

EXHIBITS AVAILABLE TO BOTH PARTIES

The parties have stipulated to the authenticity of the trial exhibits listed below. The Court will, therefore, not entertain objections to authenticity of these trial exhibits. The parties have reserved any objections to the admissibility of any of these exhibits until the trial of the above-captioned matter. The trial exhibits may be introduced by either party, subject to the Rules of Evidence and the stipulations of the parties contained in the materials.

EXHIBIT #	EXHIBIT DESCRIPTION
1	911 Report, October 26, 2019
2	Incident Report
3	Supplemental Incident Report
4	Coroner's Report on Casey Myers
5	Agreement Between Alex Johnson and Jody Rivers
6	Magnolia Theater Floorplan
7	Social Media Post
8	ForensicMagician Report
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10	Picture – Double Doors with Push Bar
11	Picture - Guitar String Found in Lock
12	Fire Marshal Ticket
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Exhibit #1: 911 Report, October 26, 2019

911 Detail Report			
Incident Number:	283MSFD10262019	Incident Date/Time:	10/26/2019
Incident Address:	101 Commerce St., Fondren, Mississippi	Incident Time:	18:03:15
Incident Status:	Closed	Cell/Caller Confirmed:	Finley Fusco
Unit	Time	Call Content	
Dis.8	18:03:15	Incoming Call Dispatcher 8 – Fondren County 911. Is your emergency police, fire, or medical?	
Caller	18:03:18	My name is Finley Fusco. I'm the venue manager for Magnolia Theater. I know emergency management is stationed outside, but people are exiting in the masses. One of the exit doors won't open.	
Dis.8	18:03:30	Are you in any danger?	
Caller	18:03:35	Someone is going to be. They are wanting out and fast. We have a ton of people in here. The pyro just went off not as planned. There is no fire, but someone is going to get hurt. It is getting crazy in here.	
Dis.8	18:04:02	I understand and I am going to notify emergency management on scene.	
Caller	18:04:15	I will stay right here on my cell if you need me.	
Dis.8	18:04:28	Emergency Management (EM). Dispatch8.	
EM	18:04:33	Dispatch8. EM. Go ahead.	
Dis.8	18:04:42	EM. The venue manager at Magnolia Theater is noting a mass exodus of attendees. Also note pyrotechnics have gone off not as planned. One set of doors won't open. No fire noted.	
EM	18:05:20	Dispatch8. EM Confirms. We are witnessing mass exodus now. We have responders on the scene. With only one exit door working, we'll address attendees. Can the venue manager direct them safely to the nearest exit?	
Dis.8	18:05:38	Finley, are you still on the line with me?	
Caller	18:05:57	Yes. I am here.	
Dis.8	18:06:10	EM is assisting with the mass exodus of attendees. Can you direct attendees to the nearest exit?	
Caller	18:06:38	That is what I am doing. It's going to take a while to get everyone out with just one exit and this many people.	
Dis.8	18:07:03	EM. Dispatch 8 notes the venue manager is directing attendees to the one exit. Exiting will take a while given number in attendance.	
EM	18:07:43	EM copies. Go ahead and show EMS3 loading a patient needing medical attention ASAP.	
Dis.8	18:08:30	Dispatch8. Good copy.	
EM	18:09:57	Dispatch8. Go ahead and send multiple ambulance units for additional personnel. We have multiple victims on scene needing treatment. Do an alarm for additional police units on scene as well. Make this a second alarm.	
Dis.8	18:10:18	EM. Dispatch8 copies request.	
Dis.8	18:10:52	Dispatch8. Second Dispatch. Any additional EMS or FCSD units please respond to Magnolia Theater for additional assistance.	
EMS3	18:40:21	Dispatch8. EMS3. EMS3 en route to Fondren County General Hospital.	
EM	20:52:16	Scene is under control. We show one victim transported to hospital. All others treated on scene and released. Clearing Incident #283MSFD10262019.	
Dis.8	20:53:23	EM. Good copy. Incident #283MSFD10262019 closed.	

