11 violent crimes. Twin Falls PD even sent me to do special training at Quantico a few years back...
12 I learned all about crime scene investigation, interview techniques, even a bit of forensics. Now I
13 teach those same courses to the local cops in our unit. Last year I went back to Virginia for some
14 advanced training on illicit payments and white-collar crime—there's this thing called the
15 blockchain, heard of it? Well, you're about to hear more. I also took some additional courses
16 specializing in advanced genetic forensics.

17 I've been with the Major Crimes Unit for most of my career. Seen just about everything you
18 can imagine, and a lot you probably can't. Double homicides, triple homicides, kidnappings,
19 loan sharking, shark loaning, felony bamboozlement, you name it. The thing I don't understand
20 is how people can do such terrible things to each other. But it's my job to figure that out. Got a
21 few commendations here and there, though I usually forget where I put them. Doesn't matter
22 much to me. What matters is getting the job done, getting justice for the victims, and making
23 sure the bad guys get what's coming to them.

24 How did I get involved in this case? It all began on November 26, 2017. Burley Police
25 Department asked for help from the Twin Falls Police in solving the murder of Declan
26 O'Malley. No big deal, but sometimes matters come along that that the local cops just can't

27 handle. From the very beginning this case caught my attention—it was messy, convoluted, and
28 drenched with dynastical intrigue. Like Family Feud meets the Godfather, except everyone’s
29 Irish. The victim’s friend found the victim, Declan, dead outside, sprawled next to his house,
30 twisted around like a Celtic knot, with a ghoulish look on his face... and a bullet wound in his
31 shoulder. Grisly stuff, even for a grizzled veteran like myself.

32 I cruised into Burley just as the check engine light came on and I had just enough gas to
33 coast into the BPD headquarters. It was fresh-faced rookies all around. Some were so green they
34 looked like frogs on a football field. “Are you that big-city detective from Twin Falls?” one of
35 the youngest cops asked. “Name’s Magumbo, kid.” I told him, with a wink.

36 After they briefed me on the case, I took a brief tour of the crime scene. That was when I met
37 my BPD counterpart—this kid Sam Slade—who rubbed me the wrong way from the get-go.
38 Slade was clearly lacked the experience to solve this case, fumbling around the crime scene,
39 obsessing over minor details, missing the forest for the trees. I told Slade I’d be assisting in the
40 investigation and Slade looked offended, saying “This is my first murder investigation, I’ll
41 handle it the way I want!”

42 BPD took a hard look at Jess O’Malley, the sibling of Declan. Sometime before she passed
43 away on February 26, 2017, the family matriarch Maeve O’Malley changed the executor of her
44 estate from Jess to Declan, giving Declan a lot of power to manage proceeds that would go to
45 himself, Jess, and another sibling—Tully. The thing we didn’t understand was whether Jess had
46 an axe to grind about all this... But apparently Jess breezed through the initial interview with
47 BPD and didn’t seem particularly suspicious. People tell me Jess answered all their questions
48 and then some. Plus, Jess had an alibi for the time of the murder.

49 Slade in particular was convinced that Jess “had nothing to do with it.” Slade did keep
50 insisting we focus on Doyle’s bartender, Mystic Garcia, because of some receipt that was found
51 at the crime scene. Slade also claimed to have a “classic detective’s hunch.” I kept trying to tell
52 Slade that cops build cases based on evidence, period, end of story. And that real detectives
53 earn their classic hunches—through years of working in the trenches, while wearing a trench’.

54 In the end every lead was a dead end. And after a while, people just lost interest in the case.
55 Sure, there were a few tips a year, from anonymous pranksters, and the occasional two-bit
56 psychic looking to make a prognosticatory name for themselves, but no real leads. Burley PD
57 closed officially became a cold case in December 2020.

58 But a little more than two years later, in May 2023, the breakthroughs I needed on the
59 O'Malley started pouring in. I remember it like it was yesterday. I had just worked a 72-hour
60 sting operation at a wildlife flophouse in Hagerman—there was a group of ex-carnies running
61 an illegal wombat fighting ring, right in the room. Can you imagine? I thought maybe Tully
62 O'Malley was up to no good again.

63 It was a phone call from this “podcaster,” Rowan McGee, claiming to be Declan’s best
64 friend. Rowan shared some information about some financial transactions and that a follower of
65 Rowan’s podcast had uncovered, claiming the transactions showed large amounts of money
66 possibly sent from Jess O'Malley to Mystic Garcia around the time of Declan’s murder. I wasn’t
67 convinced of a connection but what the heck, I went ahead and did some digging.

68 The information I received showed that some company called Le Finest Works d’Art had
69 made 12 massive transfers to Coinbase, a crypto currency exchange, of \$12,500 between August
70 2017 and December 2018. \$150,000! Gadzooks!

71 First, I had to get more information about Le Finest. Incorporated just 5 months before the
72 murder and registered to a P.O. Box in Burley, Idaho. I couldn’t find any other information
73 about Le Finest, other than a barebones LinkedIn profile, saying they were “Collectors and
74 gallerists of the finest hand-curated knickknacks, baubles, tchotchkes, and artworks in the
75 Pacific Northwest. Could Le Finest have been purchasing Mystic’s artwork?

76 Le Finest records also showed that their registered service agent was one Horace L.
77 Butterscotch, also of Burley. With a simple Internet search it was easy enough to discover that
78 Butterscotch and Jess O'Malley knew each other well. They served on the Burley Chamber of
79 Commerce together and were co-chairs of Burley’s annual Burley Day Parade four years in a

row. And here's the kicker: according to a wedding announcement in the Magic Valley Times-News, Jess O'Malley was the officiant for Horace Butterscotch's wedding in March of 2015.

I then subpoenaed the bank records for Mystic Garcia to see if the funds had been deposited into Mystic's account. Bingo. That was it—there was the connection I needed. It was so obvious now: Jess set up Le Finest as a cutout and used a friend to help funnel the money. And that meant there was no “art investor”—Jess paid Mystic, through the sham company, to kill Declan.

While I was up to my eyeballs up in Excel spreadsheets and financial records, we had another breakthrough. Some of the O'Malley farmland was sold to some bigwig investor—apparently they wanted to turn it into some designer retirement community for active seniors. In May 2023, the developer was pouring concrete for the pickleball pavilions when they found a gun buried there, wrapped in a 1-gallon size freezer bag. They turned it over to the Burley police department. Eureka! Once I heard that news, I drove Suzy as fast as I could to BPD headquarters, to get a look at the thing.

Right away I noticed how much mellower things were at the BPD—Slade was gone, having left policing in disgrace. Good riddance to bad rubbish, I said to myself. Anyway, I made it to the evidence locker and took a look at the gun. It was a Glock 19, 9mm, semi-automatic pistol. Gleaming. Practical. Efficient. The sort of pistol you'd keep in your nightstand if you were in Witness Protection or tucked in your waistband at a Monster Truck rally. Was this the sort of pistol you'd give to someone to commit a murder? Maybe. But I had more work to do to be sure.

First, by checking the serial number on the gun, we determined that it was registered to Maeve O'Malley. OK. Now we're getting somewhere. Second, ballistics testing showed the bullets found at the crime scene were a match to the gun we found.

Then I did some forensic analysis. BPD had already dusted the gun for fingerprints and could only get one clean print from the gun. The clean fingerprint came back as a match for Mystic Garcia through records from California's Foster Care system. They did get some partial fingerprints from at least two other people. But those DNA samples didn't line up with any

known individuals in the national databases. In other words, whoever left the remaining DNA on the gun were unknown.

But there's one last thing you might not understand about DNA testing. We can now do something called "Investigative Genetic Genealogy"—heard of it? It's all pretty high falutin' stuff, but what it means is you can confirm, with a high degree of certainty, that an unknown DNA sample is related to someone whose DNA you already have. For example, if the unknown suspect's parent submitted DNA to Ancestry.com, you can confirm with 99% certainty that the unknown suspect is their child. And once you confirm your unknown suspect is related to a known individual, and how, from there it's pretty easy to figure out who the suspect is—make sense?

Well in this case I submitted the unknown suspect's DNA to my lab contacts at Quantico and guess what? Based on their initial data quantitation, I was able to analyze and determine, with 99.9% accuracy, that one of the DNA samples was from the child of—wait for it—Maeve O'Malley. It also looked like there could have been other DNA samples on the gun in trace amounts, but there wasn't enough of a sample to be sure. Now maybe I didn't understand the full picture, but it sure looked like Jess and Mystic were up to their eyeballs—all I needed to do now was confront them with my proof.

Before we pressed charges I reached out to Jess and Mystic. Both voluntarily agreed to speak to me, one on one at the Burley police station on August 1, 2023. I sat them down in separate interrogation rooms. No air conditioning. No ventilation. I'll be honest, Jess looked calm, almost too calm. Cool as a cucumber, even under those hot lights. I was sweating more than Jess! Mystic on the other hand, looked very nervous.

I peeled off one of my trench coats and started with the basics and read the Miranda Rights to Jess. "Kid, don't you want your lawyer here?" I asked Jess. "Not at all," Jess said. "I actually went to law school myself. Graduated Magna cum Laude from Yale."

"Oh yeah? One thing I don't understand is manga," I said. "Why would grown adults read a comic book?" Jess looked at me blankly before continuing. "... anyway, in light of my legal

education, I feel more than comfortable talking to you about the facts. As the Burley PD concluded in 2017 when I first spoke to them, I did nothing wrong. In other words, I'm waiving my Miranda rights."

I asked Jess about Declan and their relationship, about their parents' estate. Jess maintained innocence throughout, claiming no interest in the inheritance. "But what about the wake. Several witnesses heard you threatening Declan over the estate. Jess denied making any threats. "This isn't about money."

I brought up the bitcoin payments. Mopping my brow, I said, specifically, "Do you know anything about payments that were made to Mystic? Seems like your old pal Horace was connected to a company that sent a nice chunk of bitcoin Mystic's way." Jess didn't bat an eye and responded nonchalantly: "Oh, me and Horace go way back but we haven't spoken in a while so I don't know what his current connection is to Le Finest." I didn't ask about the gun in our first interview since the DNA could have been for any of the O'Malley children.

Jess had an answer for everything. But there was something in Jess' tone, something that didn't sit right with me. Maybe it was too rehearsed, too perfect. I couldn't shake the feeling that Jess was hiding something. "I guess that will be all."

As I stood up to leave, I said: "... Just one more thing, Jess. How did you know the company was called Le Finest? I never mentioned the name. I'll be back with you shortly, after I finish talking with Mystic."

Then I spoke with Mystic who also waived his/her/their Miranda rights. I asked Mystic basically the same questions I asked Jess. Unlike Jess, Mystic could provide details of the bitcoin transactions, but initially claimed they were for sales of art Mystic had created that Jess helped sell. I also asked Mystic about the fingerprints on the gun. "I don't own a gun. But I do know there was a gun at Doyle's. Could that be the gun?" I told Mystic I knew s/he/they were involved in this somehow and that this was the last chance to cooperate. Mystic broke down and immediately confessed to everything, accepted a plea deal, and agreed to testify truthfully at trial.

161 Then I went in to speak with Jess again. I said, “So, Jess, about that gun that Mystic used to
162 kill your brother? Is that the one we found on your family’s property?” Jess’s face paled, just for
163 a moment and then Jess said, “I think I’ll exercise that right to be silent now.”

164 I’d like to think the Magic Valley is safe for now, but I’ve been in this game long enough to
165 know better. They’ll be more crimes, more conniving Jess and Mystic type people, more
166 birdbrained Slades... the whole story just keeps repeating itself. But wherever crime goes, I
167 promise you this—Magumbo will be close behind, sniffing out secrets, keeping the bad guys at
168 bay, ferreting out finales until my last breath. Nothing, and I mean nothing, will stop me from
169 moving forward. Now—where are my car keys?

