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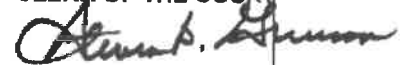
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DISTRICT COURT  
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff(s),

vs.

ANDREW YOUNG,

Defendant(s).

Case No. C-20-350623-1

Department VI

BEFORE THE HONORABLE JACQUELINE M. BLUTH,  
DISTRICT COURT JUDGE

TUESDAY, APRIL 27, 2021

**TRANSCRIPT OF PROCEEDINGS RE:  
JURY TRIAL – DAY 1 OF 4**

APPEARANCES:

For the State:

DAVID STANTON, ESQ.  
Chief Deputy District Attorney  
PARKER P. BROOKS, ESQ.  
Deputy District Attorney

For the Defendant(s);

DAVID R. FISCHER, ESQ.

RECORDED BY: DE'AWNA TAKAS, COURT RECORDER

1 **LAS VEGAS, NEVADA, TUESDAY, APRIL 27, 2021**

2 [Proceeding commenced at 9:40 a.m.]

3  
4 [In the presence of the prospective jury panel.]

5 THE COURT: Good morning, everyone. My name is  
6 Jacqueline Bluth, I'm the sitting judge in Department 6. Before we  
7 get started with formal introductions, I just wanted to give you a  
8 little bit of background information in regards to where we are right  
9 now in the proceeding, okay? So --

10 [Audio cut out.]

11 THE COURT: Okay. There we go.

12 One thing you'll recognize is these microphones go out of  
13 battery very, very quickly, so we're constantly, constantly changing  
14 out the batteries. So be patient us.

15 But anyways, what I was saying is, is normally, before  
16 COVID, we would do this jury selection process up in my  
17 courtroom. But because of COVID, we're now in a jury services  
18 room because we can keep you guys six feet apart. And so I just  
19 wanted to talk to you briefly about the COVID situation and what  
20 we're doing in the courts to make sure you're safe.

21 So the first thing is, is a lot of people think that the courts  
22 closed down when we went through the first shutdown and then  
23 the second shutdown. Actually, no, the courts have been open  
24 each and every day. What did shut down for a period of time were  
25 jury trials.

1           Now, during that time period, there were seven of us that  
2 met -- seven judges that met on a weekly basis, studying the  
3 national trends and meeting with local healthcare partners to make  
4 sure, once we did open back up, that we could do so safely. So  
5 you'll recognize that in this room, each of you will always be six  
6 feet apart. We'll always keep our masks on.

7           And then, additionally, if you look around the room, you'll  
8 see I think there are six of these black boxes. These black boxes are  
9 called Synexis DHP technology. They allow for the continuous use  
10 of dry hydrogen peroxide to reduce the levels of harmful bacteria  
11 and viruses, along with fungi and old in occupied spaces.

12           We also have hand sanitizer in multiple areas in the room,  
13 so if you ever need that on your way out, on your way in, we have  
14 that available, as well.

15           We worked with Clark County property management to  
16 ensure that we have enhanced the air quality within the building  
17 and air disinfection within the courthouse.

18           Once we are done selecting the jury in here, we will then  
19 move into what's referred to as our COVID courtroom. So the  
20 County worked with the Southern Nevada Health District as well as  
21 the University Medical Center in developing two courtrooms that  
22 we refer to as our COVID courtrooms. In those rooms, again,  
23 everyone is six feet apart. In any area where we could not do six  
24 feet apart, we put in this plexiglas. So, actually, in the jury box, you  
25 do have enough space for those of you to be six feet apart.



1 Between the attorneys, the judge, and the staff, we have the  
2 plexiglas, because we could not fit six feet between any of us.

3 We also have specific protocols with -- and a contract with  
4 University Medical Center, as well as the Southern Nevada Health  
5 District. If any issues come up, any health issues, we have them on  
6 call through that contract. Okay. So I just wanted to make sure that  
7 you guys feel safe within this environment right now. This is my  
8 department's ninth trial that we've done during COVID, so definitely  
9 not our first rodeo. And any bumps in the road, we're happy to  
10 work with you and handle. So I just wanted to make sure that  
11 everybody understood this is not something we take lightly. We  
12 have continuously met, studied the national trends and make sure  
13 that we are in compliance with local and national health standards.  
14 Okay?

15 All right. So now I am going to do some formal  
16 introductions. Like I stated, my name is Jacqueline Bluth. I am the  
17 sitting judge of the Eighth Judicial District Court in Department 6.  
18 This is the time and -- set for trial in a criminal matter. This is State  
19 of Nevada versus Andrew Young, C-350623.

20 The record will reflect the presence of the defendant with  
21 his counsel, Mr. Fischer, the deputy district attorneys and all other  
22 officers of the court.

23 Do both parties stipulate to the presence of the jury venire  
24 panel?

25 MR. STANTON: Yes, Your Honor.

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MR. FISCHER: Yes, Your Honor.

THE COURT: All right. Thank you.