Exhibit 2: Incident Report

AGENCY ID MS04600		FONDREN COUNTY SHERIFF'S DEPARTMENT 107 Courthouse Square, Fondren, Mississippi 39211 (601) 555-1234									
INCIDENT REPORT PRINT OR TYPE ALL INFORMATION											
EVENT	INCIDENT TYPE			COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS On Scene	TYPE VICTIM <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Other			
	Large Venue Disturbance			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Theater	9				
				<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO						
	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						Case #				
	Magnolia Theater, 101 Commerce St., Fondren, MS 39216						190912				
	INCIDENT DATE		24 HOUR CLOCK		TO	DATE		24 HOUR CLOCK			
	10/26/2019		18:03			10/26/2019		20:52			
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		DAYTIME PHONE		EVENING PHONE			
Fusco, Finley				None		601-867-5309		601-867-5309			
ADDRESS				CITY		STATE		ZIP CODE			
709 North Main Street				Fondren		MS		39211			
SUBJECT NO.1	NAME (LAST, FIRST, MIDDLE)			AKA							
	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULARITIES, ETC.										
	ADDRESS			CITY			STATE		ZIP CODE		
	SUBJECT (NO.1) USING: ALCOLAL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN DRUGS <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO			DATE / TIME OF OFFENSE		DATE / TIME OF ARREST		
NARRATIVE	Overview Emergency Management (EM) was on scene and secured event of 500+ pp at Magnolia Theater and surrounding area for 10/26/2019. EM was notified via venue manager, Finley Fusco, from inside bldg. via 911 call at 18:03 hours of a mass exodus of concertgoers and only 1 of 2 exits working. Since close to function, traversed via foot to offer assistance with second alarm. Once on scene, observed large numbers of people exiting in a panicked manner. Overheard comments about a bomb in the building and concertgoers reported a bomb had gone off. According to 911 caller, no fire was noted - pyro had gone off not as planned. Saw paramedics rushing an injured woman to ambulance during interviews. EM and EMS were tending to needs of concertgoers. Per Sergeant around 18:30 hours, I began interviewing before it was too late to get accurate information. (See Supplemental Report.)										
Property ESTIMATE	TYPE (GROUP)						TOTAL VALUE				
	STOLEN										
	DAMAGED										
	BURNED										
	RECOVERED										
SEIZED											
ADMINISTRATIVE	SUBJECT IDENTIFIED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		SUBJECT LOCATED no		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED <input type="checkbox"/> UNFOUNDED		<input type="checkbox"/> ARRESTED UNDER 18 <input type="checkbox"/> ARRESTED 18 AND OVER		<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER		
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH. 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRACTION DENIED 4. <input type="checkbox"/> VICTIM DECLINES OPERATION 5. <input type="checkbox"/> JUVENILE NO CUSTODY										
	REPORTING DEPUTY			DATE		24 HOUR CLOCK		APPROVING DEPUTY		DATE	
	Deputy Sanders			10/26/19		21:45		Sheriff Perry		10/26/19	
										UNIT NUMBER	
									469		
FOLLOW-UP INVESTIGATION REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO											

Exhibit 3: Supplemental Incident Report (Page 1 of 4)

AGENCY ID MS04600	FONDREN COUNTY SHERIFF'S DEPARTMENT 107 Courthouse Square, Fondren, Mississippi 39211 (601) 555-1234
INCIDENT REPORT PRINT OR TYPE ALL INFORMATION	

EVENT	INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS On Scene	TYPE VICTIM
	Large Venue Disturbance	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Theater	9	<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Other
	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					Case #
	Magnolia Theater, 101 Commerce St., Fondren, MS 39216					190912
	INCIDENT DATE	24 HOUR CLOCK	TO	DATE	24 HOUR CLOCK	
	10/26/2019	18:03		10/26/2019	20:52	
	COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		DAYTIME PHONE	EVENING PHONE
Fusco, Finley		None		601-867-5309	601-867-5309	
ADDRESS		CITY		STATE	ZIP CODE	
709 North Main Street		Fondren		MS	39211	

SUBJECT NO.1	NAME (LAST, FIRST, MIDDLE)	AKA		
	Johnson, Alex	N/A		
	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULARITIES, ETC.			
	None			
ADDRESS	CITY	STATE	ZIP CODE	
142 Highway 522 Unit 1	Fondren	MS	39211	
SUBJECT (NO.1) USING:		ARRESTED NEAR OFFENSE SCENE	DATE / TIME OF OFFENSE	DATE / TIME OF ARREST
ALCOLAL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN DRUGS <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	10/26/2019	10/30/2019

SUPPLEMENTAL NARRATIVE Page 1 of 4

On Scene Interview - Jett Jones

Jett Jones, journalist for Rock & Fondren magazine, agitated but not fearful. Very distracted with smart phone, interested in how many likes a post received. Post was shown to me and submitted as exhibit. Jones received a post from someone identified as "Cynical Songwriter." Jones reposted it as a warning and was still obsessed with monitoring "the story's" activity. Jones showed post to concertgoer, Stevie Raven. Jones identified Alex Johnson, one of the individuals on scene, was a member of the Ambition band. Nothing suspicious from this interviewee. I did not request Jones's cell phone since Jones was an accredited member of the media and getting a warrant for Jones's device would have been extremely difficult.

