



**Client 3: John Grable**

Arrest Report:

**Report of J. Sorenson:** At 23:19 on 2-11-25 Officers Smith and Sorenson responded to 911 reporting that unknown persons were arguing at the homeless encampment near the intersection of Cedar and Larkin Streets – a known area for drug users. We approached the park a young white woman looking to be about 20 years old “Jane Doe” ran from a small blue tent screaming: “he kidnapped me – I didn't want to go there. He gave me a black eye for no reason!” Officer Smith interviewed Doe near the patrol vehicle while the undersigned entered the homeless encampment and found John Grable an older black male (DOB 1/15/1984) inside the blue tent. Before officers could say anything, John blurted out “I didn't do anything – she's tripping. We just came here to get warm.” He gave permission to search his tent but refused to answer any other questions and was arrested after a short detention without incident. No contraband was located in the tent, however a Ruger 9mm pistol registered to Mr. Grable was found inside a sleeping bag later identified as Mr. Grable's. <end>. Filed 00:30 hrs. 2/12/25.

**Report of R. Smith:** At 23:19 on 2/11/25, I accompanied my field training officer in a marked patrol vehicle to the intersection of Larkin and Cedar Streets for a 911 domestic violence call. We entered Cedar alley and located a sheltered area of several tents on the sidewalk against the building-line. Jane Doe ran from one tent saying she had been kidnapped. I walked with Doe to a brighter area at the street under a streetlamp. I observed that her eyes were red and swollen her left eye appeared bruised and scratched but the scratch appeared old and partly healed. She said she and Grable argued and she tried to leave. He grabbed her arm to keep her inside the tent and struck her eye when she tried to leave. I contacted the 911 caller at an apartment across the street at 20 Cedar Street. He reported that there is constant intoxication and fighting at the encampment. On this night he heard screaming and looked out his front window. He saw figures of a man pushing and striking a woman; he does not believe he would be able to identify the man or the woman. <end>. Filed 0103 hrs. 2/12/25.



**Procedural History Learned from Your Representation:**

After preliminary hearing Mr. Grable is held to answer on one count of Corporal Injury to a Cohabitant (PC 273.5(a)). Assume the elements of cohabitation are proven at the preliminary hearing and very likely to be proven at trial.

**Jury Instruction and Relevant Law:**

To prove that Mr. Grable is guilty of this crime the Government must prove that:

1. Mr. Grable willfully inflicted a physical injury on his cohabitant;
2. The injury inflicted resulted in a traumatic condition; and
3. Mr. Grable did not act in self-defense.

Someone commits an act willfully when he does it willingly or on purpose. A traumatic condition is a wound or other bodily injury whether minor or serious caused by the direct application of physical force.

You should assume that the evidence at trial will prove conclusively that Mr. Grable cohabitated with Jane Doe/Jessie Fuller. This charge is a felony. A lesser included charge relevant here is simple battery of a cohabitant. The elements of that offense are that Mr. Grable willfully touched his cohabitant in a harmful or offensive manner and not in self-defense. The slightest touching can be enough to commit a battery if it is done in a rude or angry way. Making contact with another person including through his or her clothing is enough. The touching does not have to cause pain or injury of any kind.

**Information From Investigation and Client Meeting:**

Jane Doe is Jesse Fuller a woman that Mr. Grable has been dating for the past few months.

- o Ms. Fuller gives an interview to your investigator supportive of your client generally but does identify that he has at times hit her. She doesn't want to



see him convicted. She reports that on that day, “John never hit or choked me. I had an old bruise on my face from slipping in the mud and falling into a tree branch a week before. I said that when the police came because I was drunk and worried about getting in trouble myself because I'm not sure if I'm still on probation for a forged check case from about two years ago.”

- Ms. Fuller tells your investigator that she knew Mr. Grable had a firearm but that she rarely saw it and that she did not see it or know where it was on the day he was arrested.

You anticipate as the trial begins that Ms. Fuller will testify consistently with her statement to your investigator.

You anticipate that the government's theory at trial will be that Ms. Fuller's original statement to officers that she was kidnapped was her way of getting police attention to an ongoing domestic violence battery. She later became afraid of him “knowing he carried a weapon” and changed her story.

In anticipation of trial, you've filed motions to suppress evidence and limit testimony. Assume that the results of those motions permit the government to introduce the location and registration of the firearm as well as permit you to introduce Ms. Fuller's probation status. (Her probation had ended two months before Feb 11, 2025.)



**SAN FRANCISCO  
PUBLIC DEFENDER**

Greater than one.

**Jury Selection Worksheet - Client 3: John Grable**

**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?