ROWAN MCGEE: REPORTER, PODCASTER, SOCIAL MEDIA INFLUENCER

1 I'm Rowan McGee. You've probably heard of me. I'm a podcaster and social media
2 influencer. I'm also a reporter with the Magic Valley Times-News. I've been at the paper for
3 almost 12 years. I wanted to work in media for as long as I can remember. I was a big fan of the
4 book Harriet the Spy when I was a kid. I liked the idea of observing and writing about the
5 world around me. I admit that for some people it can be off putting to have me snooping
6 around all the time. I think that's why my mom encouraged me to go out for the newspaper
7 when I was in high school. It was a way to channel some of my natural energy.

8 I became editor for my high school newspaper and then went on to study journalism in
9 college. I have a degree in Journalism and Mass Media from the University of Idaho (Go
10 Vandals!), and I was the editor for two years at The Argonaut, the student newspaper at the
11 university. I am a naturally curious, persistent person who is known to pay great attention to
12 details. In fact, I have what is known as eidetic memory, which is the ability to recall images,
13 sounds, and events with great accuracy after seeing or hearing them only once. Really comes in
14 handy as a reporter.

15 After college I took a job at the Magic Valley Times-News. I know that small town papers
16 are a dying breed, but we do OK here at the Times-News. From Friday night football games, to
17 town meetings to everything else that is meaningful to our town, I play an important role in my
18 community by covering the stories and events that matter to the people of Burley. That's why I
19 keep working at the paper even though my media endeavors have become quite lucrative, and I
20 expect to have a book deal about this case soon.

21 I became involved with this case because Declan O'Malley was my best friend from the time
22 we were 5 years old. Other than his parents and his siblings I am the person who knew Declan
23 best and as his best friend I want to make sure the person who murdered him pays for the
24 crime, even if, as it turns out, the person responsible for his murder is one of his siblings.

25 I would describe Declan as a very moral person and a natural leader. I know people like to
26 paint him as being cruel but that was simply never true. He could certainly be hard on people

but no harder on anyone else than he was on himself. He set high standards and if he saw that anyone in his life was going down the wrong road, he'd step in and set them straight. That's why he reported Jess to the police when Jess used Declan's credit card without permission. He was worried that Jess was turning into a criminal and he had to try to stop it. Looks like he was more prescient than he realized.

Would I say that Jess and Declan were close? Probably not. Declan didn't respect Jess because Jess was irresponsible and never took anything seriously. Declan did convince his mom to make him the executor of her estate instead of Jess, but not out of some sort of power play. He wanted to make sure that the will honored the family legacy and was worried that Jess was only concerned with the money. Declan also didn't think Jess could take care of the legal needs of the O'Malley family when Jess couldn't even pass the Bar.

I was there on the night of Maeve O'Malley's wake when Declan told Jess and Tully that Maeve had made Declan the executor of the estate. Declan knew that Jess was going to be angry, which is why he asked me to be there for support when he told his siblings about the change in the will. When you add that Declan told Tully and Jess that he did not plan to sell the family farm, which would mean less of a cash inheritance for the other two, Jess lost it.

I don't think I have ever seen anyone so angry. Jess' face got all red and he got up in Declan's face and screamed: "You are not going to do this to me again. You are taking more than your share of mom's estate and I need that money. You always get your way but not this time. If I were you I'd be scared because this won't end well for you." I honestly thought Jess was going to punch Declan, but I stepped in and got everyone to calm down. I should have been shocked that Tully just stood there while Jess and Declan were practically coming to blows. But then again. That was Tully. Wanna know what Tully believes? Depends on who you ask. Tully is incapable of taking a stand about anything if it disagrees with whomever s/he/they are speaking with. Taking sides with one sibling over the other would have been too much for Tully.

53 After that night, it was months before Declan and Jess would speak to each other without
54 the presence of an attorney. Both Declan and I noticed that every time we went into Doyle's Jess
55 and the bartender Mystic Garcia would be huddled up having intense conversations. Mystic
56 had moved to Burley a few years prior, and Declan hired Mystic to work at Doyle's. Declan
57 never had a good feeling nor trusted Mystic, but he hired Mystic anyway. Mystic was the
58 spouse of our classmate Chris who had suspiciously disappeared and Declan knew that Mystic
59 was in a rough situation both personally and financially.

60 Declan grew suspicious that Mystic and Jess were up to something so he asked me to pay
61 attention to their conversations when I was at Doyle's. But every time they were talking and I
62 would get near them, they would stop talking and look at me like I was an unwelcomed guest.

63 The night before Declan's death, Declan and Jess met at Declan's house to talk about the
64 estate. Declan hoped that they could settle their difference and come to some kind of mutually
65 acceptable agreement. I got a voice message after their meeting from Declan that said the
66 meeting didn't go very well and that he would tell me more the next time he saw me. I don't
67 know what happened with that meeting because I would never get to speak to Declan again.
68 We had plans to go for a run the next morning, meeting at our local park to get started but
69 Declan never showed. It made me worried because Declan was always on time and would
70 never cancel one of our runs without letting me know in advance.

71 I tried to call Declan but there was no answer. I waited for about 30 minutes and then
72 decided to go to Declan's house to make sure everything was OK. Declan's car was in the
73 driveway but when I knocked on the door no one answered. I started to get a bad feeling that
74 something was really wrong so I walked to the side of the house to get the spare key to let
75 myself in. That's when I saw Declan laying on the ground. I ran over to where he was to see
76 what was wrong with him only to discover that he was dead. He looked like he'd been in a
77 fight, and I could see blood coming from his shoulder so I knew it couldn't have been an
78 accident or a heart attack. I don't remember much else after that. I was definitely in shock. But I
79 remember calling 911 and then going to sit on the front porch and wait for the police. The whole
80 situation seemed unreal to me.

81 The newspaper wouldn't let me report on the case because I was too close to the story. The
82 case was never solved. The police concluded it was a robbery gone wrong, but they could never
83 get a lead on a suspect and eventually it became a cold case. But I've been a reporter long
84 enough to know when something doesn't sit right. I always suspected Jess, but I also knew that
85 Jess had an alibi for the time of the murder. It was devastating to me that Declan might not ever
86 get any justice.

87 For a long time after that day, I was in a very dark place. I found out in January 2021 that
88 Declan's case was officially classified as a cold case. I remember it was January 2021 because
89 that was the same time I started my initial podcast, which is available on all podcasting
90 platforms, as a way to sort through my grief. It was called Dealing with It: Coming to Terms
91 with My Best Friend's Murder. I chose to do a podcast because I knew the topic was not
92 something my paper would want to cover.

93 The concept was that for each episode I would explore my stages of grief, interviewing
94 experts and then documenting activities I could use to help me through each stage. Even though
95 it was about my experience, it really resonated with people going through all types of grief. In
96 the Self-Improvement category for podcasts, it was in the top 5% of most listened to podcasts,
97 which meant that it was downloaded more than 5,000 times in the first week of release. The
98 podcast got so much traction that companies started reaching out to me to promote their
99 products in exchange for money or free products. I didn't start the podcast to make money, but
100 I didn't see the harm in it if it brought attention to Declan's case.

101 For the last episode, I did an update on the investigation of Declan's murder, and it set off
102 this deluge of internet sleuths who wanted to help me solve the murder. People would post
103 their theories, tagging my X account. It got to a point where people would send me tips from
104 investigations they were conducting. I never asked how they uncovered information. My
105 thought is that if the police aren't going to get to the bottom of an important case, the public has
106 every right to step in.

107 With all the renewed interest in solving Declan's murder, I started working on a second
108 season of my podcast, turning it into more of a true crime series. The podcast hasn't been
109 released yet but it sure is getting a lot of buzz and will probably be even more successful than
110 Season 1. Most of the work on Season 2 revolves around interviewing people with possible
111 connections to Declan's case and chasing leads brought to me by my followers. Two of the most
112 important interviews were with Declan's sibling Tully and Mystic Garcia. I asked Jess, Samir
113 Slade, and Detective Magumbo to sit for interviews but was turned down. Slade politely
114 declined, Detective Magumbo said it wouldn't be appropriate to discuss an ongoing case, and
115 Jess sent a response to my request that said, "Bite me." So, I took that as a no.

116 The big break came in April 2023 when I realized that two pieces of information might be
117 connected. First, one of my followers uncovered some bitcoin transactions initiated by an art
118 brokerage called Le Finest. All the transactions were for the same amount, deposited into a
119 wallet on the bitcoin site Coinbase in 2017 and 2018. When we looked into Le Finest, we could
120 see that it was incorporated by one of Jess' friends. Then the funds were taken from the bitcoin
121 site and deposited into a bank account I later learned was for Mystic Garcia.

122 Then, I interviewed Mystic Garcia who said, "I owe my success to Jess. I would never have
123 gotten back to my art career without Jess' help." I asked Mystic to clarify but s/he/they got really
124 nervous and then ended the interview. After that I put two and two together. Jess was
125 connected with a company channeling funds through an art brokerage. Mystic tied Jess to a
126 successful art career. I didn't have the means to prove it, but I thought this information might be
127 related to Declan's murder. So, I passed the anonymous tip to Detective Magumbo.

128 Look. In the end, this is about getting justice for Declan. I'm just here to tell you what I
129 uncovered. If it happens to benefit my media endeavors, so be it. Incidentally, I'd really
130 appreciate it if you didn't share this information with the public until I've had time to get my
131 podcast finished and released. But do feel free to let them know that they can find my podcast
132 on all streaming services.

DEFENSE WITNESSES

JESSIE O'MALLEY: DEFENDANT

1 My name is Jessie O'Malley – most people call me Jess. I hail from Burley, Idaho – the small
2 but mighty farming community nestled on the smooth flowing section of the Snake River, in
3 what is affectionately (but not aptly) known as the Magic Valley. Not a lot of magic in Burley
4 but clearly there is a snake or two. Obviously, that's why I even have to write this statement.
5 First, let me give you a little background.

6 I am a member of the famous O'Malley clan. Or is it the infamous O'Malley clan?
7 Unfortunately, it's probably the latter at this point. I had bigger plans that didn't involve farms
8 or family. So, as soon as I graduated from high school, I left Burley for college. I graduated
9 summa cum laude from the University of Connecticut with a degree in political science and
10 then went to Yale for law school. That's right, Yale—Ivy League. Anyone who underestimates
11 me, does so at their peril. Even though I fell one step on the "laude" ladder, I was still on it –
12 graduated magna cum laude. I decided to come back to Idaho after that.

13 Ivy league schools come with a lot of debt, and I needed to recoup some of my losses. No
14 need to pay rent on the family farm. Plus, I thought I could study for the Idaho State Bar exam –
15 sort of like a practice exam – before heading back east and trying to get admitted to another
16 state bar before working at one of the white-shoe firms in a big city. The possibilities would be
17 endless for me back there. Plus, I always thought my talents would be wasted in Burley. When I
18 went to law school, I wasn't interested in small town estate planning or criminal cases
19 representing petty thieves and the like. Why would I need an Ivy League degree (or two) to do
20 that sort of work? The pay is barely enough to buy a chicken fried steak at Doyle's Pub and
21 doesn't put a dent in my student loan debt.

22 Unfortunately, despite my keen understanding of legal issues, I had trouble passing the bar
23 exam. It's easy to get distracted when you come back home. And, if I am being honest, and I
24 always am, it's hard to study at Doyle's Pub. In case you don't already know, Doyle's Pub is an
25 iconic hangout in Burley. My family owns it. Why don't we call it O'Malley's? Well, sometimes

you have to be discreet. Not everyone loves the O'Malley clan – or at least certain members of it. But the O'Malley clan loves money, and we want the pub to feel like a place everyone is welcome. Mystic Garcia was a bartender at Doyle's – so I got to know him/her/them pretty well because I was there so much. I thought Mystic was a close friend. I obviously thought wrong. I should have been more skeptical knowing that Mystic's partner – Chris Garcia – “disappeared” while Chris and Mystic were living in California. Chris was also from Burley and left after high school and became a lawyer. Haven't talked to Chris since high school, and given Mystic's history, I am guessing no one else has talked to Chris since s/he/they vanished into thin air. The only person in this play with a string of bodies in their past is Mystic.

