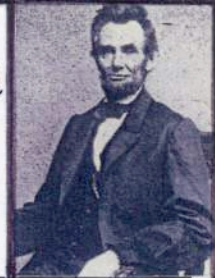


*American Board of Criminal Lawyers*  
**THE ROUNDTABLE**



Vol. MMXVI, No. 2

February 2016



**A perfect pair.**



**EXPERIENCE CUBA!**

**ABCL WINTER MEETING**



**4 DAYS, 3 NIGHTS - FEB 12-15, 2016**



## CLOSE TO HOME

*courtesy of Joel Hirschhorn*



## NOT GUILTY DUDEICIDE

Jury just returned a Not Guilty verdict in a murder case I tried this week. The State only had three eyewitnesses.

I used my "Paul Revere" closing argument. It works well with older jurors in eyewitness cases. It is lost on the Facebook generation. Here is a condensed version:

With a bit of flair dramatique, I start my closing with: "Listen my children and you shall hear of the midnight ride of Paul Revere". Then I rhetorically ask the jurors if they remember that poem from their school days and then posit that everyone in the entire country knows that Paul Revere made the famous ride in which he warned the colonists that they British were coming. I talk about loving history etc. blah blah—Then I say much to my surprise, I recently learned after watching the History Channel, that Paul Revere did not make that ride. Three guys set off from Boston; Dawes, Revere and Prescott. Dawes got lost. Revere was detained at a sobriety check point road block. Dr. Prescott was able to make the hundred mile ride to Lexington.

So why were we told that Paul Revere did it? Because a guy named Longfellow wrote a poem a hundred years later, after the War Between the States, in which he was trying to reunite the country during its centennial with flowering words of patriotism. Maybe he found it easier to make a rhyme with Revere than he did with Prescott.

By this point, the jury is entertained but perplexed. So I segue into family get together's like Christmas or Thanksgiving where family members tell the same stories that were told at previous meetings. Everyone gets big laugh even though who did what and when in the story is not exactly accurate but why ruin a good story with the truth. Paul Revere did it.

Then I finally get around to the case and nitpick the "eye witnesses" testimony. Point out minds aren't cameras. Suggestibility makes us all see things in our mind that we really didn't see but once the seed has been planted we become convinced that Paul Revere did it. So of course the eye witnesses all came into court and swore it was the defendant who shot the victim. Everyone in the hood knows that he did. Just like everyone knows Paul Revere said the British are coming.

Happy Mardi Gras!

**JEFF DEEN**



"I think it is a man's duty to make all the money as he can, keep all that he can, and give away all that he can."

— John D. Rockefeller

FRIDAY, JANUARY 1, 2016

*BRIAN McMONAGLE  
+ BILL COSBY*





# I'LL SEE YOU IN C-U-B-A

By  
IRVING BERLIN



## CAFÉ CUBANO

Cuban coffee is a Miami religion, and yes, it's different from Starbucks.

Die-hard Cuban coffee-philosophes (and respectable *ventanitas*, or Cuban coffee counters) start with dark-roast Café Bustelo or Café Pilon. Sugar is stirred into the coffee the moment it hits the cup. The result is sweeter and thicker than Italian espresso.

It comes in various sizes and potencies. A *colada* is a large cup served with a stack of smaller cups; it's meant to be shared. For a single portion, order a *cafecito*. For something larger that takes longer to sip, the *café con leche* ("with milk") is essentially a Latin latte; a *cortadito* is a smaller version of that.



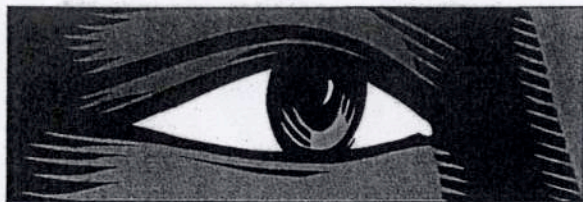
## Havana

The old fashion rules go out the window when it comes to weddings in the tropics. A light cream jacket? Check. A floral scarf and Panama hat? Why not. You're in paradise. You may as well dress for it. Marc Jacobs Ivory supper suit blazer, \$1,975, sandy stripe shirt, \$495, and palm leaf print scarf, \$290, at Marc Jacobs and [marcjacobs.com](http://marcjacobs.com). Stetson straw Panama hat, \$140.





# THE EYE



# OF THE BEHOLDER

A FICTION FEATURE BY STEVE LACHEEN

**I**t was the voice he recognized first. Dining alone and facing the door, he hadn't noticed the couple seated behind him until he heard the woman speak. Then, even without turning, he recognized the voice, unmistakably, as hers. It had been almost a dozen years, but he felt the once-familiar flutter as he stood and turned to see the face that haunted his dreams, the face he had never expected to see again.

It was indeed her. He stood there, staring, waiting for her to notice him. But, deep in conversation with her companion, she did not. He waited, knowing she would look up, anticipating her surprise and, he hoped, pleasure at seeing him as well. He waited.

Finally, she looked his way and then glanced away, as though she hadn't seen him. Yet, he was sure she had. In fact, he was sure she had made a little shake of her head, from side to side, too quick to be noticed by her companion who was looking down at his plate, but long enough to send a clear signal to him, standing here, with his hope up and his guard down.

No question about it. She had given him a clear signal that she recognized him and did not want to acknowledge him.

What to do? He had no idea who she was with, or what their relationship. Whoever he was, and whatever it was, however, it was clear that she did not want him to approach. There was no mistaking that look. What to do?

He sat down. Upset, unnerved, he was unable to continue his meal. It was unbearable to be in the same room, to be so close, and not be able to get any closer, to talk to her, to recall together, now, their time together, then. With a sinking feeling, he caught the waiter's eye and made the sign of a check in the air.

Then, in desperation, he quickly rose from his seat and made his way toward the lavatory, passing directly by her table as he did so,

to give her "one last chance," as it were. Hoping to be mistaken, he had to make certain he was not. He had to know the pain he was experiencing wasn't based upon a mistake. Was it really her?

It was; and as he passed right by her table, close enough to catch the fragrance of her still-familiar perfume, she glanced again in his direction and just as quickly turned away. If he had been certain before, he was mega-certain now. She simply didn't want to see him. And he couldn't bring himself to address her when her intention to avoid him was so clear. He kept moving.

Several minutes later, when he left the lavatory to return to his table, he was not surprised to see that they had left. Instead of returning to his own table, he sat down at theirs. Not yet cleaned by the waitstaff, he thought to sit for a moment in the chair in which she sat so soon before. He sensed her erstwhile presence in the trace of her fragrance on the napkin, and a slight smear of lip rouge on her glass. He sat there, consumed by the thought of her, overwhelmed by the near miss of meeting her again.

"Sir?" It was the waiter, handing him the check.

"I'm sorry," he said, taking it. "I just thought I had recognized the people who sat here. Are they regular customers?"

"No," the waiter replied. "From what I heard of the conversation, it was clear that they haven't been here before. Amazing though, wasn't she?"

"What do you mean?"

"Well," he continued, "she certainly fooled me. They were halfway through their meal before I realized she was blind."

*Stephen Robert LaChéen is a partner in the law firm of LaChéen, Dixon, Wittels & Greenberg. His e-mail address is slacheen@concentric.net.*



# American Board of Criminal Lawyers

## THE ROUNDTABLE

Vol. MMXVI, No. 2

DAYS OF FUTURE PAST?

(very early) February 2017





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### Future Meetings

Feb. 11-15, 2016: Havana, Cuba

May 26-31, 2016: Rome, Italy

October ? - ?, 2016: Austin, Texas