So ladies and gentlemen, you have been served to -- you have been called to serve as a juror in this case. The charges in this case are -- may I have the superseding indictment, please, so I can read off the entirety? Thank you.

Burglary, larceny from the person, victim over 60 years of age, grand larceny, and fraudulent use of credit or debit card.

Our trials generally run from around 9:00 in the morning till a little bit before 5:00 at night. Ultimately, 14 of you will be going forward with us as jurors and alternate jurors in this case. In this country, we place great faith in our citizens as jurors to reach fair and objective decisions. Part of what you're doing here is you are being good citizens of our country and community.

Jury duty is a civic responsibility, like obeying laws, voting, and paying taxes. We appreciate the fact that you responded to the jury summons and showed up willing to do your job. I really do believe and understand that it is important what you are doing here. I hope that you enjoy your experience as a juror and find it rewarding.

Even with all of that, I do understand that being here is often difficult and hard for each and every one of you. I was -- I received a jury summons and actually sat as a juror in a multi-week civil trial, so I do understand what you're going through, I understand that you have lives and children and jobs. So I

1 appreciate you being here.

2           Though I -- like I said, I understand that you're frustrated,  
3 but I -- one thing that's really important to me, I'd ask you to think  
4 about, you know, if you were involved in this case in any way, you  
5 would want 14 people to take it seriously, to be able to evaluate the  
6 evidence, and do the best job that they could as jurors. So I wish --  
7 or I -- my hope is that you'll keep that in mind throughout this  
8 process.

9           Another thing to think of is if you find an excuse and you  
10 try to get out of this jury, that doesn't mean you're out of jury duty.  
11 It just means you go into a pool. This case is really supposed to last  
12 about a week. There are some -- I just picked a civil jury trial and  
13 finished a civil jury trial that was over a month long, so a week is  
14 actually very, very short compared to some of the other trials that  
15 are out there being selected. Okay?

16           Let me take this opportunity to introduce the court staff.  
17 You've already met my marshal, this is Marshal O'Kelly. His job is  
18 to maintain order and security in the courtroom. He's also my  
19 representative to the jury. Anything you need or any problems that  
20 come up for you during the course of the trial should be brought to  
21 his attention. However, please keep in mind that the marshal  
22 cannot talk to you about the case or answer any of your questions  
23 about the case.

24           To my left over this pony wall is my court recorder. Her  
25 name is De'Awna Takas. She sees that everything that is said

1 during the trial is recorded so there's an accurate legal record of  
2 everything we say and do during the trial. You will also notice,  
3 once we get into the courtrooms, that there are cameras. Please  
4 know as jurors that jurors are never on camera at all.

5 On my immediate right is my court clerk, Kristin Brown.  
6 She swears in witnesses, marks exhibits, keeps track of evidence,  
7 and prepares minutes of the proceedings for the court record.

8 You may also see my judicial executive assistance Crystal  
9 Jacobs and my law clerks and interns coming in and out of the  
10 courtroom. They make sure everything is running behind the  
11 scenes smoothly while we're in trial.

12 Now I'm going to give the State the opportunity to  
13 introduce themselves to you and read a list of witnesses that they  
14 may call, and give you a short synopsis of their case. Please pay  
15 attention to the list of names that the district attorneys call as  
16 prospective witnesses, because I will in a moment ask you if you  
17 recognize or know any of those names.

18 Mr. Stanton, Mr. Brooks.

19 MR. STANTON: Thank you, Your Honor.

20 Ladies and gentlemen, good morning. My name is David  
21 Stanton. To my left, your right, is Parker Brooks. We are both  
22 prosecutors in the Clark County District Attorneys Office, and we'll  
23 be presenting the case to you entitled State versus Andrew Young.

24 In a moment I'm going to be reading a list of names. It  
25 also involves a list of businesses and a timeframe. As the judge

1 indicated, if at any time you believe you are familiar with any of the  
2 events or potentially knowledgeable about the events, or know any  
3 person that's listed as a witness, the judge is going to ask you that  
4 question. And then if you could just go back to your memory and  
5 raise your hand, as the judge indicates, then there can be a  
6 discussion about what you know and what witnesses you may  
7 know in this case.

8           This case, as the judge indicated, is a criminal case.  
9 During the months of June through August of last year, 2020, the  
10 State has alleged 22 different counts against the defendant Andrew  
11 Young. Those counts involving the crimes of burglary, larceny  
12 from the person with a victim over the age of 60, grand larceny, and  
13 fraudulent use of a credit card.

14           The witnesses, and I'm going to read the list of names  
15 here in just a second, they're not all going to be called, so don't  
16 worry about the number of people I call, just whether or not you  
17 have any familiarity with either the business establishments or any  
18 witnesses.

19           The State alleges that the defendant went into numerous  
20 commercial establishments, targeted various victims all over the  
21 age of 60, stole either individually or with another person not  
22 involved in this case, stole their wallets, and then used the debit  
23 and credit cards in other commercial establishments after those  
24 thefts.