Anyway, before I say anything more about Mystic, I need to say a few more things about myself. You may wonder why I didn't study somewhere other than a pub. The answer to that is easy. First, I was managing the pub to earn some money while I was studying for the bar exam. Second, there was nowhere else. Studying at the farm was impossible because my brother, Declan, was always showing up, asking a bunch of questions about why I wasn't helping with the farm. The answer, of course, is I wanted nothing to do with the farm.

Back to my struggles with the bar exam—that wasn't the only obstacle. If I'm being honest, and I always am, I also had an issue with the character and fitness portion due to a very old criminal conviction. Several years ago, I was convicted of petit theft, which is only a misdemeanor. For what, you might wonder? It's almost too stupid to repeat, but I will—in the spirit of full disclosure. I have nothing to hide, after all. So, it was during my senior year of high school. This was the time Declan and I probably fought the most. He was SO arrogant. Because he was a couple of years older, he got his first credit card with a \$500 limit. He thought he was so cool. So, I decided to show him he wasn't as cool as he thought. I took the card, and bought a few things—nothing big, just enough to max out the card so the next time he used it the card would be declined. Well, it worked, and he got embarrassed when he tried to use it on a date and couldn't pay for dinner. Petty? Sure. Funny? Heck yeah! He deserved it. When he came home freaking out, and because he had no loyalty to family, he reported me to the police. I got charged with petit theft. I pled guilty because, like I said, I am honest and I did it, so I admitted

54 it. I got a withheld judgment because it was my first (and only) offense and I accepted
55 responsibility. And that was that. Who knew a stupid prank would continue to haunt me? It has
56 been an obstacle in my attempts to become a practicing attorney. What a joke. If Ivy League
57 degrees don't show character, I don't know what does. Frankly, I never should have come back
58 to Burley. I mean, I obviously would have come back for my mom's wake, but I would have
59 ditched this town right after the estate was settled. So, about that...

60 Our mother, Maeve Brenan O'Malley, was a strong and influential woman who owned
61 considerable land in Burley, which included a very successful and still operational farm. After
62 mom died, her estate was definitely a source of tension. As I mentioned, I was supposed to be
63 the executor, not Declan. But it turns out that in March 2015, my mom changed the executor
64 from me to Declan because Declan coerced her into making the change. Stupid, right? I mean,
65 the Ivy League lawyer is the obvious choice. Was I mad when I found out that Declan was the
66 executor? Of course, I was. You would be, too. Did I get angry at Mom's wake when I found
67 out? Of course I did. I admit I yelled at Declan. I was not going to let him screw me over again
68 like he did with the credit card prank. That credit card deal was checkers. The estate was chess
69 and I wasn't about to let him take my queen.

70 I told Declan he would regret stealing my rightful position as the executor of Mom's estate,
71 and I told him he would regret not splitting the estate equally – like Mom wanted, and like the
72 law demands. And, don't be fooled. Declan did his own share of yelling at the wake, too,
73 including referring to me as "mommy's little legal eagle" who left the nest and couldn't stand
74 the consequences of that choice. I don't remember everything that was said that night, but I do
75 remember that. Regardless, would I kill Declan over our mom's decision to change the executor
76 of her will? Of course I wouldn't. How stupid. If everyone murdered people they didn't get
77 along with, we'd have a much smaller population on this planet. My battles are fought and won
78 in the courtroom...or they will be once this ridiculous murder charge is dropped. And, if Mystic
79 Garcia would start being honest, like I am, it would be.

80 As I mentioned, Mystic was a bartender who worked at Doyle's Pub, so I obviously knew
81 Mystic from my time studying there. Did I talk to Mystic while I was hanging out at Doyle's? Of

course. We became friends. Maybe even confidants. I talked to Mystic about his/her/their art and desire to be a famous artist one day. I even offered to help Mystic on the business side of things. I mean, if Mystic did become famous, I could claim some of that fame if I helped. Mystic took me up on the offer. I set up a business for Mystic with the Secretary of State and advised Mystic on how to structure sales to limit taxable income. I don't even remember the business name at this point. I even found buyers for a couple of Mystic's paintings and helped facilitate those transactions, but that was it.

Mystic was also a good sounding board for me, especially when it came to issues with family. I still can't believe Mystic stabbed me in the back by accusing me of murder-for-hire. Is the knife still there? It certainly feels like it. I should have taken Tully more seriously when s/he/they told me Mystic may be stealing from the pub. Maybe if Mystic would have been fired, none of us would be in this position now and Declan may still be alive.

Let's start with Mystic's most egregious lies. According to Detective Magumbo (more like Madumbo), Mystic claims I paid her/him/them \$150,000 to murder Declan. I heard Mystic also said that I planned to give Declan a sedative on the day of the murder and that I paid for the murder using Bitcoin. I think Mystic is the one who has been taking sedatives.

Also, I would not have the first clue how to acquire and distribute Bitcoin. I don't even use a credit card because of my conviction – not that I can't, I just don't want to. My upbringing in a small town would make me more likely to deal in baked goods than Bitcoin. Let me point all of the other flaws in Mystic's allegations.

First, how could I have paid Mystic \$150,000? I was mostly unemployed (other than small wage I earned managing Doyle's and a small \$30,000 payment from my mom's life insurance that I got a couple months after my mom died. Plus, don't forget my inheritance was in question when the murder happened. Second, I do not own a gun and never have. Were there guns on the farm? Of course. It's a farm. There's also a gun hidden at Doyle's – we got it awhile back when there were some robberies in the area. Plus, you never know when someone might get unruly at a pub and require a little, shall we say, incentive to calm down. Don't worry. I don't

109 even know if it was loaded. But I am sure Mystic knew where it was hidden. Actually, I am
110 pretty sure Mystic asked me about it once, so no question he/she/they knew it was there and
111 where to find it if needed. Everyone who worked at Doyle's knew. I am guessing that was what
112 Mystic used to murder my brother, but it's not because I told Mystic to do so. Third, I have no
113 motive. Zip. Zero. Zilch. I know what you're thinking. My motive was money and maybe even
114 revenge. Obviously, my mom wasn't handing out cash to her kids. We have always had to pay
115 our own way. For everything. No handouts on the farm or at Doyle's. My mom (and dad) and
116 my grandparents before them expected every O'Malley to earn their keep through hard work,
117 including on the farm and elsewhere. That's why I have so much student debt. No free rides –
118 that's the O'Malley way. But I still don't need to commit murder for money. Or revenge. I have
119 a law degree. I don't need to resort to murder for a problem I can solve with legal acumen. I
120 didn't need a lawyer when I talked to Madumbo, and I shouldn't need one now. The case
121 against me should have stayed closed years ago. Don't forget, I was interviewed right after the
122 murder and cleared. C-L-E-A-R-E-D. In legal terms, I was (and am) innocent. Slade got it right.
123 And, if you still have doubts, ask my only surviving sibling – Tully. Tully knows I am not
124 guilty. I mean, Tully's my alibi – not that I need one – but I have one. I wasn't at Declan's house
125 when Declan was murdered. And Tully will tell you I had everyone's best interest at heart, not
126 my own. Not like Declan. And Mystic confessed. Mystery solved. Case closed.

127 Now a few words about Rowan. Give. Me. A. Break. A crime-solving podcaster? How
128 cliché. Rowan always wanted fifteen minutes of fame and would probably settle for five
129 minutes if that's all s/he/they could get. And I guess s/he/they got it, and the pile of cash as well
130 from sensationalizing my brother's murder. Rowan always was, and apparently always will be,
131 Declan's toady. If Rowan really cared about Declan, s/he/they would have spent more time
132 listening to podcasts than trying to make her/his/their own. Or maybe Rowan could do
133 something actually productive, like focus on his/her/their job at the newspaper. Rowan is no
134 friend. Can you believe Rowan even tried to get me to come on their podcast??? Seriously? I had
135 no interest in being party to Rowan's self-absorbed attempt to make a name for
136 her/him/themself. How disgusting. Makes you wonder if Rowan had something to do with

Declan's death, doesn't it? I mean, that would be the ultimate "content" for the self-proclaimed content-creator, wouldn't it? Maybe Madumbo should spend some time investigating that lead. That would be more fruitful than trying to figure out some convoluted triangle between me, Mystic, and Horace.

Speaking of Horace, I guess I should take this opportunity to "defend" my relationship with him. Did I officiate Horace's wedding? Yes. And so what? Horace and I have been friends and colleagues for a long time. That and \$6 will get you a latte, not a conspiracy. Who cares if Horace was the registered agent for Mystic's company? He was willing and able to do so at the time. But corporate records are renewed annually. I have no idea who was the agent for Mystic's company after the original paperwork. I didn't do that paperwork, and I don't know if Mystic asked for Horace's permission to continue as an agent or if Mystic just kept writing Horace's name. All I know is, I didn't. Just another lead for Madumbo that was undoubtedly ignored.

I did not murder my brother. Let me say that again. I did not murder my brother. Enough said. Wait. Almost enough. For the record, turns out the third time is a charm. I passed the bar exam on the third try (despite all of the tragedy in my life) and am now practicing law. In Burley. Turns out I do have an interest in, and a knack for, practicing law in a small town.

TULLY O'MALLEY: SIBLING TO JESSIE O'MALLEY

1 How can this be happening? This is Burley, Idaho, for crying out loud. And this is my
2 family we're talking about. I've lost so many people I love—my parents, my oldest brother.
3 There's just no way I can lose Jessie, too. Jessie is all I've got left.

4 I am Tully O'Malley. Yes, of those O'Malley's. My brother, Declan, was murdered on
5 November 26, 2017, and now my other sibling, Jessie, is accused of murdering him. Well, of
6 hiring the person who murdered him, anyway—but same difference, right? I want to begin by
7 expressing my reluctance to even make this statement. I have no idea who hired Mystic Garcia
8 to kill my brother or if Mystic acted alone. But I can tell you who was not involved—Jessie.
9 Sure, Jessie had some issues with Declan but, honestly, there are very few people who didn't.
10 There's been a lot of talk about what went down between Jessie and Declan at my mother's
11 wake and Jessie's supposed motive to want Declan dead. But I was at the wake and can tell you
12 right now that nothing Declan did or said that day—or any other day, for that matter—would
13 have prompted Jessie to make the leap from being a little upset with Declan to orchestrating his
14 murder.

15 I guess I should start with a little background. My siblings and I are part of a prominent
16 Irish family. My brother, Declan, was the oldest; Jessie is the middle child (most people call
17 him/her/them Jess but, to me, s/he/they will always affectionately be Jessie); and I am the
18 “baby.” Our father, Connor O'Malley, passed away when I was young, and our mother, Maeve
19 Brennan O'Malley, passed away just a few months before Declan's murder. It was never a secret
20 that, when my mother died, my siblings and I would be the sole beneficiaries of her will. She
21 had always been pretty open with us about what our inheritance would look like.

22 And my mom let us all know that she intended to name Jessie the executor of her estate. At
23 the time, I wasn't sure what that meant. But Jessie explained it just meant that s/he/they would
24 be in charge of making sure that all three siblings got an equal share of my mother's assets. As I
25 understood it, those assets would include my parent's personal belongings, bank accounts,
26 stocks, and Doyle's Pub. But the single largest asset we were set to inherit was our family farm

located on roughly 10,000 acres of prime Burley real estate. I hate to admit it, but even before my mom passed, my siblings and I often got in tiffs about the future of the farm. Should we keep it for future generations or sell it and split the proceeds? That was the million-dollar question. Well, actually, more like twelve million. But who's counting? I was on the fence about the whole thing, but Declan and Jessie continually butted heads about it.

As the oldest sibling, and the one who never stepped foot out of Burley, Declan was attached to our farm in ways that Jessie and I just weren't. Declan was smart—a straight A student in high school, in fact. But, after he got wait-listed at Stanford, he decided to ditch college altogether and stay home to help our mother out with both of the family businesses. Anyone who's done it will tell you that farming is a 365-day a year, seven-day a week, sun-up until sundown commitment. So, Declan really stretched himself thin by putting in long hours on the farm during the day and helping with Doyle's at night. And he was proud of his accomplishments, especially when it came to the farm. More days than not he would come into the house after a long day of work, kick off his boots, and talk about how gratifying it was to work the land and know that he was doing good by helping to put food on people's tables.

