

Circumstantial evidence consists of proof of a series of facts or circumstances from which the existence or nonexistence of another fact may be reasonably inferred. In simple terms, circumstantial evidence are facts that you figure out from knowing other facts. For example, if you go to bed on a clear and dry night, and you awake to find that the pavement outside is wet, you may infer that it rained during the night even though you did not see the rain actually fall. In that example, you used the facts of a dry pavement when you went to sleep and a wet pavement when you awoke to figure out that it had rained.

The law makes no distinction between direct and circumstantial evidence concerning the weight to be given each. That means that whether you saw the rain fall or you figured out that it must have rained does not make any difference if you have concluded by one method or the other that it actually rained. It is for you to decide how much weight to give any evidence. However, the law does require that any fact required to convict Mr. Alcantara be proven beyond a reasonable doubt.

### **Conduct of Court – General**

As I have said before, it is up to you to determine the facts in this case. You should not interpret anything I have said or done during this trial as expressing an opinion on my part as to what the facts in this case are. I have not intended to express any such opinion and you should not be concerned about what my opinions might be regarding the facts. That is a matter for you to decide.