25           The list of witnesses involve Mark Andres, Barbara

1 Angersbach, Montho Boone, Barbara Bowen, Trent Byrd, Rolando  
2 Calvillo, Mary Campo, March Canon, Dominick Cipriano.

3 And then I'm going to read a list of businesses that  
4 involve potential witnesses, sometimes what we refer to as  
5 custodian of records, people who are managers, people who are  
6 familiar with the business practices: 7-Eleven, Albertson's, Bank of  
7 America, Caesar's Palace Hotel and Casino, Circle K, Cosmopolitan  
8 Hotel and Casino, Flamingo Hotel and Casino, GameStop, Paris  
9 Hotel and Casino, Planet Hollywood, Rampart Hotel, Shell Gas  
10 Station, SunCoast, Walgreen's, and two Walmarts, one on Boulder  
11 Highway in the 5000 block, and in the 2000 block on East Serene.

12 Markee Daniel, Daniel Deras, Eric Drury, Vianca Eskildsen,  
13 Joanne Frank, David Gomez, Ethan Grimes, Rhonda Hatcher,  
14 Jeremy Jacobitz, Brand Janecek, Jack Jesse, Tina Leigh, Sandeep  
15 Liske, Joyce Malone, Marcia Martinez, James McGuire, Serry --  
16 that's spelled S-E-R-R-Y -- Mello, Brian Mildebrandt, Janelle Phung,  
17 William Roed, Elizabeth Vargas, Jerry Wheeler, and Robert Will.

18 THE COURT: Thank you, Mr. Stanton.

19 Counsel now for the defendant will introduce themselves,  
20 their list, and give you any list of witnesses that they may call, as  
21 well.

22 Thank you, Mr. Fischer.

23 [Audio cut out.]

24 MR. FISCHER: Can you hear me now? Okay.

25 THE COURT: There we go.

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MR. FISCHER: I'm just used to my --

[Audio cut out.]

MR. FISCHER: Good morning, ladies and gentlemen. Now you can hear me. Okay. I am David Fischer on behalf of Mr. Andrew Young, seated to my right. Thank you very much for your time. That's all I have.

THE COURT: Thank you, Mr. Fischer.

All right. Ladies and gentlemen, I am now going to call roll of the prospective jurors. When your name is called, please answer Present or Here.

[Prospective jury roll called.]

THE COURT: All right. Is there anyone whose names I didn't -- whose name I did not call? All right. Showing no response for the record. Thank you very much.

All right. Ladies and gentlemen, we're about to begin the jury selection process. This is the part of the case where the parties and their lawyers have the opportunity to get to know a little bit about you in order to help them come to their own conclusions about your ability to be fair and impartial, so they can decide who they think should be the jurors in this case. This process is done under oath. Will you please stand and raise your right hand so the clerk can administer that oath.

[Prospective jury panel sworn.]

THE COURT: All right. So let me tell you a little bit about the process. First, I'm going to ask some general questions while

1 you are all seated here. These questions will be directed to  
2 everyone in the entire room. After those general questions. The  
3 focus of the questions will then turn to the first 24 of you. And I will  
4 ask individual questions of those of you seated in those seats, and  
5 the attorneys will ask you follow-up questions.

6           The questions that you will be asked during this process  
7 are not intended to embarrass you or unnecessarily pry into your  
8 personal affairs, but it is important that the parties and their  
9 attorneys know enough about you to make this important decision.  
10 There are no right or wrong answers to the questions that will be  
11 asked of you. The only thing I ask is that you answer the questions  
12 as honestly and completely as you can.

13           You have taken an oath to answer all the questions  
14 truthfully, and you must do so. Remaining silent when you have  
15 information you should disclose is a violation of that oath as well.  
16 If a juror violates this oath, it not only may result in having to try the  
17 case all over again, but it can also result in penalties against the  
18 juror personally. So, again, it is very important that you be as  
19 honest and complete with your answers as possible. If you don't  
20 understand the question, please ask for an explanation or  
21 clarification.

22           At some point during this proces of selecting a jury, the  
23 attorneys for both sides will have the right to ask that a particular  
24 person not serve as a juror. That is called a challenge. There are  
25 two types of challenges. The first type of challenge is a challenge



1 for cause. A challenge for cause is a request to excuse a juror  
2 because the juror might have a difficult time being fair and  
3 impartial in this particular case. The second type of challenge is a  
4 peremptory challenge. A peremptory challenge means that a juror  
5 can be excused from duty without counsel having to give a reason  
6 for the excusal. In this case, each side will have peremptory  
7 challenges.

8           Please do not be offended should you be excused by  
9 either of the challenging procedures. They are simply a part of the  
10 procedures designed to assist the parties and their attorneys to  
11 select a fair and impartial juror.

12           Once all challenges are exercised, we will have 14  
13 qualified jurors. Two of those 14 will be designated as alternates.  
14 The 12 remaining jurors will deliberate in the case. However, you  
15 will not know which of the 14 of you are the alternates, so please  
16 make sure you're paying attention.