I'm sure he was sincere, but there was always a little part of me that wondered if Declan said those kinds of things and dug his heels in on the farm issue just to spite Jessie. Don't get me wrong, I loved Declan with all of my heart. But, if I'm being honest, he had a bit of a chip (some might call it a boulder) on his shoulder. I think he thought Jessie should have chosen the farm life over college and law school, and he resented Jessie for leaving. Unfortunately, Declan's attitude didn't improve when Jessie returned home with his/her/their law degree. Even though Jessie tried to contribute by working part-time as a manager at Doyle's, Declan made no secret of his disdain for what he mockingly called "little legal eagles"—especially ones who couldn't pass the bar exam. And he was definitely not happy when my mom announced that she planned to name Jessie the executor of her estate.

I tried to be Switzerland when it came to Declan's issues with my mom appointing Jessie as executor but, honestly, it made perfect sense to me. Although Declan was the oldest, as an aspiring lawyer, Jessie was always trying to problem-solve. So, when we talked about what

55 would become of the farm after my mom's death, Jessie weighed the arguments on both sides
56 and ultimately decided that selling the farm and splitting the proceeds was the best course of
57 action for all of our financial stability. I thought Jessie might change his/her/their mind after
58 graduating from law school, but that never happened. Jessie appreciated the time and energy
59 Declan had invested in the farm but, unlike Declan, Jessie was pragmatic and just didn't think
60 the time and money it takes to run a successful farming operation would be worth it in the end.
61 Like I said, I was on the fence about what to do with the farm, but I tended to agree with Jessie
62 who was—and still is—extremely smart about these things. Plus, Jessie has looked out for me as
63 long as I can remember. I know for a fact that there's nothing Jessie wouldn't do to protect me—
64 just like there's nothing I wouldn't do to protect Jessie.

65 So, I guess that brings us to the day of my mother's wake. I suspect you know by now that
66 we held it at Doyle's Pub. You may be asking yourself why in the world we would choose a bar
67 for such a somber event. Well, there were a couple of reasons. First, it is our family's restaurant.
68 Second, Irish wakes are anything but somber. When an Irish family gathers to celebrate a loved
69 one's life, it is truly a celebration. There's music and dancing and drinking and general frivolity,
70 usually into the wee hours of the night. My mother's wake was no exception. Everyone who is
71 anyone in Burley was there to pay their respects and regale us all with tales about the great
72 Maeve O'Malley. Unfortunately, the party came to an abrupt halt when Declan decided to
73 inform me and Jessie that that Declan—not Jessie—had been named executor of my mother's
74 estate.

75 Was Jessie upset when about my mother's change of heart? Yes. Did Jessie and Declan yell at
76 each other and exchange some harsh words? Yes. But Jessie wasn't right up in Declan's face or
77 throwing punches or anything. And Jessie told me later that s/he/they were just disappointed
78 that my mother apparently hadn't trusted Jessie enough to make the important decisions that
79 would need to be made once mom was gone. Frankly, I was pretty impressed at Jessie's
80 restraint. Like I said, I loved Declan, but he could be a real jerk sometimes, and he kept making
81 digs about "mommy's little legal eagle" falling out of grace.

82 Yes, I had a few drinks at the wake, but so did everyone else. It's tradition! I saw Jessie at the
83 bar talking to Mystic, who was the bartender and Jessie's friend. Jessie was also one of Mystic's
84 bosses and it always seemed to me that they got along well. If only I knew then what I know
85 now. Mystic has thrown Jessie under the bus, even after all the times Jessie went to bat for
86 Mystic—including in the weeks leading up to my mother's death when I noticed the till was
87 short after several of Mystic's shifts. I told Declan and Jessie that I suspected Mystic may be
88 stealing from us, but Jessie trusted Mystic and convinced me and Declan to do the same. Look
89 where that got us.

90 As if losing our mother wasn't hard enough, a few months later Jessie and I had to endure
91 the pain of losing Declan, too. It's true that Jessie and Declan didn't always get along, but Jessie
92 was completely wrecked when we learned Declan had died. In the months before Declan's
93 death, Jessie and Declan had been fighting over their differences on how to handle my family's
94 estate. I know Jessie and Declan met the night of Declan's death to try to finalize a plan for the
95 farm. Jessie told me they had made progress that night and was sure we would all be satisfied
96 with the outcome. So, I'm telling you—this whole "Jessie had Declan killed for money" theory
97 is one hundred percent malarkey!

98 Just ask Samir Slade. Samir interviewed Jessie after Declan's murder but immediately
99 eliminated Jessie as a suspect. And rightly so. Slade interviewed me, too, and I told
100 him/her/them that Jessie was at Doyle's on the night Declan was killed. And that was the truth.
101 Mystic wasn't working that night, so I was there covering Mystic's shift. Unfortunately, the bar
102 was particularly busy that night, so we didn't get to hang out as much as I would have liked.
103 But just because I didn't have eyes on Jessie the entire night doesn't mean Jessie wasn't there.
104 S/he/they came in about 8:00 that night and was there at closing to help me clean up. I think I
105 would have known if Jessie had left in between no matter how busy I was.

106 The next morning, we got the call informing us that Declan was dead. Needless to say, both
107 of us were shocked and distraught. Jessie drove us to the police station where we eventually
108 gave Slade our statements. And that was the end of it. Slade investigated the case for months,
109 but they came up empty. I don't blame Slade. S/he/they clearly did his/her/their best with what

little information there was. And it turns out Slade's initial instincts about Mystic were clearly right. But without any concrete evidence tying Mystic or anyone else to Declan's murder, the case was bound to go cold.

Just when I thought Declan's murder would never be solved, Detective Magumbo reopened the case. Initially, I was thrilled that someone — anyone — was reexamining the evidence. But you can imagine my surprise when Magumbo implicated Jessie in the murder plot and that Jessie hired Mystic to kill Declan so that Jessie would get a bigger share of our inheritance money.

I guess a gun like the one the killer shot Declan with turned up on the O'Malley property we sold to a developer. It was also the same type of gun we used to keep behind the bar at Doyle's. If I'm being honest, I knew the gun we kept at Doyle's had gone missing sometime after my mother died, but I didn't tell anyone at the time. Why would I? Neither Slade nor anyone else with the Burley Police Department ever asked me about a gun when I was interviewed after Declan's murder, so I figured it wasn't relevant. But now Magumbo said the DNA on the gun they found belongs to a child of Maeve O'Malley. Okay I still don't see the relevance. Like I said, we kept our gun behind the bar at Doyle's, so it's hardly surprising that the gun found on our former property would have mine and/or my siblings' DNA on it.

Magumbo said also claimed to have proof that Jessie made large Bitcoin transfers to Mystic both before and after Declan's death. Personally, I don't buy it. Jessie didn't have a lot of money back then. We did receive a \$150,000 life insurance payout in May of 2017 that was divided among us three kids, but other than a little money from Doyle's Jessie didn't have a lot of money and had a huge amount of law school debt.

Also, I have about as much faith in Magumbo's investigative "skills" as I have in the existence of leprechauns. As far as I'm concerned, Declan's case could have been solved a lot sooner had it not been for Magumbo poo-pooing Samir Slade's initial instincts about Mystic. Instead of taking a hard look at the murder case from the start, Magumbo was more interested in chasing down leads on his/her/their missing car keys and, of all things, illegal wombat rings.

137 Magumbo even falsely accused me of illegally betting on a wombat fight once. Boy did s/he
138 have mud on his/her face when s/he discovered the payment I made to the "Save the Wombat
139 Foundation" was a legitimate charitable donation for the preservation of endangered wombats.
140 Seriously, what a buffoon. In light of Magumbo's inability to distinguish between a charitable
141 bequest and illicit gambling, I have zero confidence in the thoroughness and accuracy of any
142 investigation into Jessie's supposed cryptocurrency transactions and alleged involvement in
143 Declan's murder.

144 Then there's Declan's "best friend," Rowan. Ever since Declan was murdered, Rowan has
145 been relentless in trying to pin his death on Jessie. Rowan even created an entire podcast about
146 it, spouting "theories" to anyone who would listen. Rowan even conned me into appearing on
147 the show. At first, I thought we would just reminisce about my brother—you know, to keep his
148 memory alive so that people wouldn't forget about his case. But once we were doing the
149 interview, it became clear to me that Rowan was just baiting me to paint Jessie in a bad light and
150 make it look like Jessie had something to do with Declan's death. I should have known better
151 than to trust Rowan. S/he/they were always hanging around with Declan and mooching off my
152 family. I realize Declan considered Rowan a friend, but I'm not so sure. It always seemed to me
153 that Rowan was more of an opportunist who used Declan to climb the Burley social ladder. And
154 now it seems like Rowan is using his/her podcast to profit from Declan's death.

155 Look, I am deeply conflicted about this entire situation. I want justice for Declan, but I just
156 don't believe that Jessie is responsible for his murder. Between Slade and Magumbo and
157 Rowan, not a single one of them has come up with any evidence that directly implicates Jessie
158 in a murder plot. In the end, the case against Jessie all hinges on the word of a desperate person
159 whose spouse mysteriously went missing, who couldn't make it in the art world, who stole
160 from our family, and whose only hope of ever getting out of prison is to point the finger at
161 someone else. I just have to ask: How could anybody in their right mind trust someone like
162 that?

SAMIR SLADE: FORMER BURLEY POLICE DETECTIVE

1 My name's Samir Slade, or just "Sam." In a former life I went by "Detective Slade" —in fact,
2 I was one of the original detectives assigned to investigate the murder of Declan O'Malley. And
3 I strongly believe an innocent person, Jessie O'Malley, is being wrongfully accused of a crime
4 Jessie did not commit.

5 Wait. Hold up. Let me back up to where this puzzle began. How did I end up in Burley?
6 Well, my parents met as missionaries in Malaysia and then moved to Pocatello, Idaho to work
7 as professors at ISU. What was childhood like? Well let me tell you, it wasn't easy. I was a nerd
8 when it was uncool. As a kid I always felt like a total outsider.

9 But I excelled in school and quickly developed a knack for seeing details other people
10 missed —Waldo could never hide for long when I was around. And I became obsessed with
11 lighthearted mysteries and police procedurals; Agatha Christie, Murder She Wrote, Dragnet,
12 Columbo, My Mother the Car—anything with a puzzle to solve within 22 minutes (plus
13 commercials). In grade school, I had my own fingerprinting kit. In high school, I started non-
14 ironically wearing fedoras. My love of detection agonized my parents at the time, as they
15 expected me to go be a doctor, a lawyer, an astronaut, or maybe all three... but when I turned 18
16 I told them: "I want to be a detective." Once my Mom regained consciousness they grudgingly
17 assented.

18 I applied at all the local police departments in the Magic Valley. Burley PD was hiring, and I
19 took the job. And using my fine-tuned detection skills, I quickly worked my way up the ladder
20 within the department: "Samir, take a look at these fingerprints!" "Samir, do you see any clues
21 on the CCTV recording?" "Samir, who ate the burrito I left in the fridge?" Everyone had a
22 mystery for me to solve. By the end of my third year on the force, I was already one of BPD's
23 only lead detectives.

24 Living in Burley itself? It was a tough adjustment. I didn't know anyone, and no one quite
25 knew what to make of me. It seemed so unfair: where were all the hip, eligible, Sudoku lovers in

26 town? Was it so weird that I took a Rubik's cube to the bar? Most nights I found myself skulking
27 over to Doyle's Pub and slinking into my favorite booth to read Puzzler's Illustrated.

28 I'll always remember one particular night at Doyle's. I asked Mystic Garcia, the bartender,
29 for "a drink that goes well with philately," and Mystic just looked at me like I was nuts. Sigh.
30 "Hey—you collect too?" piped up someone at the bar. Could it be? Finally, a fellow traveler in
31 this puzzle-forsaken land? I ended up chatting with none other than Jess O'Malley, who, as it
32 happened, was a bit of a stamp-head too. Jess became my first and really only friend in Burley,
33 and we'd talk anytime I found myself at Doyle's. Which was often: I was always getting my
34 puzz' on while Jess was studying for the bar exam and we would often chat.