On Scene Interview - Alex Johnson

Alex Johnson was a member of the Ambition at Magnolia Theater tonight, appeared covered in sweat and very preoccupied. Johnson made clear of being a former member of the band. Johnson had not ran out of theater, but instead was standing outside waiting for friends. Observed Johnson's fingers as a little cut up. When asked, Johnson said recent cuts were from restringing a guitar. No injuries sustained on site. During interview, Johnson abruptly grabs cell phone from pants pocket and frantically accessed it. Appearing to attempt to delete information under exigent circumstances, I immediately ceased the phone for safekeeping as possible probable cause based on prior interview with Jones. We struggled over phone. Phone was on "settings" screen - not sure if that happened during struggle. I retrieved a Faraday bag from the office while an officer detained Johnson until my return. The Faraday bag was retrieved to secure the phone until a search warrant was obtained.

Exhibit 3: Supplemental Incident Report (Page 2 of 4)

SUPPLEMENTAL NARRATIVE

Page 2 of 4

On Scene Interview - Stevie Raven

Stevie Raven, a concertgoer, was open to an interview. Raven confirmed seeing post shown by Jones. Raven indicated being a big Ambition fan. Raven saw Johnson outside of Magnolia Theater typing into cell phone at 17:15 hours. Johnson quickly put phone away when interrupted by Raven, Johnson reluctantly gave autograph and was unreceptive indicating in a hurry because an uber had been called. Johnson loosened up and began chatting re: guitar collections since both into guitars. Convo was interrupted with arrival of black Uber XL. Raven was confused because concert to start at 18:00 hours and it was 17:30 hours at the time and asked as to why Johnson was leaving if performing in 30 minutes. Johnson mentioned seeing a record producer in Maddison, 30 minutes away indicating embarking on a solo career. Raven knew that meant Johnson would not be back in time to perform. Inside theater, Raven spotted Jett Jones. Raven indicated a negative experience with Jones in the past with an article submission. Raven saw Jones inside theater before show to start and met up with Jones about time the house lights were dimming. Raven saw Jones typing on Facebook, but not what was being typed. Jones showed Raven the post submitted as exhibit. Jones told Raven calmly, "This is a huge story. Someone is making a bomb threat." Jones reposted to get as many people out of Magnolia as possible. Raven thought it was a dangerous situation and made way toward main staircase same time as Ambition started playing first song. Raven notified people as exiting about bomb threat. Assumed Jones was doing the same. Chaos broke loose and people ran toward exits and then a loud bang occurred making the running worse as everyone was attempting to exit while screaming and pushing.

On Scene Interview - Finley Fusco

Finley Fusco, Venue Manager for Magnolia Theater. Fusco indicated being in the room when initial panic started and when the blast occurred. Fusco said initial panic occurred as lights were being dimmed (17:55 hours) and the blast went off two minutes into the first song, which would have been at 18:02 hours. Fusco tried to help concertgoers exit through side doors during the initial panic, but doors would not work even with Fusco's attempts to open doors, and directed them to the main stairs. Fusco did not understand why doors were not operable since Fusco and maintenance checked all doors were in working order prior to soundcheck at 17:00 hours. After the blast on stage at 18:02 hours, Fusco initiated the 911 call at 18:03 hours and confirmed there was no fire present and that emergency management was already on scene as they were secured for the event. Fusco witnessed crowd crushing as people were pushing toward the main stairs. Fusco witnessed the lead singer, Jody Rivers, jumping off stage and helping people. Fusco did not understand how panic started prior to pyro going off incorrectly. Fusco was confident the blast from the pyro made the crowd panic more than before and inoperable side doors contributed to the panic. Fusco indicated a suspicion that the pyrotechnics may have been tampered with since this has never happened prior. Fusco had worked with pyrotechnician, Drew Bellamy, numerous times and pyro was set to go no higher than 10.5 feet with the ceilings at 16.5 feet high and was to be a standard show of pyro. Made note for Fire Marshal to know about locked doors during the event to issue a ticket violation, which is an exhibit. Fusco did not know if this had any relation, but indicated witnessing from back stage an argument at the time

Exhibit 3: Supplemental Incident Report (Page 3 of 4)

SUPPLEMENTAL NARRATIVE

Page 3 of 4

On Scene Interview - Finley Fusco (continued)

around soundcheck (after 17:00 hours) between lead singer, Jody Rivers and Alex Johnson on the stage. Fusco heard Johnson making threats to Jody, about owning songs and a signed contract preventing Rivers from performing those songs.

On Scene Notes -

Overheard two individuals later identified as Jody Rivers and Drew Bellamy having an abrupt conversation about the pyro at the concert. Ended interview with Fusco and indicated there may be a follow-up. I then introduced myself to Rivers and Bellamy.