17           I am now going to ask some questions of the entire group  
18 of the room. If you wish to respond to a question, please raise your  
19 right hand, and when I get to you, give your name and the last three  
20 digits of your badge number. All right.

21           Number one, is there anyone who has a disability or  
22 medical issue that might impact their ability to serve as a juror? A  
23 disability or medical issue that might impact their ability to serve as  
24 a juror? Okay. I have a few hands.

25           Name and badge number, please, ma'am.

1 PROSPECTIVE JUROR NO. 049: Brinsley Wachlin, and the  
2 badge number is 049.

3 THE COURT: Yes, ma'am.

4 PROSPECTIVE JUROR NO. 049: I have a surgery  
5 scheduled for Monday.

6 THE COURT: And what type of surgery?

7 PROSPECTIVE JUROR NO. 049: It's to remove some  
8 teeth, causing my pain in my mouth.

9 THE COURT: All right. Thank you, ma'am.

10 And then I had someone over in Seat 48, Marshal O'Kelly.  
11 And that would be Simone Peel, Badge Number 267,  
12 when you get there.

13 Yes, Ms. Peel?

14 PROSPECTIVE JUROR NO. 267: Yes. I'm currently 32  
15 weeks pregnant. I am uncomfortable just sitting here. But I wanted  
16 to do my hospital tours and start getting prepared to have the baby.

17 THE COURT: Okay. Thank you.

18 Anyone else?

19 Ma'am, can you raise your -- oh, we have to --

20 PROSPECTIVE JUROR NO. 236: Sorry.

21 THE COURT: Oh, I didn't see you in the back. I'm sorry.

22 PROSPECTIVE JUROR NO. 236: I'm behind.

23 Julianne Haberman, 236. It's not really a problem for me,  
24 but I do have epilepsy, and I don't know if that would be a problem  
25 if it happened during the trial.

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THE COURT: And how often does it happen, ma'am?

PROSPECTIVE JUROR NO. 236: About once a month.

THE COURT: Okay. And are you on medication for that?

PROSPECTIVE JUROR NO. 236: Yes.

THE COURT: All right. And does the medication --

PROSPECTIVE JUROR NO. 236: It doesn't help.

THE COURT: It doesn't help?

PROSPECTIVE JUROR NO. 236: No.

THE COURT: Does it distract you or prevent you in any way from staying awake, staying alert?

PROSPECTIVE JUROR NO. 236: No, but I just -- I don't know when it's going to happen is the problem. And I don't want it to distract from the trial or people being able to concentrate. So, like I said, I'm fine with it, but I don't know if it's a problem for you or any of the lawyers.

THE COURT: Okay. I appreciate you bringing it to my attention. Thank you.

PROSPECTIVE JUROR NO. 236: Of course. Thank you.

THE COURT: And I had one more hand in the front, Mr. Marshal O'Kelly.

PROSPECTIVE JUROR NO. 205: I'm Jessica Reboredo, Number 205.

THE COURT: Thank you.

PROSPECTIVE JUROR NO. 205: I do have COPD and chronic bronchitis, and I have to use an inhaler. So I will be having

1 to remove my mask.

2 THE COURT: Okay. Thank you, ma'am.

3 Any other hands that I missed? All right.

4 Next question: Is there anyone here who has been  
5 convicted of a felony?

6 Going back to Ms. Reboredo, Badge Number 205.

7 Yes, ma'am?

8 PROSPECTIVE JUROR NO. 205: Yes, ma'am. I was  
9 convicted of a felony. I did complete my parole.

10 THE COURT: Okay. And then have you had your civil  
11 rights restored yet, ma'am?

12 PROSPECTIVE JUROR NO. 205: Meaning, like, record  
13 sealed and things of that sort?

14 THE COURT: Yeah, well, there's, like, an application  
15 process you have to go through.

16 PROSPECTIVE JUROR NO. 205: No, ma'am, I have not  
17 yet.

18 THE COURT: Okay. Thank you.

19 PROSPECTIVE JUROR NO. 205: Thank you.

20 THE COURT: All right. So like I stated, we anticipate this  
21 case going about a week. I recognize that serving on a jury is  
22 almost always a personal or financial hardship. For that reason,  
23 financial hardship is not generally considered an excuse to get out  
24 of jury duty in the Eighth Judicial District Court. However, you may  
25 be confronted with unique inconveniences or hardships that would

1 impact your service in this particular trial at this particular time.

2           So before I ask the question, let me give you an example  
3 of some excuses that get you out of jury duty. So one would be I  
4 have a scheduled trip and you have the ability to show my marshal  
5 bus tickets, plane tickets, train tickets, hotel, however you get there.  
6 You have a surgery, you're taking care of someone who's  
7 terminally ill or things like that. Those are general excuses that get  
8 people out. Also, we do excuse people who have their COVID shots  
9 scheduled. Obviously, it has to be scheduled within the time period  
10 of our trial, but again, I'd have to be able to confirm that with an  
11 e-mail or an appointment.