35 Speaking of Doyle's, I remember Maeve O'Malley's wake like it was yesterday. It was late in
36 the evening of March 17, 2017. I was minding my own business in my usual booth, scouring the
37 Barney Miller Wikipedia page looking for inconsistencies or outright errors. You know, just
38 having fun. That was when my hyper-detection skills kicked in and I noticed something was up:
39 the bar's DJ, Paddy O'Malligan, was playing "May the Road Rise to Meet You," and "The
40 Parting Glass," instead of the usual deep cuts from Sinead O'Connor, the Dropkick Murphys,
41 and the Cranberries. The beers were an even brighter shade of green than normal. And there
42 was a sign in the middle of the bar that said, "Celebrating the Life of Our Dear Departed Maeve
43 O'Malley, God Rest Her Soul." Well Samir, I thought to myself, mystery #78,479 is officially
44 solved—this must be a wake!

45 When I'm not working I try to save my detection and observational powers from overuse. A
46 fatigued brain is a worthless brain. So I confess I didn't pay too much attention to the rest of the
47 wake. I kept to myself the rest of that night. I noticed Jess was there but I didn't bother
48 him/her/them—it was probably too soon after a death in the family to talk stamps. Nothing
49 seemed out of the ordinary and I certainly didn't see Jess being anything more than a gracious
50 host to everyone who was there to celebrate Maeve O'Malley. But even before that night, I
51 thought something looked... off about Mystic. Maybe Mystic was just sick of hearing the
52 bagpipe solo in "Danny Boy" for the hundredth time that night... or maybe Mystic was up to
53 something.

54 What came next was the beginning and end of my career as a detective. When Declan
55 O'Malley's death was reported to us, I was the first officer on the scene. Carefully walking
56 through the house, latex gloves akimbo, my detection and observational systems were fully
57 engaged—nothing got past me that day. A discarded Twix wrapper? Looks like someone was
58 carb loading. A single mote of dust on the window sill? That thing was cleaned recently, but not
59 too recently. An overdue-notice from the library? Someone has been too busy to return their
60 books. I was in my element. I took it all in. And, I will add here that I am the ONLY one who
61 took it all in. Magumbo, who was supposed to be the main detective on this investigation, even
62 though I could have handled it just fine on my own, couldn't even be bothered to do more than
63 a cursory visit of the crime scene. Is it any wonder how this became a cold case?

64 Here's what I noticed and documented about the crime scene that day. It looked like there
65 had been some sort of violent fracas that took place in the bedroom and the TV room across the
66 hall. The drawers in the bedroom were open, with clothes and other belongings strewn on the
67 floor. In each room we found a bullet hole in a wall, from bullets of the same caliber, so likely
68 the same gun. And whatever happened must have started in the bedroom, because Declan
69 ended up defenestrated from the TV room, splayed out in the backyard like a Bavarian pretzel,
70 with a single bullet in his shoulder. But if it started in the bedroom—where Declan was
71 presumably sleeping—why didn't the killer just shoot to kill from the get-go? All it would have
72 taken was one shot, BLAMMO, and that would be that. That suggested to my hyper-detecting
73 brain that either the killer was a total amateur and missed one or more shots, or that there was a
74 fight over the gun—or both.

75 One other thing I noticed. Under the doorway in the bedroom was a crumpled-up piece of
76 paper. I looked closer and realized it was a receipt—just sitting there on the floor, like it had
77 fallen out of somebody's pocket. When I read it I realized it was a bar tab from Doyle's, from
78 March 17. The "server name" was "M. GARCIA." And the receipt, which said it was the
79 "MERCHANT COPY," was a bill for more than \$8,000 in food drinks... with a big fat "0"
80 written in for the tip.

81 Puzz Almighty!! I thought. This was the clue I needed; it looked like Mystic got burned the
82 night of the wake; somebody gave him/her a zero tip on a huge bill. Was that why Mystic
83 looked so troubled that night? And only an O'Malley, who hosted the wake, would have spent
84 that much on food and drinks. Was it Declan? Did he stiff Mystic and give a zero tip? And did
85 the receipt fall out of Mystic's pocket when s/he/they came back, hellbent on revenge, with a
86 gun? Maybe Mystic went to demand Declan fork over 25% of 8 grand, which for Mystic would
87 have been life-changing money... it also explains why Mystic, who was no professional killer,
88 would have missed the first shot. I admit this sounded somewhat crazy, but it was the only lead
89 we had. I went back to the BPD Chief and tried to convince him to investigate Mystic further.

90 Right away I ran into roadblocks. Let's just say that the BPD brass aren't preternatural
91 detectives like me—they didn't see the significance of the receipt whatsoever. My supervisor
92 even said "Look, it could have been Declan's copy of the receipt. Sometimes I fill out the
93 MERCHANT COPY by accident. I did that at Applebee's last week—that doesn't make me a
94 killer! It just means I love mozzarella sticks. So we don't even know that Mystic was there in
95 Declan's house. In any event, why would Mystic kill someone over 2 grand? It just doesn't add
96 up!" Still, I kept an eye on Mystic when I was hanging out at the bar. I did notice a lot of
97 bruising on Mystic's arm and didn't buy the whole "bruised by a keg" excuse Mystic gave
98 when I asked about the bruises.

99 I shared my information with Magumbo, and encouraged Magumbo to at least talk with
100 Mystic, but like everything else in this case, Magumbo ignored me. Think about how much
101 sooner we could have solved this case if Magumbo had just taken the time to talk with Mystic
102 when all of this started.

103 But because of Magumbo's shoddy detective work, BPD never zeroed in on a suspect, which
104 led to it languishing as a closed case.

105 Well that was enough for me: after lots of fighting with the powers-that-be, I eventually got
106 sick of the whole thing and quit law enforcement—I turned in my gun, and my badge, and my
107 Rubik's cube, for good.

108 What about Jess, you ask? Jess was the first person I interviewed and there were no concerns
109 whatsoever. Jess had a rock-solid alibi for the night of the murder and no real motive to kill
110 Declan, other than the typical sibling rivalry stuff. Now I know what you're thinking: I know
111 Jess personally. You think I'm covering up for a friend or something. But Burley is a small town,
112 and everyone knows everyone. And Jess and I bonded over our shared love of stamp collection
113 and other mental pursuits; as they say, real puzzlers recognize real puzzlers. But aside from
114 that, Jess has always struck me as a stand-up person, someone who values family and loyalty
115 above all else. I cannot reconcile the Jess I know with the cold, heartless villain of the
116 prosecution's case.

117 And the idea that Jess would hire someone to kill his/her/their own brother for money is
118 ludicrous to me. I believe the Burley PD is under immense pressure to close this case, and they
119 see pinning it on Mystic and Jess as a way to cover up their mistakes from the original
120 investigation—where they ignored me, and completely dropped the ball on Mystic. So now,
121 they are charging Jess too, as if it's some grand new breakthrough and a totally different case.
122 It's a convenient solution, but it's not the truth. We all know Mystic is solely responsible, and
123 the BPD can't stand to admit they should have charged Mystic in 2017, but failed to do so.

124 What do I do for a living now? Hmm. Well, after retiring from law enforcement, I have been
125 trying to eke out a living as a YouTuber. My channel, "Celebrating Neat Hobbies that Require
126 Exacting Focus on Eeny Weeny Teeny Tiny Details," is all about the meticulous and often
127 overlooked puzzles and pastimes that demand patience and a keen eye. From birdwatching to
128 stamp collecting, to the exciting world of model train enthusiasts, I cover it all. Have you heard
129 of Ronnie Zigler—two-time champion butterfly collector for the entire western hemisphere?
130 No? What about Constance Bloop—the first woman to speed-collate commemorative postcards
131 from all fifty states while blindfolded? No? Surely you've heard of the Great Bob Eustace, the
132 man who accidentally invented the Slinky in a horribly disfiguring kitchen accident? No? Well, I
133 interviewed all of them on my YouTube channel. I even hosted a debate between the Blort
134 brothers on the latest developments in Settlers of Catan fan fiction—man, that was heated! And
135 it got literally dozens of views.

136 Anyway, I like to think my channel is a haven for those who find joy in tickling their
137 ventrolateral prefrontal cortexes—just like I used to as a small-town cop. I’ve been at it for a few
138 years and haven’t made any money, not yet anyways. I won’t lie, the financial situation I’m in
139 isn’t always great. Sometimes I think I might switch my channel to a covering true crime; I
140 could even discuss my theories about this case. That might get a few more clicks...

141 You asked about Detective Magumbo. I didn’t ever get to know Magumbo that well. The
142 detective was more interested in making sure everyone knew s/he/they were in charge than
143 listening to anything helpful I had to say. But I remember when Magumbo consulted on the
144 case in 2017, back when I was insisting everyone look at Mystic, and everyone ignored me. I
145 don’t mean to be cruel but I will be blunt: Magumbo is getting older and has clearly lost a step.
146 When I talked to Magumbo, all I could see was a picture of a troubled mind: Magumbo kept
147 forgetting my name, was easily distracted, and at one point spent five hours looking for
148 his/her/their car keys—only to realize the car was in the shop, and that s/he/they had taken an
149 Uber that day. Look: I don’t know if Magumbo ever was a great detective, but the Magumbo
150 that is with us now does not have the mental acuity to grapple with a case like this, or the
151 foggiest idea who’s really responsible. Take everything Magumbo has to say with a grain of salt.
152 Because if it’s anything other than Mystic acted alone, Magumbo doesn’t know what s/he/they
153 are talking about.

154 In my current line of work, I’ve interviewed countless individuals who are experts in their
155 fields. Passionate puzzlers. And they all share one trait: an unwavering dedication to detail. I
156 brought that same dedication to my police work. My gut tells me Jess is innocent and Mystic is
157 solely responsible for the murder. But it isn’t just my guts. Like any good puzzler, you have to
158 look at the facts. Jess had a solid alibi was cleared in the initial investigation. Fact. Magumbo
159 refused to entertain in 2017 that Mystic might be responsible for murder. Fact. And this holds
160 true for the new “evidence” found since the case went cold, especially the ballistic evidence.
161 Look. Detectin’ ain’t easy, but this is what I do. If Magumbo did the same and listened to me,
162 this case could have been solved a long time ago.

EXHIBITS

These case materials include the following exhibits:

- 1) Transcript of Jessie O'Malley's Plea Agreement
- 2) The Will of Maeve O'Malley
- 3) Wedding Announcement of Horace Butterscotch
- 4) Voice Messages Left for Rowan McGee from Declan O'Malley
- 5) Text Messages between Jessie O'Malley and Mystic Garcia
- 6) Receipt from Doyle's Pub & Grill
- 7) Le Finest Works d'Art Incorporation Filing
- 8) Receipts from Le Finest Works d'Art
- 9) Letter from Bank Verifying Deposits to Mystic Garcia's Account
- 10) Investigation Log Submitted by Samir Slade
- 11) Addendum to Investigation Log Submitted by Francis Magumbo
- 12) Rowan McGee's Transcript of Interview of Tully O'Malley
- 13) Rowan McGee's Transcript of Interview of Mystic Garcia
- 14) Cryptocurrency Information Sheet

EXHIBIT 1: TRANSCRIPT OF JESSIE O'MALLEY'S PLEA AGREEMENT

STATE OF IDAHO,	)	
Plaintiff	)	
	)	Cassia County Case No. CR-2008-12345
vs.	)	
	)	
JESSIE JAMES O'MALLEY	)	
Defendant.	)	
_____	)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS
March 10, 2008
Change of Plea Hearing/Sentencing Hearing
Fifth Judicial District
HONORABLE JUDEE JUDY

APPEARANCES:

GEM TROTTER
Cassia County Prosecuting Attorney
Attorney on behalf of Plaintiff

JUDE LOWDER
Attorney at Law
Attorney on behalf of Defendant

.....