On Scene Interview - Jody Rivers and Drew Bellamy

Jody Rivers, lead singer with Ambition. Drew Bellamy, hired pyrotechnician. Pulled Bellamy aside to discuss the events that occurred. Rivers was not currently needed for interview. Bellamy indicated being very familiar with Magnolia Theater and pyro expectations. Bellamy had chemical fire canisters for device extinguishing, the fail-safe piping and chemicals acting like a kill switch for the pyrotechnic devices, and detonation boxes – a large heavy metal lined box to place malfunctioning devices in to prevent external detonation. Bellamy also had smothering blankets and fire extinguishers on site. Magnolia Theater is 16.5 feet high with pyro set no higher than 10.5 feet high. Two devices were set up with an identical load of five spark shows, and 4 timed concussive events known as big bangs, placed at far left and far right of stage, 48-inches off of wall. Bellamy arrived at 16:00 hours to set up with show time at 18:00 hours. Stage was complete with pyro at 17:00 hours. Bellamy left via side exit doors, moved work van and got food at food truck. While at food truck at 17:15 hours is when noticed Johnson coming out of the main stairs. Bellamy surprised to see Johnson, since Fusco indicated to Bellamy that Johnson left the band and was outraged about the addition of pyro. Bellamy returned to stage at 17:45 hours, walked stage one more time and settled in. Does not recall rechecking wires at pyrotechnic boxes. Bellamy commented on the obvious - attendees were everywhere – courtyard, food trucks, down stairs and upstairs for concert. Bellamy noted seeing Fusco stage left at 17:55 hours as well as Jones in crowd. Bellamy noted Rivers on stage at exactly 18:00 hours with little response from audience due to checking cell phones and screens being shown to others. Bellamy noted movement in crowd towards exit doors and what looked like panic at opening of show. Two minutes into first song is when planned pyro was scheduled to go off and instead of one spark show at a time – everything went off at once along with an earsplitting loud boom sound from each side of stage. Bellamy quickly hit the fail-safe switch filling both pyro boxes with retardant foam rendering them inactive. Bellamy scanned the crowd for injuries and helped down concertgoers get back on their feet. During interview, received the “All Clear” for going back into building. At conclusion of interview, Bellamy left to check devices. Bellamy then returned and indicated that it was obvious that someone moved the external wires around triggering the first set of sparks to trigger all the sparks at once – not what it was set up to do. Bellamy was confident that someone tampered with the pyro.

Exhibit 3: Supplemental Incident Report (Page 4 of 4)

SUPPLEMENTAL NARRATIVE

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Search Warrant on Phone Belonging to Alex Johnson - October 28, 2019

Received the warrant on Johnson's cell phone and began analysis. Used software – "Forensic Magician" to extract data. Results of analysis are submitted as an exhibit. Overview – phone not connected to any Wi-Fi network during time period searched. Browsing history identified several searches that could be related to incident on October 26, 2019. Unable to determine when data from Facebook app was deleted or which accounts were accessed.

Subpoena Facebook - October 28, 2019, Report October 29, 2019

Searched for basic information associated with "Cynical Songwriter" account. Received information was submitted as an exhibit. The document indicates that the "Cynical Songwriter" account was created on October 26, 2019 at 17:14 EST from the Internet Protocol ("IP") address 2.58.172.2. This IP address is part of a virtual private network (VPN) and the true device IP address is not discoverable.

Research into Former Records on Alex Johnson

Retrieved former records on Alex Johnson. One prior criminal charge noted. Johnson was arrested for second-degree arson utilizing fireworks/other explosives in 2008. Resulted in Jefferson HS Gym catching fire equal to felony arson. Johnson pled guilty in plea bargain agreement resulting in community service.

Conclusion and Arrest Warrant for Alex Johnson - October 30, 2019

I concluded that Johnson set up the "Cynical Songwriter" Facebook account on Johnson's cell phone on October 26, 2019, while at Magnolia Theater. Johnson then posted the bomb threat causing the stampede aka crowd crushing that killed Janet Porter. I obtained an arrest warrant and personally arrested Johnson on the same day at residence on October 30, 2019.

Follow-Up Note - November 4, 2019

Fusco from Magnolia Theater emailed me after the arrest. Fusco stated that an inspection was done by a representative of the defense, Lane Rhodes, and that a guitar string was found jammed in the lock in the side doors' locking mechanism. A photo of the guitar string was provided as an exhibit. This guitar string was the sole reason the exit doors did not function properly. I am making a connection with the guitar string cuts previously noted on Alex Johnson's fingers. Alex Johnson hands were cut up, and the process of shoving a guitar string into a door lock would certainly cause those types of injuries.