12           Okay. So, now, is there anyone here, knowing those  
13 parameters, who has an extraordinary reason why he or she cannot  
14 serve as a juror at this time? Please raise your hand if you meet  
15 those qualifications.

16           PROSPECTIVE JUROR NO. 025: Dion Katsoris, 025. I do  
17 have a severely autistic teenager, which only goes to school  
18 Monday and Tuesday, and the rest of the week, between me and  
19 her mother, we take her to physical therapy and some other  
20 classes. And I also have my second COVID shot for next Tuesday  
21 scheduled on the 4th.

22           THE COURT: And then, so what are your general work  
23 hours, sir?

24           PROSPECTIVE JUROR NO. 025: My general work hours  
25 are between 7:00 and 4:00, but I leave early sometimes to take her

1 to therapies.

2 THE COURT: Okay. And then what time is your COVID  
3 shot on Tuesday?

4 PROSPECTIVE JUROR NO. 025: At 4:00.

5 THE COURT: Thank you.

6 PROSPECTIVE JUROR NO. 260: My name is Edna  
7 Hernandez, 0260. I take care of my mother-in-law, that she has  
8 dementia. And also I'm scheduled for my first COVID on Friday  
9 at 11:00.

10 THE COURT: Thank you, ma'am.

11 PROSPECTIVE JUROR NO. 211: Gregory  
12 Dickensheets, 0211. I have my second COVID shot scheduled for  
13 Monday at 4:00 or 4:30.

14 THE COURT: Thank you.

15 Two more hands over here, Marshal. Right there, Dean.  
16 Yes, ma'am?

17 PROSPECTIVE JUROR NO. 121: Number?

18 THE COURT: Yes, please.

19 PROSPECTIVE JUROR NO. 121: 0121. My concern is that  
20 I know understand too much and I think I don't have the good  
21 decisions.

22 THE COURT: Okay. How long have you been in the  
23 United States?

24 PROSPECTIVE JUROR NO. 121: I'm turn to here '99, but I  
25 know -- I don't understand -- to explain, is you tell me why my

1 opinion for something maybe take a wrong decision, I don't know.

2 THE COURT: And what do you do for work?

3 PROSPECTIVE JUROR NO. 121: I am massage therapist. I  
4 using my hands. I don't using my --

5 THE COURT: Okay. Thank you.

6 PROSPECTIVE JUROR NO. 035: Jennifer Parks, 035. It's  
7 past a week, but my second COVID shot is scheduled for Friday,  
8 May 7th, I believe at 2:30. And at what point -- I don't mean to jump  
9 ahead, but with the witness list, will that come up later?

10 THE COURT: Yes, ma'am.

11 PROSPECTIVE JUROR NO. 035: Okay. Thanks.

12 THE COURT: And then Seat Number 24, please.

13 This is Bassam Seepo, Badge Number 135.

14 PROSPECTIVE JUROR NO. 135: Sorry, I can't understand  
15 everything. My English is not very good.

16 THE COURT: All right. And what do you do for work, sir?

17 PROSPECTIVE JUROR NO. 135: I'm work -- cashier,  
18 register, market.

19 THE COURT: Okay. And how long have you been in the  
20 United States?

21 PROSPECTIVE JUROR NO. 135: 2009.

22 THE COURT: And what is your native language?

23 PROSPECTIVE JUROR NO. 135: My native language? I  
24 speak Chaldean and Arabic.

25 THE COURT: I'm -- Arabic and what?

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PROSPECTIVE JUROR NO. 135: Chaldean.

THE COURT: Okay. Thank you. Thank you, sir,  
appreciate it.

And then, Dean, I thought I saw one more. Yeah, thank  
you.

PROSPECTIVE JUROR NO. 200: Hi. I'm Number 200. And  
I have a -- I have to take my daughter to championship in San  
Francisco and we already booked the tickets and everything on  
Friday. And also it's on the May 24th, we are flying to Orange  
County too. And I don't know how I'm going to be able.

THE COURT: Did you say May 24th?

PROSPECTIVE JUROR NO. 200: Yes.

THE COURT: Oh, yeah, no. We're not going to be here by  
then. But what --

PROSPECTIVE JUROR NO. 200: No, no, no. It's April,  
actually. No, it's not May. April.

THE COURT: Well, today's --

PROSPECTIVE JUROR NO. 200: End of the April. I don't  
remember exactly the room number.

THE COURT: Okay. So it's April 27th? So when --

PROSPECTIVE JUROR NO. 200: Yes.

THE COURT: On Friday you're going to San Francisco,  
right?

PROSPECTIVE JUROR NO. 200: Yeah, this Friday. That  
means it's on May, yeah. I'm sorry. 21. 21. I remember. May 21.



