

NCSC Practice Materials

Assessment Script for Consecutive with Keywords

1. Q. Good afternoon. Please state your full name for the record.
2. A. Kyle Ray Forrester.
3. Q. **Sir**¹, what city do you live in?
4. A. I currently live in Missoula, Montana, but I was born and **raised**² overseas.
5. Q. **Exactly**³ how long have you lived in Missoula, then?
6. A. About five years. **Basically**⁴, I came to the U.S. when I was **twenty-seven**⁵ and wound up in Montana working as a **ranch hand**⁶.
7. Q. Are you **familiar**⁷ with the Clark Fork River near Montana Highway **200**⁸?
8. A. Yes, **extremely**⁹ familiar. I spend a lot of time there because it reminds me of the river near my **childhood**¹⁰ home.
9. Q. How much time **would you say**¹¹ you spend on the river each year?
10. A. I couldn't tell you an exact **average**¹², but I go there any **chance**¹³ I can get. My **wife**¹⁴ tells everyone that if I'm not at home or at work, you'll find me on the river.
11. Q. What type of activities or **hobbies**¹⁵ do you spend time doing on the river?
12. A. I've got a motorboat and a **raft**¹⁶ that I **alternately**¹⁷ take out on the water for fly-fishing, depending on the **season**¹⁸.
13. Q. I want to **direct your attention**¹⁹ to a time you were on the water on September 24th, 2021 around **dawn**²⁰. Do you **recall**²¹ that?
14. A. I sure do. I **woke**²² up early that morning because I planned to **spend**²³ the day fishing at my favorite **spot**²⁴ on the river.
15. Q. And what **sticks out**²⁵ about that **particular**²⁶ date and time for you?

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16. A. Well²⁷, as I arrived at my spot, I noticed that there was already a black²⁸ Toyota Highlander parked on the embankment²⁹, almost in the water.
17. Q. Let me stop you there and rewind³⁰ to how you started your morning³¹ on that particular day. What time did you leave your house?
18. A. I left my house that morning around 5:00 a.m.³²
19. Q Did you make any stops³³ along the way to the river before arriving to your preferred³⁴ fishing spot?
20. A I stopped at the Clark Mini-Mart to fill³⁵ my car up with gas and grab³⁶ a sandwich to throw in my cooler³⁷ for later that day. Then I headed north³⁸ to the river.
21. Q. And then you started to tell us what you witnessed³⁹ once you arrived⁴⁰. Describe to us, with as much detail⁴¹ as you can, what you saw.
22. A. There was this car sitting there within a couple⁴² of feet of the water, almost in⁴³ the water, and the hatchback⁴⁴ of the car was open. And no one was around⁴⁵.
23. Q. Did the car appear to be in decent⁴⁶ shape or was it damaged⁴⁷ in some manner? Was there anything unusual⁴⁸ near the car?
24. A. When I walked around to the passenger side⁴⁹, I could see that the window was shattered⁵⁰ and glass was strewn⁵¹ about. That's when I noticed⁵² the body beside the car.
25. Q. I realize⁵³ this may be difficult, but I need you to describe for the court what you saw with the body⁵⁴. I need you to be as detailed as possible about how you found the body and what state⁵⁵ it was in.

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26. A. The body was lying there, on his back, with his feet **facing**⁵⁶ the water. His shirt was **pulled up**⁵⁷ around his chest and he - well, he looked **awful**⁵⁸. He was purple-looking and, honestly, my first reaction was to **vomit**⁵⁹.
27. Q. Okay. What were your next **actions**⁶⁰? Please **walk us through**⁶¹ what you did after your **initial**⁶² reaction to seeing the body there by the river.
28. A. I grabbed my cell from the **console**⁶³ of my car and tried to call 911, but there's no **service**⁶⁴ in that part of the **woods**⁶⁵. So, I drove **three-quarters**⁶⁶ of a mile to find a signal and then I called the **police**⁶⁷.
29. Q. Can you tell us what is **across**⁶⁸ the river from the **location**⁶⁹ where you found the body?
30. A. There's a little **island**⁷⁰, roughly a **stone's throw**⁷¹ away from the riverbank, where teenagers sometimes go to drink beer and have **bonfires**⁷² on the weekends.
31. Q. Are there **several**⁷³ fishing spots in that area, and if so, how close do you **estimate**⁷⁴ the nearest one is to where you found the body?
32. A. There are a **few**⁷⁵ spots around there, including mine. The nearest one is right beside where the body was, maybe **75 to 100**⁷⁶ feet down river.
33. Q. At any point during the morning of **September 24th, 2021**⁷⁷ did you see the **defendant**⁷⁸, Marcus Wexler?
34. A. No. I mean, not that I know of. There weren't many people at the **Clark Mini-Mart**⁷⁹, since I was there before **sunrise**⁸⁰, and I didn't see anyone on the river the **entire**⁸¹ time I was there.

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35. Q. Sir, I am handing you what I have **marked**⁸² for identification purposes as State's **Exhibit**⁸³ 2. Will you look at that for me? Take your time. What is State's Exhibit 2 that I **handed**⁸⁴ you?
36. A. It's a **statement**⁸⁵ of exactly what I just got through telling you, about what happened that morning I found the body.
37. Q. **To the best of your knowledge**⁸⁶, is that a **true and accurate**⁸⁷ copy of the statement **you gave**⁸⁸ to the police, once they arrived to the scene that day?
38. A. Yes, it is.
39. Q. I move to **admit**⁸⁹ State's Exhibit 2, **Your Honor**⁹⁰. No further questions.