THE COURT: We will now go on record in State vs. Jessie James O'Malley. The State of Idaho is represented by Ms. Trotter with the Cassia County Prosecutor's Office. Appearing on behalf of the defendant, Jessie James O'Malley, is Jude Lowder. The defendant is also present and not in custody. Good afternoon, everyone. It's my understanding a plea agreement has been reached in this case. Is that correct?

MS. TROTTER: Yes, your honor.

MR. LOWDER: That's correct, judge.

THE COURT: Very well. Ms. Trotter, please place the terms of the agreement on the record.

MS. TROTTER: Certainly, your honor. As the court knows, the state charged the defendant with unlawful use of a financial transaction card, which is a misdemeanor. The defendant has agreed to plead guilty to this charge. In exchange, the State has agreed to recommend thirty days in jail, with thirty days suspended, 200 hours of community service, one year of supervised probation, and the State does not oppose entry of a withheld judgment.

THE COURT: Mr. Lowder?

MR. LOWDER: Those are the terms of the agreement, but I would note for the court that my client is requesting the court not require any community service. As the court knows, the O'Malley

family has a large farming operation in the community and other business interests. My client is very busy helping with those things, in addition to preparing to go to college.

THE COURT: Well, I will take that into consideration when it comes time to impose sentence. Anything else?

MR. LOWDER: No, judge.

THE COURT: Jessie, I have heard your lawyer and the prosecutor describe what they believe the deal is. Is that your understanding as well?

THE DEFENDANT: Yes, your honor.

THE COURT: Is that deal acceptable to you?

THE DEFENDANT: Yes, your honor.

THE COURT: Do you understand you're not required to accept the deal and you may proceed to trial?

THE DEFENDANT: I do, your honor. But I admit what I did. I just meant it as a prank on my brother, but I understand it was technically illegal. And, I am willing to accept responsibility. I want to be a lawyer one day, and I respect the law.

THE COURT: Madame Clerk, please have the defendant placed under oath.

(Defendant sworn.)

THE COURT: Do you understand the charge that has been filed against you and to which you have agreed to plead guilty?

THE DEFENDANT: Yes, ma'am.

THE COURT: Do you understand that you have the right to proceed to trial and to call witnesses in your defense?

THE DEFENDANT: Yes, your honor.

THE COURT: Do you understand that, at trial, the State would have the burden of proving you guilty beyond a reasonable doubt?

THE DEFENDANT: Absolutely, your honor.

THE COURT: What makes you think you are guilty of the crime charged – unlawful use of a financial transaction card?

THE DEFENDANT: I took my brother, Declan's credit card, and used it. Only a few times. Like I said, it was a prank, but I know now it was illegal. I didn't really know that at the time, though.

THE COURT: Do you understand that ignorance of the law is not a defense?

THE DEFENDANT: I do now.

THE COURT: Has your lawyer done everything you asked him to do in this case?

THE DEFENDANT: Yes.

THE COURT: Is there anything else you would like your lawyer to do before pleading guilty?

THE DEFENDANT: No, ma'am.

THE COURT: Alright. I do find that the defendant understands the nature of the offense and the consequences of pleading guilty. I also find there is a factual basis for the guilty plea and that the defendant's guilty plea is knowing, intelligent, and voluntary. As such, I will accept the guilty plea at this time.

Counsel, it seems this case is pretty straightforward. Would there be any objection to proceeding to sentencing today?

MS. TROTTER: No objection from the State, your honor.

MR. LOWDER: None from the defense, judge. Indeed, I think that would be my client's preference. The sooner we can get this behind us, the better. And, judge, you likely already know this, but I want to highlight that this is my client's first criminal offense, and I would be willing to bet the last. Jessie is a good kid. An excellent student. And has great family support. I would encourage you to follow the State's recommendation with one exception – no community service – for the reasons I noted earlier. Thank you, judge.

THE COURT: Jessie, are you okay with proceeding to sentencing today?

THE DEFENDANT: Yes, your honor. Like my lawyer said, the sooner I can get this behind me, the better. Thank you.

THE COURT: Very well. Considering the nature of the offense and the character of the offender, I do think probation is appropriate. I will impose one year of unsupervised probation. I don't see the need for a probation officer in this case. I will order 10 days in jail with 10 days suspended. I appreciate the comments about community service, but I do feel some community service is necessary and appropriate in this case. I will impose 50 hours. I will also withhold judgment. What that means, Jessie, is that as long as you complete the terms of your probation, in this case 50 hours of community service, I will not enter a judgment of conviction. So, whether that happens is entirely up to you. Do you understand?

THE DEFENDANT: Yes, your honor. I guarantee I won't disappoint you.

THE COURT: I hope that's the case. We'll be in recess.

EXHIBIT 2: THE WILL OF MAEVE O'MALLEY

**LAST WILL AND TESTAMENT
OF
MAEVE BRENNAN O'MALLEY**

I, MAEVE BRENNAN O'MALLEY, of Burley, Cassia County, Idaho, over the age of majority and being of sound and disposing mind and memory and not acting under duress, menace, fraud or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament and direct as follows:

FIRST: I direct that my personal representative hereinafter named, as soon as said representative has personal funds in hand for that purpose, pay all of my just debts and obligations, and all of the expenses of the administration of my estate.

SECOND: I direct that my personal representative hereinafter named, dispose of all of my personal and real property as the personal representative deems appropriate with the purpose of benefiting the best interests of all of my children. Any money remaining from the sale of my property after payment of any just debts and obligations shall be divided equally among my three children: Declan O'Malley, Jessie James O'Malley, and Tully O'Malley.

THIRD: I hereby nominate, constitute and appoint ~~Jessie James O'Malley~~ ^{Declan O'Malley MBD 3/11/2015} as personal representative of this, my Last Will and Testament, and direct that said representative not be required to furnish any bond as such personal representative, or bond in any capacity in connection with the probate of my estate.

FOURTH: I hereby revoke any wills or testamentary disposition by me heretofore at any time made.

IN WITNESS WHEREOF, I have set my hand to this, my Last Will and Testament, this 11TH day of January, 2011.


Maeve Brennan O'Malley

EXHIBIT 3: WEDDING ANNOUNCEMENT OF HORACE BUTTERSCOTCH

Magic Valley Times: News

Wedding Announcements

MARCH 29, 2015 - Horace Butterscotch of Burley and Minerva Caramel of Rupert were joined in a sweet matrimonial ceremony at their destination wedding in Punta Mita, Mexico. The ceremony was officiated by Jess O'Malley of Burley. The couple will honeymoon at the St. Regis Resort in Punta Mita.

EXHIBIT 4: VOICE MESSAGES LEFT FOR ROWAN MCGEE FROM DECLAN O'MALLEY

March 17, 2017 3:25 PM

Hey Ro. It's Dec. I'm going to be heading to Mom's wake soon to make sure everything's set up. Mystic's in charge so who knows if all the details have been taken care of. I also wanted to give you a head's up that I'm going to let Jess and Tully know that Mom appointed me to take care of her estate and that I'm planning on keeping the farm. Pretty sure Jess is going to overreact to the farm being off the table because it means less money to share between us siblings. I want to make sure you're going to be there so I have a witness to anything Jess says. I think Tully will be OK but you know how Tully is; always trying to play both sides. Appreciate you. See you in a bit.

November 25, 2017 5:45 PM

Ro. It's Dec. Where are you? Jess is headed over to see me and have some dinner. I'm hoping we can work out all this estate stuff and move on with our lives. I'll fill you in later. Talk soon.

November 25, 2017 8:10 PM

Ro. Declan again. Well, that didn't go well. Jess is so exhausting and won't budge on the estate. I don't think Jess is looking for a win/win so I'm not sure what I'm going to do. Anyway, in true drama fashion, Jess stormed out of here a few minutes ago. I'll fill you in on the details tomorrow assuming we're still on for a run. I'll meet you in the Oregon Trail parking lot at 8:00 tomorrow morning. I'm beat and going to bed. Talk soon.

EXHIBIT 5: TEXT MESSAGES BETWEEN JESSIE O'MALLEY AND MYSTIC GARCIA

January 17, 2015

Jess: Hey Mystic. This is Jess O'Malley. I wanted to give you a quick welcome to Doyle's. I'll be your manager so I wanted to make sure you had this number in case you need to reach me.

Mystic: Thanks. I look forward to meeting you in person when I start next week.

Jess: I also wanted to say that I'm sorry to hear about Chris' disappearance. We went to high school together. Good person. I know it must seem bleak but I'll still keep up the hope that Chris will be found alive and well.

October 20, 2015

Mystic: What is your brother Declan's damage? I don't know him very well but every time he comes into the bar when I'm working, he's really nasty to me. Is there something I need to do to make the situation better?

Jess: Don't bother. That's just Declan. Unless you have money or power that he can use for himself, he'll never give you the time of day. Don't take it personal. He's like that with most people.

Mystic: I don't know. It feels personal.

Jess: He's also vindictive. You probably know he and Chris were always in mad competition to be number one at everything in high school.

Jess: And he once had me arrested for using his credit card just to "teach me a lesson."

Mystic: Yeah. Chris once told me that Declan called Chris Burley's favorite affirmative action kid.

Jess: He's said that for years now. He's just bitter because Chris beat him out as valedictorian in high school and went to a good college.

April 4, 2016

Mystic: Why is Declan telling people that he thinks I murdered Chris? What is going on? I'm just trying to pick up the pieces of my life and start over. It makes it hard to work for him. But where else would I go? There's not exactly a lot of opportunities in this town.

Jess: How many times do I have to tell you that Declan is a piece of work. The best thing you can do is ignore him. He likes to talk trash but he won't do anything about it.

June 24, 2016

Mystic: Hey. I was cleaning up tonight and found a gun under the bar. Scared me to death. Is that supposed to be there? Is there any place we could keep it that's a little safer?

Jess: Oh, yeah. Sorry I didn't tell you about that. A few years ago there was a bunch of robberies in this town and we put one of our guns down there in case we had to defend ourselves from a robbery. It's fine where it is.

September 12, 2016

Jess: Head's up. Tully told Declan you may be stealing from the cash register

(Quote text from Declan): Keep an eye on Mystic. We've been short on the daily totals a lot over the last month. I think Mystic may be stealing from the register.

Mystic: He's exhausting. I'm not stealing anything.

Jess: Don't worry about it. I told him that he needed to let it go. I'm not sure why Declan never figured this out but Tully and I have been using the Doyle's cash register as our own personal ATM for years. Tully must have told him you were stealing to deflect the blame. But, why not use that money? It's ours.

November 8, 2016

Mystic: Hey Jess. Something is up with Chloe. I'm going to take her to urgent care. I'm not going to make it to work today.

Jess: (Thumbs Up Emoji) Keep me posted. I hope she's OK.

(Later) Mystic: Just found out that Chloe has appendicitis and has to have surgery. I'm going to be out a few days. I'll keep you posted.

Jess: Do what you gotta do to take care of your little girl. Give her a hug from me.

March 18, 2017

Mystic: What happened last night? I saw you and Declan yelling at each other.

Jess: I don't want to talk about it too much right now. I'm so angry. Declan somehow convinced my mom to change her will and make him executor instead of me. I just know he's going to mess with the money that's supposed to come to me and Tully.

Mystic: He was definitely in rare form last night. There was a huge tab from the wake. He paid the bill and left NO tip. We're talking \$2 grand he took from me. I could really use that money to help pay of Chloe's medical bills.

Jess: I talked with someone about your art today. I think we can get it taken care of.

Mystic: Keep me posted. I think this could be good for both of us.

August 30, 2017

Mystic: Did you figure out how we can finish the job?

Jess: The tool you need is already at the bar.

November 25, 2017

Jess: Just finished meeting with Declan. I'm at the bar now. All's good.

Mystic: Thumbs up emoji

November 28, 2017

Mystic: Everything OK with you? Bunch of police in the bar today. That one called Magumbo asked me if I knew anything about a conflict between you and Declan. I said nothing but normal sibling bickering. Magumbo didn't seem too interested in talking to me anymore.

Mystic: But that Slade person who's always hanging out in here. Didn't say much but kept looking at me like I was going to steal something and then asked me about any big tabs at the bar. I just kept it vague and said we handle big tickets all the time.

