

Based on the BCI Prosecutor Summary, here is the assessment for the State's case-in-chief regarding the hypothetical charge of felonious assault on a peace officer.

1. Candidate Officers and Observations

Officer 1 (Angled Approach/.45 cal): Arrived first at 1642 Cherry Ln. Approached through landscaping at an angle. Observed the muzzle of a black firearm protrude from the screen door and point directly at his chest. Fired four shots. Limitation: He explicitly stated he "never saw Robert inside the front glass screen door, just the muzzle of the firearm" (Page 25).

Officer 2 (Straight Approach/9mm): Arrived shortly after. Approached via the curved sidewalk, providing a straight-on view. Observed Robert's "shoulder and leg," noted Robert's "right elbow was bent almost to 90 degrees and tucked into his chest/abdomen" (Page 26, 42). Observed Robert turn and point the black handgun in his right hand directly at him. Fired three shots.

Ofc. Nick Huber: Arrived at 1649 Cherry Ln. first, then jogged to 1642. Heard "gun, gun, gun" and shots fired. Limitation: Could not see the gun or the subject due to angle and distance (Page 30).

Ofc. Eric Lehman: Arrived after shots fired. First to enter the residence. Recovered the firearm from the floor next to Robert's right hand (Page 31, 40). Rendered aid.

2. Recommended Lead Witness

Officer 2 (Straight Approach/9mm) is the strongest direct examination witness for the State.

3. Reasoning

Officer 2 provides the most complete testimony to establish the elements of felonious assault, specifically that Norton knowingly pointed a weapon at a peace officer.

Identification of the Actor: Unlike Officer 1, who only saw the muzzle, Officer 2 observed Robert's physical person ("shoulder and leg") and specific body mechanics ("right elbow was bent almost to 90 degrees") (Page 26, 42). This connects the weapon to the defendant visually.

Intent and Direction: Officer 2 testified that Robert "turned and pointed the black handgun Robert had in his right hand directly towards [Officer 2]" (Page 28, 42). This observation supports the "knowingly" element by describing a deliberate turn and aim.

Weapon Confirmation: Officer 2 identified a "clear black handgun" (Page 28) prior to firing, which aligns with the recovered Daisy PHANTOM BB gun that resembled a real firearm (Page 9, 42).

4. Supporting Roles for Other Officers

Officer 1 (Angled Approach): Corroborates the immediate threat. His testimony establishes that the weapon was pointed outward from the residence before Officer 2 engaged, supporting the timeline of aggression (Page 23-24).

Ofc. Lehman: Authenticates the physical evidence. He testifies to recovering the firearm "next to Robert's right hand" (Page 31, 40), which corroborates Officer 2's observation that Robert held the weapon in his right hand.

Ofc. Huber: Establishes dispatch timing and scene context. He corroborates the u

agency ("shots fired, shots fired" radio call) and confirms he heard Officer 1 yell "gun, gun, gun" (Page 30), validating the officers' perception of danger.