

**2009-2010  
ILLINOIS YMCA YOUTH AND GOVERNMENT  
JUDICIAL PROGRAM  
TRIAL FACTS  
CASE A**

**PEOPLE V. JORDAN**

**FACTS**

On May 6, 2009, at about 5:00 p.m., police officers were called to an apartment at 1634 W. Diversey, Chicago, Cook County, Illinois. They were admitted by Anne Swain. Inside, they found the body of Linda Kent. She was dead.

From an interview with Anne Swain, Officer Mark Johnson learned that Kent had had an argument earlier that day with Albert Jordan, who lived with Linda Kent in Apt. 302 at 2634 N. Southport Street. Swain's statement is attached.

Johnson and his partner, Sam Caldwell, went to the Southport Street address. Jordan was not in the apartment. While conducting inquiries of all those living in the building, the officers spoke to Derek Rogers, who lived in the apartment next to that of Kent and Jordan.

Rogers told the officers he saw Jordan attack Kent with a bat earlier that day. Rogers' statement is attached.

At about 9:00 p.m., as the officers were in the hallway outside apartment 302, a man fitting Jordan's description walked toward the door. He identified himself as Albert Jordan. Officer Johnson identified himself and asked Jordan if he knew anything about the whereabouts of Linda Kent. Jordan said nothing. Johnson then placed Jordan under arrest and gave him the *Miranda* warnings. Jordan then refused to say anything, but, 30 minutes later at the Racine Avenue police station, he waived his right to remain silent and gave Johnson a signed statement. That statement is attached.

The bat was never found.

Police records indicate that Jordan had been convicted of aggravated battery five years before his arrest in this case. He was given a sentence of three years probation.

An autopsy and blood-alcohol test were performed on Linda Kent at the county morgue. The autopsy report indicated that Linda Kent died from a trauma-induced edema of the brain. The report also showed that Kent was 5' 4" and weighed 115 pounds. Furthermore, it showed that Kent only had function in the right lung and that her body was covered with bruises. Lastly, it showed that Kent's liver was showing signs of disease. The toxicologist report showed the presence of three-hundred-seventy-eight (378) mg. of alcohol.

During discovery, the defendant stated that his defense will be that Linda Kent died as a result of the alcohol consumed and not as a result of any act he performed. He has notified the State that Dr. Ralph Schultz, a forensic pathologist, will testify for the defense.

**PLEADINGS:**

The state has filed murder charges against Jordan. He has entered a plea of not guilty.

**WITNESSES:**

The following witnesses may be called:

State: Anne Swain  
Derek Rogers

Defense: Albert Jordan  
Dr. Ralph Schultz

**STATEMENT OF ANNE SWAIN**

Typed by Officer Mark Johnson at police headquarters, 61st and Racine. Also present is Officer Sam Caldwell. Statement taken May 6, 2009 at 9:15 p.m.

My name is Anne Swain. I live at 1634 W. Diversey alone. I am not presently employed. I graduated from high school. Linda Kent was my cousin. I do not know Albert Jordan personally; however, Linda has talked about him often. At about 4:00 p.m., Linda knocked on my door. I opened the door and she kind of stumbled into the apartment. Her eyes looked funny and she smelled like she had been drinking. She looked terrible. She kind of staggered around for a couple of minutes. I asked her what the matter was, but I could not understand her when she answered. She just mumbled. I couldn't make out the words. Then she just collapsed on the floor. That's when I called the police. I hadn't seen Linda for about six months. She sure looked different when I saw her today. She had lost a lot of weight, and her knees looked all scraped up. She kept holding her head with her hands.

I have read this statement and I find that it is correct as typed.

.....  
Anne Swain

**STATEMENT OF DEREK ROGERS**

Typed by Officer Mark Johnson at police headquarters, 61st and Racine. Also present is Officer Sam Caldwell. Statement taken May 6, 2009 at 9:50 p.m.