Jess: Slade's good; we're good friends and Slade knows our family well. That Magumbo, though. Weird. Just keep calm. We're good. This will pass soon.

EXHIBIT 6: RECEIPT FROM DOYLE'S PUB & GRILL

DOYLE'S PUB
1850 W SHAMROCK DR
BURLEY, ID

SALE 12:06 AM
03/18/2017
BATCH #00A00
APPR #30640
TRACE #: 9

500 GUINNESS	\$4000.00
150 SHEP PIE	\$1800.00
200 JAMESON	\$2000.00

SUBTOTAL: \$7800.00
TAX: \$624.00
TOTAL: \$8424.00

TIP: 8424.00

TOTAL: 8424.00

APPROVED
NO THANK YOU
MERCHANT COPY

PIZ
DO
BETTER

TIP = To insure promptness ☹

EXHIBIT 7: LE FINEST WORKS D'ART INCORPORATION FILING





CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Base Filing fee: \$100.00 + \$20.00 for manual processing (form must be typed).

1. The name of the limited liability company is:

LE FINEST WORKS D'ART, LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviations L.L.C., LLC, or LG)

2. The complete street and mailing addresses of the principal office is:

PO BOX 13051, Burley, ID 83318

(Street Address)
(Mailing Address, if different)

3. The name and complete street address of the registered agent:

Horace L. Butterscotch

746 E Main St, Burley, ID 83318

(Name)
(Address)

4. The name and address of at least one governor of the limited liability company:

FINEST FAVORED ARTWORKS, LLC

PO BOX 12098, Burley, ID 83318

(Name)
(Address)

(Name)(Address)

(Name)(Address)

5. Mailing address for future correspondence (annual report notices):
(Mailing Address)

Signature of organizer(s).

Printed Name: Horace L. Butterscotch

Signature: 

Printed Name: _____

Signature: _____

Revised 12/2018

Secretary of State use only



EXHIBIT 8: RECEIPTS FROM LE FINEST WORKS D'ART

ART SALES RECEIPT <i>Le Finest Works d'Art</i> P.O. Box 13051 Burley, Idaho 83318	
<i>Thanks for your support of the arts.</i> <i>Jess O'Malley</i>	Receipt# <u>001</u> Receipt Date <u>August 8, 2017</u>
BUYER INFORMATION Name <u>Minerva Caramel</u> Address <u>12804 Canyon Trail Road</u> City/State/Zip <u>Burley, ID 83336</u>	ARTWORK INFORMATION Artist <u>Mystic Garcia</u> Title <u>Left on Market Street</u> Amt Paid <u>\$12,500</u>

ART SALES RECEIPT <i>Le Finest Works d'Art</i> P.O. Box 13051 Burley, Idaho 83318	
<i>This will look great in your house! Enjoy your purchase.</i> <i>Jess O'Malley</i>	Receipt# <u>002</u> Receipt Date <u>Sept. 12, 2017</u>
BUYER INFORMATION Name <u>Judee Judy</u> Address <u>756 E. Firth St.</u> City/State/Zip <u>Burley, ID 83318</u>	ARTWORK INFORMATION Artist <u>Mystic Garcia</u> Title <u>Coit Tower at Sunset</u> Amt Paid <u>\$12,500</u>

EXHIBIT 9: LETTER FROM BANK VERIFYING DEPOSITS TO MYSTIC GARCIA'S ACCOUNT



125 Market Street
San Francisco, CA 94114

NORTH CALIFORNIA BANK & TRUST

May 11, 2023

Detective Francis Magumbo
Twin Falls Police
632 Main Street
Twin Falls, ID 83301
Sent VIA Email

Dear Det. Magumbo,

We received your subpoena for banking records for Mystic Garcia, specifically your request for any deposits to Mystic's account from any bitcoin companies from the period of March 17, 2017 to December 31, 2018. The list of any and all such transactions are included below. Please note that these are the only transactions from the bitcoin exchange known as Coinbase to the account of Mystic Garcia.

August 19, 2017: \$12,500	July 18, 2018: \$12,500
September 23, 2017: \$12,500	August 28, 2018: \$12,500
March 15, 2018: \$12,500	September 19, 2018: \$12,500
April 18, 2018: \$12,500	October 25, 2018: \$12,500
May 23, 2018: \$12,500	November 16, 2018: \$12,500
June 21, 2018: \$12,500	December 29, 2018: \$12,500

If we can be of any further assistance, please feel free to reach out to me directly.

Sincerely,

Martha Vicks

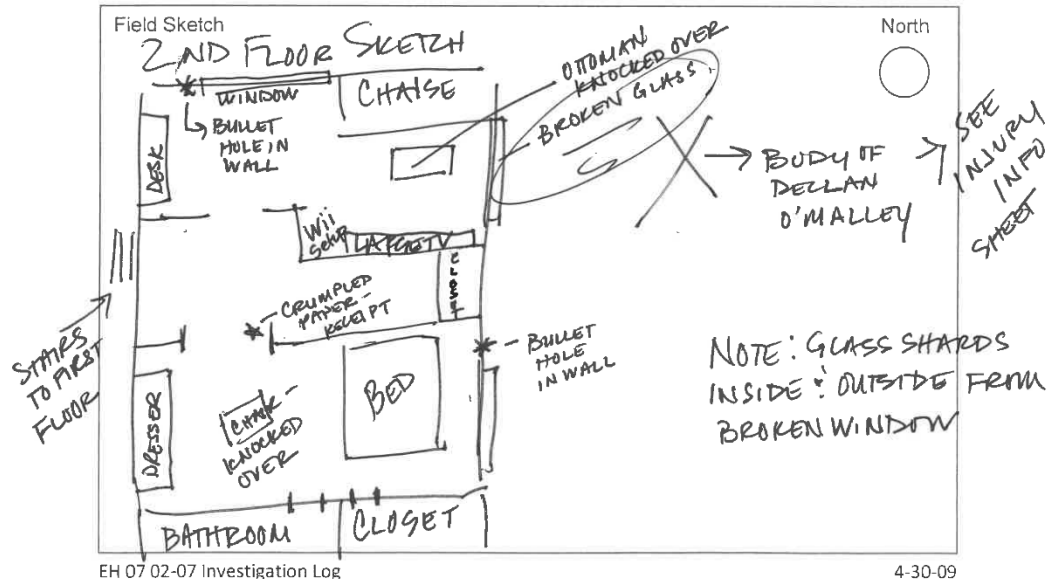
Martha Vicks
Regional Vice President
North California Bank & Trust

EXHIBIT 10: INVESTIGATION LOG SUBMITTED BY SAMIR SLADE

INVESTIGATION LOG

Officer: DETECTIVE SAMIR SLADE Case Number: TO BE ASSIGNED
 Nov. 26, 2017 VICTIM: DELLAN O'MALLEY

TIME	ACTIVITY
9:17 a.m.	ARRIVED ON SCENE - FIRST THERE
9:18 a.m.	SECURED PERIMETER
9:28 a.m.	SPOKE WITH REPORTING PARTY - ROWAN M'GEE
9:35 a.m.	SEARCHED INSIDE
10:22 a.m.	BEGAN PLACING EVIDENCE MARKERS
12:01 p.m.	SPOKE WITH CORNER - ARRIVED TO REMOVE BODY
12:33 p.m.	CONTINUED INVESTIGATION, EVIDENCE GATHERING, ETC
5:17 p.m.	SPOKE W/ MAGUIBO - ARRIVED WELL INTO INVESTIGATION
6:12 p.m.	CONTINUED INVESTIGATION, ETC
11:47 p.m.	SECURED SCENE
11:58 p.m.	DEPARTED



EH 07 02-07 Investigation Log

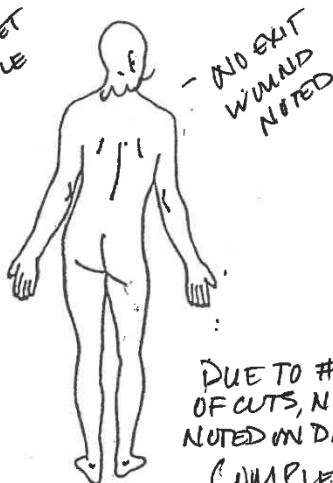
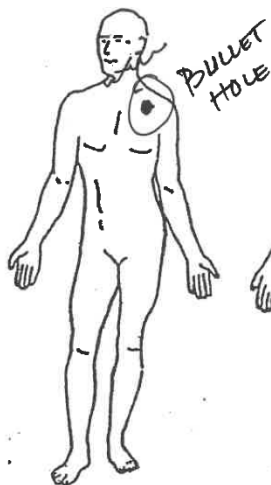
4-30-09

INJURY INFORMATION

Nov. 26, 2017

Name: DELAN O'MALLEY - VICTIM

Notes:



- ONE BULLET WOUND NOTED (L) SHOULDER
- NO EXIT WOUND
- NECK APPEARED BROKEN
- POSSIBLE OTHER BROKEN BONES GIVEN APPEARANCE OF BODY ON GROUND

→ DUE TO # OF CUTS, NOT NOTED ON DIAGRAM.

- MULTIPLE CUTS, LICKY FROM GLASS FROM BROKEN WINDOW

COMPLETED BY: DET. S. SLADE

EXHIBIT 11: ADDENDUM TO INVESTIGATION LOG SUBMITTED BY FRANCIS MAGUMBO

ADDENDUM TO S. SLADE
INVESTIGATION LOG RE:
DECLAN O'MALLEY 11/26/17

On May 24, 2023 a glock
19, 9 mm semiautomatic pistol
was found on property
previously owned by the
O'Malley family. The firearm
had been buried in a freezer
bag and was well preserved.
An investigation of the
firearm uncovered the
following:

- ① the gun was registered
to Maere O'Malley (deceased)
- ② fingerprint analysis
found a full print matching
to one mystec Garcia
- ③ DNA analysis found a
partial print that was a
99.9% genetic match to
a child of Maere O'Malley
- ④ ballistics testing matched
the 2 bullets found at the
11/26/17 crime scene to the
firearm.

Added to file on June 12, 2023
by J. Magumbo.

FINDEX

EXHIBIT 12: ROWAN MCGEE'S TRANSCRIPT OF INTERVIEW OF TULLY O'MALLEY

Rowan: Tell me a favorite story about Declan.

Tully: So many to tell. Declan was a great brother. I guess I always appreciated how he took such good care of me as the youngest child of the family.

Rowan: Declan took care of you? Not Jess?

Tully: Well, I guess both in different ways. Jess and I were closer in age and both worked at Doyle's so we got to spend a lot of time together.

Rowan: Let's talk a little about that awful time in your family, losing your mom and then your brother in such a short period of time. What was that like for you?

Tully: I'm not sure what you want me to say here. It was awful. It would be awful for anyone going through what my family went through.

Rowan: Do you think that Jess would agree with that?

Tully: What? Of course Jess would agree with that. Jess loved mom and Declan.

Rowan: So, being the only two O'Malley's remaining, that must have brought you and Jess closer.

Tully: I'm not sure I would say closer. You know Jess. Something bad happens and Jess kind of shuts down. Jess seemed to spend a lot of time with Mystic after my mom died but I think that was because Mystic had also lost someone so I think they could kind of commiserate with each other. Plus Jess was pretty angry with Declan. I just didn't want to take sides so I tried to stay out of it.

Rowan: And how about all the estate matters. With Declan gone, you and Jess have a lot more money. So, it looks like, in the end, Jess got what s/he/they wanted, right?

Tully: I'm not sure what you are implying here. Yes, Jess and I now have a lot of money, but so what? You know what. This line of questioning is not what I came here for. I will not be put in a position to bad mouth Jess. And I think the way you are trying to profit off my family's grief is repugnant. We're through here.

EXHIBIT 13: ROWAN MCGEE'S TRANSCRIPT OF INTERVIEW OF MYSTIC GARCIA

Rowan: So, you were working at Doyle's during the time of Declan's murder, right?

Mystic: Yes. I worked there as a bartender for about three years. I left a few months after Declan's murder and moved back to San Francisco.