Exhibit #4: Coroner's Report on Casey Myers

STATE OF MISSISSIPPI - MISSISSIPPI CORONER'S OFFICE DIVISION OF FORENSIC SCIENCES - RECORD OF CORONER

Name of Deceased	Casey Myers	County	Fondren
Age	27	Date of Birth	10/24/1992
Height	63"	Date of Death	10/26/2019
Weight	145 lbs.	Time of Death	19:13 Hours

MANNER OF DEATH

Natural Homicide Suicide Accident Undetermined Other

PURPOSE OF REPORT

Autopsy Limited Dissection External Exam History Review

PERFORMED BY Chandler Davis, M.D. **Date** 10/27/19 **Hour** 08:30 Hours

APPROVED Stephan Bonner, M.D. **Date** 10/27/19

CAUSE OF DEATH

External Examination: The body is of an adult female, approximately 63" in height, and weighing 145 lbs.

Multiple external injuries are present and readily visible upon inspection of the body. Beginning at the head and moving down. There is a large laceration of approximately 8 inches in length diagonally across the face next to a footprint embedded on face and partial neck. The skull appears to be cracked and indented from extreme pressure. There is very little blood at or around the wound location, indicating a postmortem wound.

Both shoulders and torso area have blunt force trauma as indicated by abrasions, contusions, and shoe prints. The upper body injuries are consistent with walking over the body compressing and breaking multiple ribs and restricting heart flow.

In the lower extremities, the left femur presents a compound fracture with approximately 3" of bone protruding through the skin. The same type of abrasions and contusions as in the torso exist in both legs.

Internal Examination:

Cardiovascular: The heart is normal size and weight for patient's age and appears to have been structurally normal prior to extensive damage from compression.

Respiratory: The lungs appear to be normal size and weight. Tissue appears to be normal prior to extensive damage from compression.

Hepatobiliary: The liver appears to be normal prior to extensive damage from compression.

Gastrointestinal: The typically formed tongue, esophagus, gastroesophageal junction, serosal stomach and gastric mucosa show damage from compression. The stomach, large bowel, and small bowel appear normal prior to extensive damage from compression.

Other Procedures:

1. Documentary photographs are obtained.
2. Blood, urine, bile, and vitreous are submitted for toxicological analysis. All reports clear.
3. Blood is submitted for serological analysis, if necessary.
4. Head and body hair is submitted.
5. Clothing is submitted for volatile determination.
6. Possessions (cell phone, driver's license, credit card and key fob) are in possession of RCSD for examination.

Autopsy Findings: At the time of death, this was an otherwise healthy 27-year-old.

Cause of Death: Blunt force trauma to the entire body via trampling. It is unknown what organ ceased working first due to quantity of injuries. The death was caused from excessive trampling on major organs.

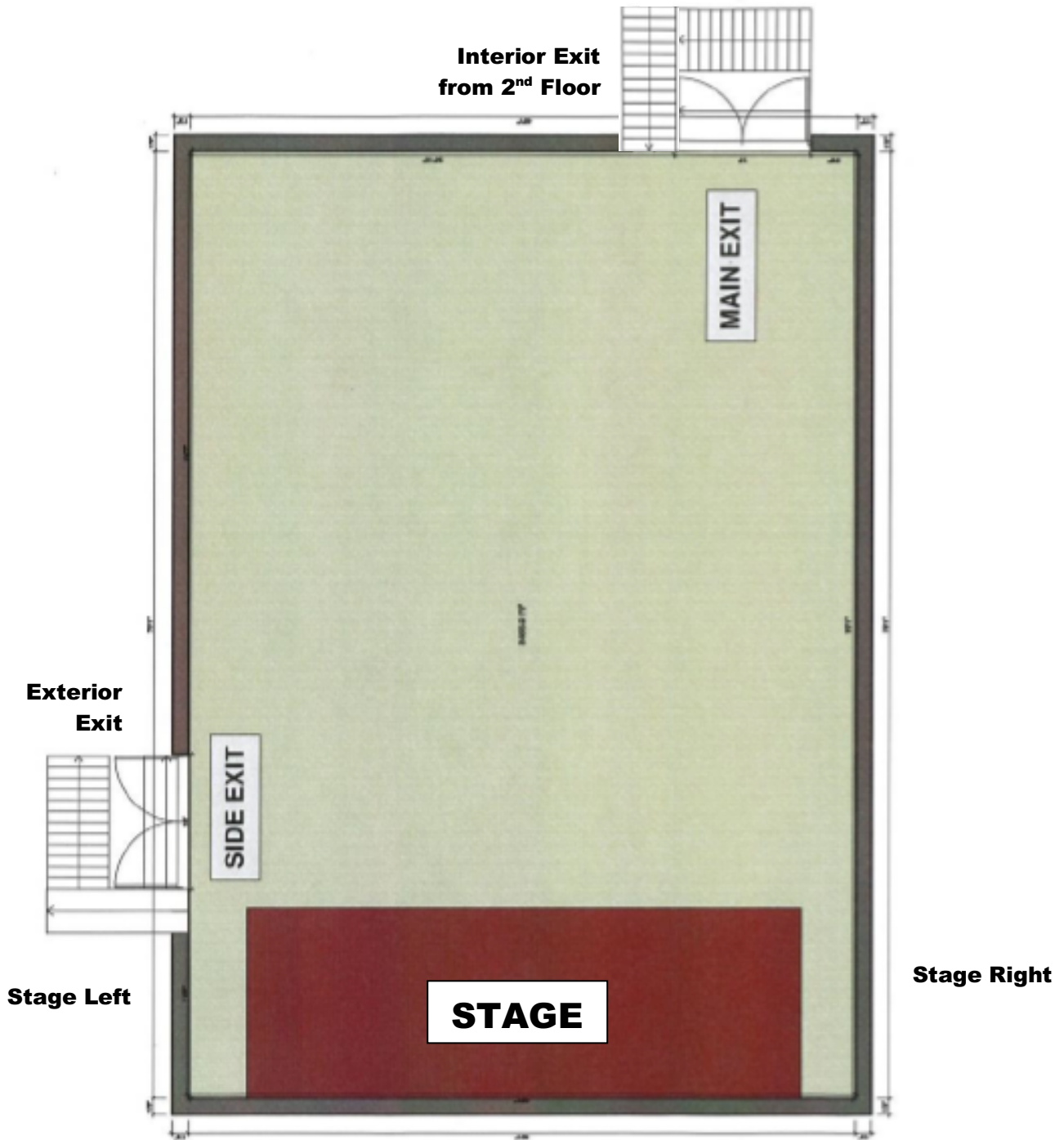
Exhibit #5: Agreement Between Alex Johnson and Jody Rivers