I am Derek Rogers. I live at 2634 N. Southport, Apt. 303. I am presently unemployed. I've lived in this apartment for about three years. Albert Jordan and Linda Kent have lived next door to me for a year now. They're kind of noisy neighbors. They're always arguing and carrying on. About 10 or 10:30 this morning, I heard them. The walls are kind of thin. I heard both of their voices. They were loud. It sounded like an argument. It must have gone on about 15 minutes. I then heard their apartment door open, and then I heard running sounds in the hall. They were both yelling. I went to my door and opened it. Next, I saw Jordan chasing Linda down the hall. He was swinging a bat at her, and they both were yelling. I saw Jordan hit her with the bat. At least, it looked like he hit her. He was standing between me and Linda. But I would say he hit her at least twice, maybe three times. I think he hit her on the head -- at least once.

After that, she ran down the stairs, but he didn't go after her. He went back into the apartment with the bat.

Right after that I went to the corner tavern to get some cigarettes. Linda was in there. She was sitting at a table, and she had a glass and a bottle of gin in front of her. She was alone. Then about two hours later, I walked past the tavern. When I looked in I saw that she was still there at the same table. That was about one o'clock. She was sitting with her head in her arms.

I have read this statement and I find that it is correct as typed.

.....  
Derek Rogers

**STATEMENT OF ALBERT JORDAN**

Typed by Officer Mark Johnson at police headquarters, 61st and Racine. Also present is Officer Sam Caldwell. Statement taken May 6, 2009 at 10:15 p.m.

I'm Albert Jordan. I live at 2634 N. Southport, Apt. 302. I'm a taxi driver. I understand that I am being charged with the murder of Linda Kent. And I understand that I don't have to say anything without a lawyer being present, and that if I say anything it could be used against me in a court of law. But I want to give this statement.

Linda Kent and I have lived together for the past year. We were going to get married. Linda and I had our differences, like anyone else. But we always made up. About ten o'clock or so, I was dressing to go to work. I was going to work from noon to eight. Linda was putting her clothes on. I asked where she was going. She said she was going to the Cozy Tavern on the corner for something to drink. I told her it was too early to start drinking. She started yelling at me and swearing at me. We argued back and forth for a while. Then she opened the door and said she was going to the Cozy and I could go to hell. I got mad and picked up a bat that was lying next to the door. Then, she ran out the door and I ran after her. I didn't hit her with the bat. I think that I may have touched her lightly on the rear end, but that's all. But I never hit her on the head. Next, she ran to the landing and down the stairs. I stopped at the head of the stairs. I knew I had to get to work, and I didn't want to fight anymore. So I went back to the apartment, finished dressing, and went to work. I think that I left the bat in the hallway. I know I didn't take it back to the apartment. After that I didn't see Linda again. The next thing I knew is that I saw you in the hallway outside my door. All I know is that I loved Linda. I would never hurt her.

I have read this statement and I find that it is correct as typed.

.....  
Albert Jordan

## **DISCLOSURE OF EXPERT'S FINDINGS**

Expert: Dr. Ralph Schultz

Re: Analysis of autopsy report on Linda Kent

I have been retained by Albert Jordan to prepare the following report. He has paid my standard expert witness fee of \$10,000.00.

In preparing my findings, I examined the autopsy and toxicology reports. My analysis is not based on any independent research; rather it is an examination of the propriety of the conclusions that the coroner and toxicologist reached based upon the data they collected.

I take issue with the coroner's conclusion that Kent died of trauma-induced edema of the brain. Given Kent's chronic alcoholism and the extremely toxic level of alcohol in her blood, it is more probable than not that she died of alcohol poisoning rather than any blows to her head. This conclusion is supported by the poor and weakened condition of her liver at the time of her death. In addition, the contusions to her skull do not indicate with any certainty that she received any severe blows.

There are several other facts about Kent which support my conclusion. First, alcoholics

bruise very easily. Therefore, it may be the case that she received the trauma to her head by falling while at Swain's apartment. Alternatively, because her motor skills must have been severely impaired given the level of alcohol in her blood, Kent could have fallen and injured herself at any time during that afternoon. Furthermore, Kent's breathing capacity was severely limited by the fact that only one of her lungs functioned; mixed with a high dose of alcohol, her constant shortness of breath might have caused asphyxiation, which is also consistent with the edema of her brain.

In conclusion, I am not convinced that the coroner's theory of the cause of Kent's death is supported by the physical and toxicological evidence that I have reviewed.

I attest that the preceding is true and accurate to the best of my knowledge.

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Dr. Ralph Schultz