Rowan: Have you always worked as a bartender?

Mystic: No. I went to school to become an artist but I hadn't gotten to a point in my career where I could make a living at it.

Rowan: So, how did you end up in Burley.

Mystic: My spouse grew up in Burley and Chris' family still lives there. We went to Burley to be with them. I wanted to daughter Chloe to grow up near family. It was important to me since I was an orphan.

Rowan: Any other reasons?

Mystic: We definitely needed the help, plus as you probably know, Chris disappeared. I had no reason to be in California anymore. Also, I was done with the stress of answering to so many people about Chris' disappearance. I just had enough of it so I decided we needed to leave that place."

Rowan: Did you like working at Doyle's?

Mystic: Well, I liked the money that I earned from working there but honestly, I didn't love working for Declan O'Malley. No offense. I know Declan was your friend, but he was difficult to work with.

Rowan: And what about Tully and Jess. Did you like working with them. "So would you say you and Jess became close again once you moved back?"

Mystic: I can't say much about Tully working, unless you call hanging out and drinking a job title. But Jess and I became really good friends. Really, without Jess, I wouldn't have the successful art career I have now.

Rowan: Successful art career? How did Jess help with that?

Mystic: I, um, well... Jess was very encouraging and invested in my art. Look. I've got to wrap this interview up. I have another appointment to get to.

EXHIBIT 14: CRYPTOCURRENCY INFORMATION SHEET

THE SOCIETY FOR CRYPTOCURRENCY EDUCATION

The Basics of Cryptocurrency: An Information Sheet for Beginners

The information below is meant to provide answers to common questions about cryptocurrency in general and bitcoin in particular.

Q: What's the difference between cryptocurrency and bitcoin?

A: Cryptocurrency is a general term for all digital currencies whereas bitcoin is a specific type of cryptocurrency – bitcoin is the most well-known cryptocurrency, and its primary purpose is to be used as a digital currency.

Q: What are the characteristics of bitcoin?

A: Bitcoin only exists online. There is no physical currency. Unlike traditional money, bitcoin isn't controlled by any government, bank, or company. It operates independently. Each bitcoin transaction is stored in what's called a wallet on something called a blockchain.

Q: What are "blockchains" and "wallets"?

A: A blockchain is sort of like a digital database or ledger that records all the transactions in and out of the bitcoin site. The key to the blockchain is that it is transparent, meaning everyone can view all the transactions. And a wallet is simply the place where users can store and manage their bitcoin.

Q: And are there companies that people can use to facilitate bitcoin transactions?

A: Yes. Bitcoin companies like Coinbase facilitate the trading of bitcoin, sort of like an online stock exchange for digital assets.

Q: What are some of the dangers of bitcoin, particularly for law enforcement?

A: Because it isn't regulated, it can be difficult to link a wallet to the real-world identity of the user, so criminals can create bitcoin wallets to mask their real identity. That can make bitcoin vulnerable to money laundering. And because law enforcement still doesn't have a lot of technological expertise, they are still lagging the expertise of criminals. However, law enforcement agencies are catching up, creating specialized units and task forces with the tools and strategies to track and prosecute bitcoin-related crimes.

Q: Can a user on a site like Coinbase get bitcoin out of a wallet and deposited into a bank account?

A: Yes. The user has to sell their bitcoin on an exchange, convert the bitcoin into a local currency, like dollars, then withdraw the converted bitcoin into a bank account.



JURY INSTRUCTIONS

INSTRUCTION NO. 1

Your duties are to determine the facts, to apply the law set forth in my instructions to those facts, and in this way to decide the case. In so doing, you must follow my instructions regardless of your own opinion of what the law is or should be, or what either side may state the law to be.

You must consider these instructions as a whole, not picking out one and disregarding others. The order in which the instructions are given has no significance as to their relative importance. The law requires that your decision be made solely upon the evidence before you. Neither sympathy nor prejudice should influence you in your deliberations. Faithful performance by you of these duties is vital to the administration of justice.

INSTRUCTION NO. 2

As members of the jury, it is your duty to decide what the facts are and to apply those facts to the law that I have given you. You are to decide the facts from all the evidence presented in the case.

The evidence you are to consider consists of:

1. sworn testimony of witnesses;
2. exhibits which have been admitted into evidence; and
3. any facts to which the parties have stipulated.

Certain things you have heard or seen are not evidence, including:

1. arguments and statements by lawyers. The lawyers are not witnesses. What they say in their opening statements, closing arguments and at other times is included to help you interpret the evidence, but is not evidence. If the facts as you remember them differ from the way the lawyers have stated them, follow your memory;

2. testimony that has been excluded or stricken, or which you have been instructed to disregard;
3. anything you may have seen or heard when the court was not in session.

INSTRUCTION No. 3

The production of evidence in court is governed by rules of law. At times during the trial, an objection was made to a question asked a witness, or to a witness' answer, or to an exhibit. This simply means that I was being asked to decide a particular rule of law. Arguments on the admissibility of evidence are designed to aid the Court and are not to be considered by you nor affect your deliberations. If I sustained an objection to a question or to an exhibit, the witness could not answer the question, or the exhibit could not be considered. Do not attempt to guess what the answer might have been or what the exhibit might have shown. Similarly, if I tell you not to consider a particular statement or exhibit you should put it out of your mind, and not refer to it or rely on it in your later deliberations.

INSTRUCTION No. 4

Some of you have probably heard the terms "circumstantial evidence," "direct evidence" and "hearsay evidence." Do not be concerned with these terms. You are to consider all the evidence admitted in this trial.

However, the law does not require you to believe all the evidence. As the sole judges of the facts, you must determine what evidence you believe and what weight you attach to it.

There is no magical formula by which one may evaluate testimony. You bring with you to this courtroom all of the experience and background of your lives. In your everyday affairs you determine for yourselves whom you believe, what you believe, and how much weight you attach to what you are told. The same considerations that you use in your everyday dealings in making these decisions are the considerations which you should apply in your deliberations.

In deciding what you believe, do not make your decision simply because more witnesses may have testified one way than the other. Your role is to think about the testimony of each witness you heard and decide how much you believe of what the witness had to say.



INSTRUCTION NO. 5

This criminal case has been brought by the state of Idaho. The defendant, Jessie James O'Malley, is charged by the state of Idaho with the crime of Aiding and Abetting Murder in the First Degree. The charge against the defendant is set forth in the Indictment. The Indictment is simply a description of the charge; it is not evidence.

INSTRUCTION NO. 6

Do not concern yourself with the subject of penalty or punishment. That subject must not in any way affect your verdict. If you find the defendant guilty, it will be my duty to determine the appropriate penalty or punishment.

INSTRUCTION NO. 7

The law makes no distinction between a person who directly participates in the acts constituting a crime and a person who, either before or during its commission, intentionally aids, assists, facilitates, promotes, encourages, counsels, solicits, invites, helps or hires another to commit a crime with intent to promote or assist in its commission. Both can be found guilty of the crime. Mere presence at, acquiescence in, or silent consent to, the planning or commission of a crime is not sufficient to make one an accomplice.

INSTRUCTION NO. 8

All persons who participate in a crime either before or during its commission, by intentionally aiding, abetting, advising, hiring, counseling, or procuring another to commit the crime with intent to promote or assist in its commission are guilty of the crime. All such participants are considered principals in the commission of the crime. The participation of each defendant in the crime must be proved beyond a reasonable doubt.

INSTRUCTION NO. 9

Murder is the killing of a human being without legal justification or excuse and with malice aforethought.



INSTRUCTION NO. 10

In order for the defendant to be guilty of Aiding and Abetting First Degree Murder with malice aforethought, the state must prove each of the following:

1. On or between March 17, 2017, and November 26, 2017
2. in the state of Idaho
3. the defendant, Jessie James O'Malley
4. did aid, abet, assist, encourage, hire, and/or facilitate
5. with the intent to promote or assist
6. Mystic Garcia, who engaged in conduct which, without justification or excuse, caused the death of Declan O'Malley
7. with malice aforethought, and
8. the murder was a willful, deliberate, and premeditated killing.

Premeditation means to consider beforehand whether to kill or not to kill, and then to decide to kill. There does not have to be any appreciable period of time during which the decision to kill was considered, as long as it was reflected upon before the decision was made. A mere unconsidered and rash impulse, even though it includes an intent to kill, is not premeditation.

The participation of the defendant in the crime must be proven beyond a reasonable doubt.

If you find that the state has failed to prove any of the above, you must find the defendant not guilty of aiding and abetting first degree murder. If you find that all of the above have been proven beyond a reasonable doubt, then you must find the defendant guilty of aiding and abetting first degree murder.

INSTRUCTION NO. 11

An act is "willful" or done "willfully" when done on purpose. One can act willfully without intending to violate the law, to injure another, or to acquire any advantage.



INSTRUCTION NO. 12

“Malice” and “maliciously” mean the desire to annoy or injure another or the intent to do a wrongful act.

INSTRUCTION NO. 13

Malice may be express or implied.

Malice is express when there is manifested a deliberate intention unlawfully to kill a human being.

Malice is implied when:

1. The killing resulted from an intentional act,
2. The natural consequences of the act are dangerous to human life, and
3. The act was deliberately performed with knowledge of the danger to, and with conscious disregard for, human life.

When it is shown that a killing resulted from the intentional doing of an act with express or implied malice, no other mental state need be shown to establish the mental state of malice aforethought. The mental state constituting malice aforethought does not necessarily require any ill will or hatred of the person killed.

The word “aforethought” does not imply deliberation or the lapse of time. It only means that the malice must precede rather than follow the act.

INSTRUCTION NO. 14

You heard testimony that the defendant made statements concerning the crime charged in this case. You must decide what, if any, statements were made and give them the weight you believe is appropriate, just as you would any other evidence or statements in the case.

APPENDIX A: CASE UPDATES

VERSION 2.0 TEAM Q & A

Q: Is the date incorrect in Jury Instruction No. 9.1?

A: Jury Instruction No. 9 has been divided into Jury Instructions No. 9 and 10. The date in Jury Instruction No. 10.1 has been changed from March 27 to March 17. The numbering of the subsequent Jury Instructions have also been updated.

Q: Is the date incorrect in Exhibit 6?

A: The date of the receipt in Exhibit 6 is meant to be 03/18/2017. Please note that the person who created Exhibit 6 is on leave. We will update the exhibit if possible but if not, teams will operate under the assumption that the date is 03/18/2017.

Q: Is the name Horace Butterworth or Horace Butterscotch?

A: The name is Horace Butterscotch. Any instances listed as Butterworth have been changed to Butterscotch.

Q: Are the dates correct in Exhibit 4?

A: Changed the date from April 25, 2018 to November 25, 2017. Also changed the last line to "I'm beat and going to bed."

Q: The last paragraph of Samir Slade's statement lists the year as 2027. Is this correct?

A: The year has been changed to 2017.

Q: Exhibit 8 indicates that Judee July lives on Firth Street.

A: Case materials are correct as written.

Q: Magumbo indicates he has a 1987 Impala. Impalas weren't produced from 1986 to 1993.

A: While we appreciate the intricate knowledge of car models and will change the car model from 1987 to 1985, we would appreciate it if teams would take the time to determine whether their inquiries are germane to trying the case.

Q: Is it Tully or Tulley?

A: Any instances of Tulley have been changed to Tully.

Q: Exhibit 13, includes an instance that lists Mystic as Tully. Is that correct?

A: The instance has been changed from Tully to Mystic.

Q: Rowan indicates that Jess went to Declan's house on "the night before the murder". Is this correct?

A: The case materials are correct as written.

FINAL VERSION TEAM Q & A

Q: Does jury instruction 10, section 8 refer to the mens rea of Mystic Garcia or the mens rea of the defendant? Are we required to prove mens rea of Mystic to prove Jess guilty?

A: The mens rea element always relates to the defendant charged with the offense. The applicable mens rea in this case is aiding, etc., with the intent to promote or assist a willful, deliberate, and premeditated killing. The premeditation definition goes to whether the murder was considered beforehand.