1 THE COURT: Okay. So May 21 you're going to Oakland?

2 PROSPECTIVE JUROR NO. 200: No, Orange County.

3 THE COURT: Orange County.

4 PROSPECTIVE JUROR NO. 200: This Friday we are going  
5 to San Francisco.

6 THE COURT: Okay. And what time does your flight  
7 leave?

8 PROSPECTIVE JUROR NO. 200: 4:00 p.m. this Friday.

9 THE COURT: And when do you come back?

10 PROSPECTIVE JUROR NO. 200: Monday.

11 THE COURT: At what time?

12 PROSPECTIVE JUROR NO. 200: I don't remember.

13 THE COURT: Okay. So I'll need you to check that and  
14 show my marshal, please.

15 PROSPECTIVE JUROR NO. 200: Okay.

16 THE COURT: Any other hands? All right.

17 Parties in the back, please.

18 THE MARSHAL: Yes, Your Honor. One more.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 307: Hello, Judge. May 13th I  
21 have a procedure.

22 THE COURT: Oh, I just need your name and badge  
23 number.

24 PROSPECTIVE JUROR NO. 307: I'm sorry. Stella Jean.

25 THE COURT: Thank you.

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PROSPECTIVE JUROR NO. 307: 307.

THE COURT: On what day?

PROSPECTIVE JUROR NO. 307: 13th.

THE COURT: May --

PROSPECTIVE JUROR NO. 307: May 13th.

THE COURT: Okay. All right. Any other hands? All right.  
Parties in the back, please.

[Bench conference transcribed as follows.]

MR. STANTON: Bilzerian is a guy that's big on social media. And about two years ago, Dascus asked me to prosecute him for blowing up a vehicle out in the desert. He's got, like, 3-4 million followers on YouTube. He was represented by Chesnoff & Schonfeld. He pled to a misdemeanor. I'm sure he doesn't remember my name. But he -- I was the -- specifically assigned to prosecute that guy.

THE COURT: Okay. All right. You guys, so we're outside the presence of the jury. Let's go in order. So Dion Katsoris, Badge Number 025, severely autistic daughter, COVID next Tuesday.

State?

MR. STANTON: I don't have a problem. I don't know that he indicated anything about his work hours.

THE COURT: He said he gets off at -- he works 7:00 to 4:30 and gets off sometimes early to take her to therapy.

MR. STANTON: Right. So at least from the time period that he would be potentially infringed on therapy would be late

1 afternoon. He does have a wife that said could take him, so it's,  
2 basically, from the State's perspective, three days. I don't see a  
3 disqualifier there.

4 MR. FISCHER: And, Judge, I think I would concur with the  
5 State. We did receive a snapshot report with respect to this juror.  
6 And the basis was your -- his -- is the medical condition for his  
7 daughter, you said, right? Special needs child. He did indicate that  
8 mother and child are special needs.

9 Yeah, Judge, I don't have any -- I agree with the State. I  
10 don't think there's enough of a basis.

11 THE COURT: Okay. Moving onto Badge Number 035,  
12 Jennifer Parks, COVID shot Friday on 5/7. We'll be done long before  
13 that does need to happen.

14 Badge Number 049, Number 11, Brinsley Wachlin, surgery  
15 on -- oral surgery on Monday.

16 State?

17 MR. STANTON: We'll be done by Friday. I don't know  
18 how we're not going to be.

19 MR. FISCHER: It's difficult for me, Judge, obviously, I --  
20 you know, as -- on the defense side, we're always a little bit fluid.  
21 As much as the State's been [indiscernible] I sure hope that's true.  
22 But having said that, with respect to the timing, I would agree with  
23 Your Honor.

24 So with respect to this [indiscernible] --

25 THE COURT: Yeah, I'm kicking Brinsley Wachlin, just

1 because I feel uncomfortable if we go over and then she's got that  
2 surgery.

3 MR. FISCHER: [Indiscernible] I'm sorry, what was that?

4 THE COURT: Kicking 049, Brinsley Wachlin.

5 Mr. Stanton had prosecuted Badge Number 111, Dan  
6 Bilzerian. I'm going to wait on him to see what answers he does to,  
7 You recognize anybody? Have you ever been accused of a crime?  
8 So let's wait on that. Okay?

9 Badge Number 121, Liliana Gomez. This is English  
10 second language, been here since 1999, massage therapist, says  
11 she doesn't have a firm command of the English language.

12 State?

13 MR. STANTON: Judge, I'm of the ilk that anybody that  
14 has any impediment that would cause them a problem absorbing  
15 any of the evidence is a for-cause challenge. And I believe, based  
16 upon her presentation and her articulation of the English language,  
17 that that would be an impediment for her to be a juror in this case.  
18 And we move to excuse her for cause.