I, Jody Rivers, and I, Alex Johnson, agree that we'll each have equal rights in the songs we write together as Ambition, the rockin-est band that ever existed!

Signed: Jody Rivers

Alex Johnson

Exhibit #6: Magnolia Theater Floorplan



Magnolia Theater Second Floor Floorplan
Fondren, Mississippi

Last Updated: 2015

Exhibit #7: Social Media Post



Jett Jones

October 26, 2019 at 5:56 PM

Readers, your #1 music reporter here posting live from Magnolia Theater with a breaking story. Was just tagged by a crazy fan who's made what appears to be a bomb threat. Folks should exit in an orderly fashion. Live updates to follow.



Cynical Songwriter

October 26, 2019 at 5:55 PM

Hey [Jett Jones](#) u might want to cover this story about tonight's [Ambition](#) show at Magnolia. i heard Alex Johnson isn't going to be there and the band is going to bomb... in more ways than one. the crowd should get outta the theater as quick as they can before the fireworks start. Otherwise someone might get hurt.

Exhibit #8: ForensicMagician Report

ForensicMagician User: Sanders, Jamie Report Generated: 28-Oct-2019 13:47 EST Report Type: Custom Fields Report No.: 19-1248 Device(s) Analyzed: 1. Andromeda Smartphone v. 3.12.17 serial no. 23232178904, recovered 26-Oct-2019 from Johnson, Alex	
Andromeda Smartphone v. 3.12.17 serial no. 23232178904 recovered 26-Oct-2019 from Alex Johnson	
Wi-Fi History (last 30 days)	No connection made to Wi-Fi in the time period searched.
Search History (22-Oct-19 to 26-Oct-19)	"criminal penalties for threats" (26-Oct-19, 12:09 EST) "concerts gone wrong" (26-Oct-19, 11:08 EST) "Home Depot" (26-Oct-19, 11:57 EST) "gas station, Fondren, MS" (25-Oct-19, 14:11 EST) "criminal threats" (24-Oct-19, 20:44 EST) "criminal penalties threats" (24-Oct-19, 20:37 EST) "Magnolia Theater" (22-Oct-19, 12:51 EST) "Eudoras Burgers" (22-Oct-19, 12:01 EST) "Home Depot" (22-Oct-19, 11:57 EST)
App Data (Facebook)	None
App Data (Uber)	October 26, 2019 Ride requested at 17:15 in Fondren, MS Ride #547 confirmed at 17:16 Ride #547 arrived at 17:30 en route to Madison, MS Ride #547 arrived at 18:00 in Madison, MS Ride #547 re-requested at 18:00 en route to Fondren, MS Ride #547 arrived at 18:30 in Fondren, MS
App Data (Geo Location)	October 26, 2019 16:00 home address (117 River Chase Lane, Fondren, MS 39211) 16:45 driving 5 minutes 16:50 Magnolia Theater 17:30 driving 30 minutes 18:00 I-55, Madison 18:00 driving 30 minutes 18:30 Magnolia Theater

