



Client 2: Brit Nguyen

Arrest Report:

Report of R. Stevenson: At 20:36 on 3/29/25 This officer observed an apparent hand-to-hand transaction on the front steps of 600 Eddy Street between an apparent Asian American young male wearing a light blue hoodie and black pants and an older Asian American male wearing a black Carhart coat. The neighborhood surrounding this location at Eddy Street is well known for frequent drug trafficking and property crimes. This officer approached the older male at the corner of Larkin and Eddy Streets. The older male blurted out without any questioning that “the guy gave me pills – I didn't want them.” Four Vicodin tablets were later found on his person. He was then arrested and placed in the rear of Officer Jacobson's squad car. This officer then returned to 600 Eddy Street and encountered Janice Nguyen. When questioned about narcotics trafficking, Ms. Nguyen stated in imperfect English “that punk stole my medication.” Officer was unable to question Janice Nguyen due to a high level of intoxication and her inability to stay conscious during the conversation. During that discussion, a young person of Asian ancestry, who appeared to be the individual involved in the hand to hand came out the front door of the apartment building wearing no hoodie but the same black pants. This person also matched the description provided by the man in custody and he identified the suspect from Officer Jacobson's vehicle. After arrest the young person was identified by their California ID as Brittany Nguyen age 18 with a height of 5'6" weight 125 lbs. and female gender assigned at birth. Brittany prefers to go by the alias "Brit." Brianny appeared to be under the influence of an unknown substance was belligerent and refused to make a statement. Incident to arrest a search of Brittany Nguyen located a small bag containing marijuana on her person as well as a plastic zip bag containing 10 small pills later identified as generic Sertraline (generic for Zoloft). She was charged with Health and Safety Code 11379 (a) for the sale of Vicodin and under section 11378 for the possession of the Sertraline with intent to sell.



Procedural History Learned from Your Representation:

This case is set for trial after Brit Nguyen is held to answer on all counts. From the argument at the preliminary hearing you assume that the government's theory at trial will be to rely on the officer and to a lesser extent the cooperating witness to identify Nguyen. You also should assume for the purposes of the exercise that all reasonable challenges to the authenticity and chain of custody of the drugs as well as potential suppression issues or issues under the Racial Justice Act have been raised and denied.

Jury Instruction and Relevant Law:

To prove that Ms. Nguyen is guilty of possession for sale count the Government must prove that:

1. Ms. Nguyen possessed a controlled substance;
2. Ms. Nguyen knew of its presence;
3. Ms. Nguyen knew of the substance's nature or character as a controlled substance; and
4. When Ms. Nguyen possessed the controlled substance she intended to sell it.

For sale count the Government must prove the first three elements and that she actually sold the substance.

Information From Investigation and Client Meeting:

- Brit Nguyen identifies as female and uses she/her pronouns. Janice Nguyen is Brit's mother.
- Brit reports that the marijuana and sertraline on her person were hers but that she did not encounter the other man and did not sell him pills.
- The neighborhood surrounding 600 Eddy Street (known as the Tenderloin) is known for having a high concentration of people of Vietnamese ancestry. During discovery the police department certifies that no crime data is available for that specific neighborhood.



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Greater than one.

- Your investigator interviews Janice Nguyen who doesn't remember what she said to the officer and does not want to see Brit convicted. She does have a Vicodin prescription however does not report any pills are missing.
- Your investigator does a social media search for the identified people involved in the case. No posts relate directly to the incident however one Facebook post of Officer Stevenson has a blue stripe American flag in the photo and reads "We have to defend OUR country." Stevenson later commented on the post: "We would catch them all if they all didn't look alike! Lol <tongue out emoji>."

After reviewing body worn camera footage, the account mostly matches the arrest report with three notable exceptions that appear likely provable from the footage alone:

Body worn camera footage reveals the following:

- The camera was not activated until Officer Stevenson joined Officer Jacobson to interview the older male as a result the original hand to hand was not captured on the recording.
- Brit is wearing the clothes described in the arrest report. Officer Stevenson seems to recognize her immediately upon her entering the frame of the camera. She does appear grumpy and disgruntled in the video but shows no obvious signs of intoxication.



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Jury Selection Worksheet – Client 2 Brit Nguyen

Identify belief systems: What juror beliefs would cause jurors to reject your Theory-of-the-Case? What biases or stereotypes would be harmful to your client?

Draft Questions: What questions will reveal belief systems inconsistent with you TOC? What are some questions or statements that would help us build a tribe in this case?