19 MR. FISCHER: Judge, that's always a very difficult one,  
20 because a language barrier doesn't mean lack of comprehension.  
21 Maybe her ability to communicate isn't effective, but her  
22 comprehension may be very different. And all kind of jurors do try  
23 to use that as an excuse. So I would like to have an opportunity,  
24 maybe, to ask her a few questions to maybe see if there's some  
25 comprehension of the language there. And I'm not trying to be

1 overly difficult in moving through this jury, but I'd like that  
2 opportunity, at least.

3 THE COURT: Okay.

4 MR. FISCHER: What was the name again, Your Honor? I  
5 just want to see if I have --

6 MR. STANTON: Liliana Gomez.

7 THE COURT: Liliana Gomez, Badge Number 121.

8 MR. FISCHER: That'll give me a slightly different opinion.  
9 I know we're moving quick and I'm trying to do my best here. Just  
10 want to look up [indiscernible] change my mind here.

11 Okay. It's a different one. All right, Judge, if we could  
12 come back and --

13 THE COURT: Okay. And the next is Bassam Seepo,  
14 Badge Number 135. He speaks Arabic and Chandean. Been in the  
15 United States since 2009 and he's a cashier. I imagine that your  
16 representations are still the same for him, Mr. Stanton?

17 MR. STANTON: Actually not. His -- the articulation of the  
18 language there, although both of these individuals was -- that are  
19 ESLs, English is a second language, indicated that they had  
20 problems understanding everything. I understand counsel as to the  
21 first one, there's nothing that causes me concern so far about this  
22 juror as they articulated their concerns to the Court.

23 MR. FISCHER: And, Judge, I would just -- I think along the  
24 same lines as my previous comments. Maybe just a little more  
25 engaging, that juror, to get a feel for his English comprehension.

1 THE COURT: Badge Number 200, Nina Gogichashuili.  
2 She's taking her daughter to San Francisco on Friday at 4:00 p.m.  
3 and she doesn't know when she gets back on Monday.

4 MR. STANTON: Assuming the Court confirms her travel, I  
5 have no objection to excuse her.

6 MR. FISCHER: And I -- let me see here. This is another  
7 one who indicates in her jury snapshot that she finds English to be  
8 a possible barrier. I'll submit it on that, Your Honor.

9 THE COURT: All right. I'm going to let her go because of  
10 the travel plans, just as long as she is able to confirm with my  
11 marshal.

12 Badge Number 236 is Julianne Haberman, she's the one  
13 who has epilepsy. She didn't really -- wasn't really using it as an  
14 excuse. She just wanted us to be aware. I think that that's fine. I  
15 don't think that's a sufficient basis. She says it happens once a  
16 month. If it happens, we'll deal with it and we'll move on.

17 MR. STANTON: Judge, you skipped one.

18 THE COURT: Oh, sorry. Did I?

19 MR. STANTON: Can we go back to Juror 205?

20 THE COURT: 205. Oh, yeah. I apologize. I think I skipped  
21 two, actually.

22 205, Jessica Reboredo. This is COPD, chronic bronchitis,  
23 will use her inhaler, as well as a felon who hasn't had her rights  
24 restored. So by statute, I have to take her off, 205.

25 211, Gregory Dickensheets has his second COVID shot on

1 Monday. So I am going to let him go, because if we're not done, I  
2 don't want him missing that.

3 Already talked about Haberman. All right.

4 Move onto 260, Edna Hernandez. COVID shot Friday  
5 the 11th, takes care of her mother-in-law with dementia. Oh, sorry,  
6 Friday at 11:00. So she also has her COVID shot, so I have to let her  
7 go.

8 Badge Number 267, Simone Peel, 32 weeks pregnant and  
9 she's uncomfortable.

10 MR. STANTON: [Indiscernible.]

11 THE COURT: I've done a five-week capital case 36 weeks  
12 pregnant. She's staying.

13 MR. FISCHER: You're on the bench, Judge. You know,  
14 you're a different caliber of woman, I would say. I mean that with  
15 all respect.

16 THE COURT: No, I did it as a prosecutor though.

17 MR. FISCHER: [Indiscernible.]

18 THE COURT: Oh, okay. Okay. I get it.

19 MR. FISCHER: I'm giving you an out now.

20 THE COURT: Okay.

21 MR. FISCHER: On the other hand, it does seem that that  
22 could be a distraction, and that would be my only concern. But I  
23 was -- submit it to Your Honor's discretion.

24 THE COURT: All right. So, you know, if she had, like -- if  
25 she had a high-risk pregnancy or was articulating that there were

1 issues with her pregnancy, that's, like, a whole different ball game.  
2 But to me, she's just saying, hey, 32 weeks pregnant, she stays.

3 All right. Badge Number 307, Stella Jean. She has a  
4 procedure on May 13th. We'll be done far ahead of May 13th. All  
5 right.

6 MR. FISCHER: And there was a judge [indiscernible] a  
7 non-citizen [indiscernible] questionnaire was [indiscernible].

