

3.5 HOMICIDE VICTIM'S WIDOW

This is a manslaughter prosecution. The manslaughter charge arises out of a tavern argument that turned into a brawl, during which the victim was killed when he was stabbed in the chest. The defense is self-defense.

The case is now on trial. To prove the identity of the victim and to show that the victim had no preexisting medical condition that could have caused his death, the prosecution will call the victim's widow, Mary Jones. Mrs. Jones can testify on direct examination that she last saw her husband, Frank Jones, the morning he was killed, May 15 of last year. At that time he was in perfect health. She next saw him late that evening in the county morgue. At that time he was dead. The prosecutor has a full-body photograph of the victim's naked body lying in a body pan at the morgue. That photograph was taken just before the autopsy was performed. Mrs. Jones can also testify that the photograph accurately shows her husband as she saw him in the morgue that evening.

1. For the prosecution, conduct a direct examination of Mary Jones.
2. For the defense, cross-examine Mary Jones as necessary.
3. For the prosecution, conduct any necessary redirect examination.