Exhibit #9: Facebook Subscriber Information

Facebook Business Record	
Subscriber Information	
Service:	Facebook
Target:	99999222221
Date Range:	Creation to 2019-10-29 13:59:59 EST
Name:	First Alex Last Ambition
Vanity Name:	Cynical Songwriter
Registered Email:	buddiesDuling@360ya.ar
Email Verification:	Yes

The document indicates that the “Cynical Songwriter” account was created on October 26, 2019 at 17:14 from the Internet Protocol (“IP”) address 2.58.172.2. This IP address is part of a virtual private network (VPN) and the true device IP address is not discoverable.

Exhibit #10: Picture - Double Doors with Push Bar



Note: The red circle is circled around the pass key hole where guitar string was found.

Exhibit #11: Picture - Guitar String Found in Lock

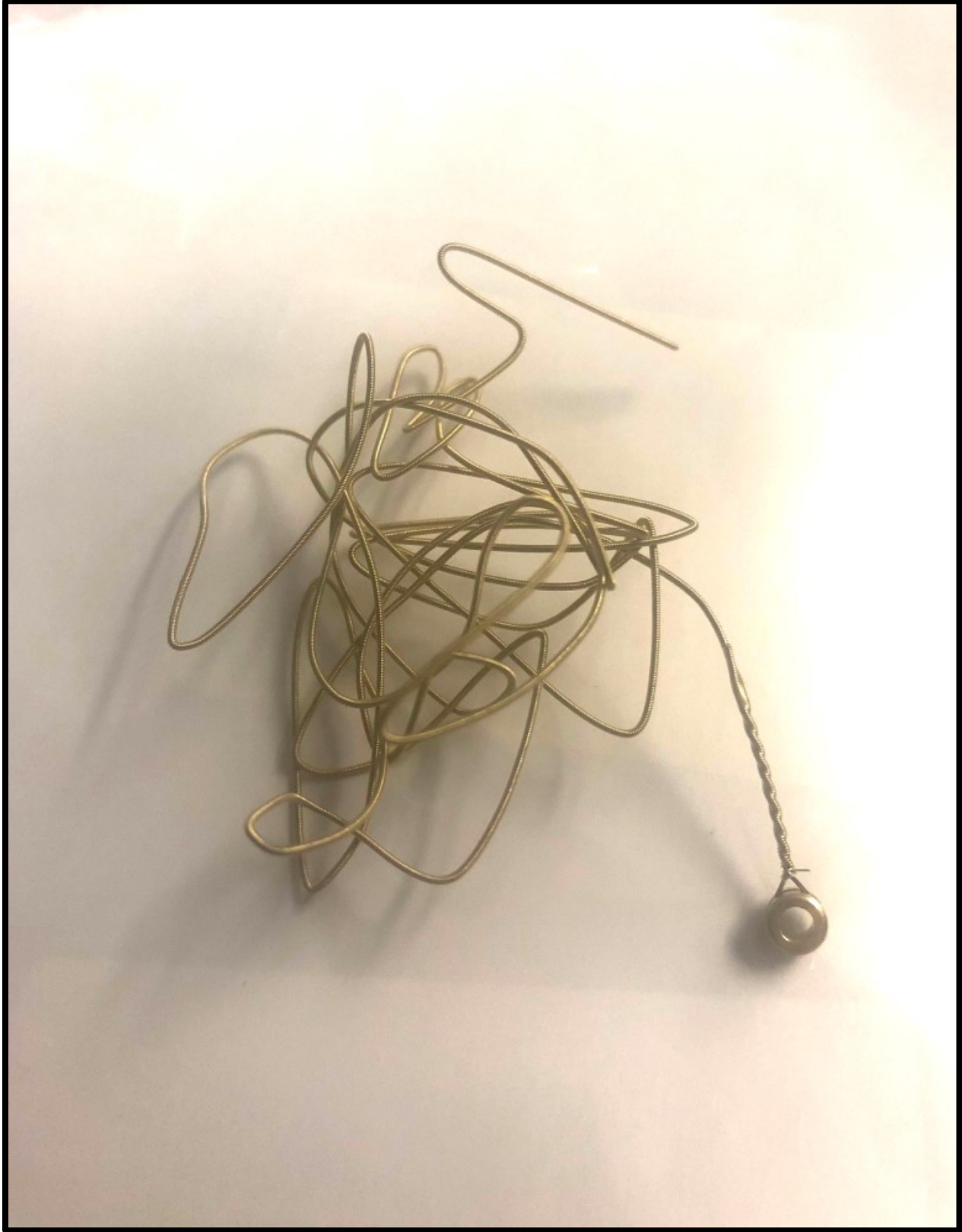


Exhibit #12: Fire Marshal Ticket

FONDREN FIRE AND RESCUE VIOLATION

DATE: 10/28/2019

BUSINESS NAME: Magnolia Theater

ADDRESS OF VIOLATION: 101 Commerce St., Fondren MS 39216

PERSON NOTICE GIVEN TO: Finley Fusco

TITLE OF PERSON NOTICE GIVEN TO: Venue Manager

RECEIPT OF NOTICE – SIGNATURE/DATE *Finley Fusco*

ITEM NO.	VIOLATION CODE	FONDREN FIRE BY-LAW VIOLATIONS FOR IMMEDIATE COMPLIANCE
1	1001.2	It is unlawful to alter a bldg. or structure that reduces the # of exits. Side doors were noted on 10/26/19 to be inaccessible by Dep. Sanders. Doors will be checked after fine paid.
		Bus. To remain closed until passing re-inspection and \$1,000.00 fine is paid in full.

FIRE INSPECTOR: Daryl Lattimore

BADGE NUMBER: 22-30713

Exhibit #13: Building Inspection Report (Page 1 of 2)

RHODE'S INSPECTION SERVICES, LLC



Inspection Information:

Date of Inspection: _____ November 4, 2019 _____

Property Name: _____ Magnolia Theater _____

Address: _____ 101 Commerce St., Fondren, MS 39216 _____

Person On-Site for Inspection: Finley Fusco _____

Person Conducting Inspection: Lane Rhodes _____

Purpose of Report:

Rhodes Inspection Services, LLC was contacted by client, Alex Johnson, on November 1, 2019, to evaluate Magnolia Theater for code violations and other safety hazards.

Report Findings:

I reached out to Fondren Inspections Division on November 1, 2019, to obtain copies of all Magnolia Theater's prior inspection records. The clerk indicated their records went as far back as the 1990's, but Magnolia Theater's records could not be located and they certainly no longer existed. Clerk indicated that Magnolia Theater may have had an exception to inspections since it was on the National Historic Registry. I personally know exterior stairs were added to create an additional side exit in 2015. I am surprised no inspection was done in 2015, with the addition. I would call it criminal to have no inspection records this long for a building that is so popular and houses up to 500 people per event.

On Monday, November 4, 2019, I arrived at Magnolia Theater as a surprise visit. A copy of the layout I observed has been supplied. I met with Finley Fusco, the venue manager. The building is a large, 2-story event space with the primary event space on the second floor accessible with main stairs that open into the interior of the first floor. A second set of stairs is on the exterior and is on the side of the building.

For the building's capacity, the building is approximately 50 feet wide by 70 feet long, equaling a total surface area of 3,500 square feet. Allowing for seven square feet of floor space per occupant means its maximum capacity is 500 people. Fondren Fire Code Section 201.9 provides that buildings with a capacity of 301-500 people are required to have at least two exits. The building has precisely two exits that are ten feet wide and are placed 85 feet apart. However, I could not find any signage noting the venue's maximum capacity.

Exhibit #13: Building Inspection Report (Page 2 of 2)

Rhodes Inspection Services, LLC
RE: Magnolia Theater
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It is noted that being in compliance with the Fire Code does not necessarily mean safe. Technical compliance is never the ultimate goal when it comes to building safety. Rather, the Fire Code reflects a bare minimum and the requirements represent the ones without which a building becomes an obvious and unacceptable hazard. The Magnolia Theater is in the latter category. For a venue that regularly hosts concerts, technical compliance is simply not good enough, especially knowing the concert hall itself is on the building's second floor.

Since this venue is more likely to have sold out events and maximum capacity of 500 people, this building should have three exits. The absence of the third exit, may have contributed to the tragedy on October 26, 2019. Because of the nature of the event on October 26th, it is likely there were more than 500 people in attendance. Being over capacity could have contributed to the fatality of Casey Myers.

While onsite, I had Finley Fusco show me the door that was locked during the October 26, 2019, performance. I checked the side doors, which are standard commercial double doors with one push bar also known as a panic bar and the doors would not open. Nothing appeared wrong with the doors, so I looked more closely at the locking mechanism. There were minute scratches where the hole for pass key goes in the red circled area on the picture of the doors. I identified a twisted-up piece of metal string lodged in the keyhole where the pass key is inserted, which caused both doors to jam in a permanently locked or jammed position until removed. I extracted the twisted up wire and it turned out to be a gold colored guitar string. The picture of the guitar string found in the locking mechanism has been supplied. Once the guitar string was removed, the double doors opened without issue.