8 THE COURT: A non-citizen?

9 MR. FISCHER: Yeah.

10 THE COURT: Oh, okay.

11 MR. FISCHER: Yeah, [indiscernible] Gomez, Badge  
12 Number 2-0400. And I'm only going off the snapshot record here.

13 THE COURT: Yeah.

14 MR. FISCHER: She says, I'm non-citizen. I don't know if  
15 that's meaning --

16 THE COURT: Huh.

17 MR. FISCHER: I just -- I wasn't born here and it's  
18 [indiscernible]. She's not even on here.

19 THE COURT: What number is she?

20 MR. STANTON: [Indiscernible.]

21 THE COURT: Oh. Okay. We have another Gomez, but  
22 she's not on there.

23 MR. FISCHER: [Indiscernible] proud of, one's working for  
24 a [indiscernible] as a [indiscernible].

25 THE COURT: Okay. Sounds good.



1 MR. STANTON: What order do you want us to  
2 [indiscernible]?

3 THE COURT: Oh, I don't care. Doesn't matter to me,  
4 guys. I'll just go. Thank you.

5 [End of bench conference.]

6 THE COURT: All right. If you hear your name, please  
7 stand. Badge Number 049, Brinsley Wachlin; Badge Number 200,  
8 Nina Gogichashuili; Badge Number 205, Jessica Reboredo; Badge  
9 Number 211, Gregory Dickensheets; Badge Number 260, Edna  
10 Hernandez.

11 For those of you are -- that's standing, thank you for your  
12 willingness to be here today, you are excused.

13 All right. Continuing on, is there anyone here who is not a  
14 United States citizen? Showing no hands.

15 Are any of you acquainted with me or any of the court  
16 staff? Showing no response.

17 Do any of you know each other? Showing no response.

18 Are any of you acquainted with the defendant, Mr. Young,  
19 or his attorney, Mr. Fischer? Showing no response.

20 Are any of you acquainted with either of the district  
21 attorneys, Mr. Stanton or Mr. Brooks? Showing no response.

22 Are any of you acquainted with Steve Wolfson or any  
23 other person that works in the district attorneys office? No  
24 response.

25 Have you or anyone close to you ever worked in law

1 enforcement?

2 PROSPECTIVE JUROR NO. 111: I was a reserve cop for  
3 four years.

4 THE MARSHAL: Name and badge number?

5 PROSPECTIVE JUROR NO. 111: Oh.

6 THE COURT: Name and badge number, please?

7 PROSPECTIVE JUROR NO. 111: Dan Bilzerian, 111.

8 THE COURT: And, Mr. Bilzerian, can you tell me again?  
9 I'm sorry, I missed it.

10 PROSPECTIVE JUROR NO. 111: I was a reserve police  
11 officer for four years.

12 THE COURT: All right. And where was that at?

13 PROSPECTIVE JUROR NO. 111: New Mexico.

14 THE COURT: In New Mexico?

15 PROSPECTIVE JUROR NO. 111: Yes.

16 THE COURT: Okay. And when you say -- you said reserve  
17 police officer; is that correct?

18 PROSPECTIVE JUROR NO. 111: Yes.

19 THE COURT: What does that mean?

20 PROSPECTIVE JUROR NO. 111: We served [indiscernible]  
21 warrants for the U.S. Marshal.

22 THE COURT: Okay. All right. Is there anything about that  
23 service that makes you feel like you wouldn't able to -- wouldn't be  
24 able to serve fair and impartially to both sides in this case?

25 PROSPECTIVE JUROR NO. 111: Nope.

1 THE COURT: All right. Thank you, sir. Appreciate it.  
2 And then -- okay.

3 PROSPECTIVE JUROR NO. 300: Jennifer Oisboid, 300.  
4 My -- oh, thank you. My husband is a police officer.

5 THE COURT: All right. For Metro, Henderson, or North  
6 Las Vegas?

7 PROSPECTIVE JUROR NO. 300: Metro.

8 THE COURT: And what section does he work in?

9 PROSPECTIVE JUROR NO. 300: Criminal intelligence.

10 THE COURT: All right. Is there anything about his service  
11 for the police force that makes you feel like it would be difficult for  
12 you to sit as a fair and impartial juror in this case?

13 PROSPECTIVE JUROR NO. 300: No.

14 THE COURT: All right. Thank you, ma'am. I appreciate it.

15 PROSPECTIVE JUROR NO. 137: Hi. Stephenie  
16 Scarpantonio, 137.

17 THE COURT: Yes, ma'am.

18 PROSPECTIVE JUROR NO. 137: I have -- I don't know if  
19 this pertains or not, but I have a close friend who's a family court  
20 judge.

21 THE COURT: Okay. Anything about that that you feel  
22 may affect you here?

23 PROSPECTIVE JUROR NO. 137: No.

24 THE COURT: All right. And just so you know, if you are  
25 selected as a juror or even during this process, you can't talk to him

1 or her about anything involved in the case. Okay?

2 PROSPECTIVE JUROR NO. 137: Understood.

3 THE COURT: Thank you. Appreciate it.

4 And then --

5 PROSPECTIVE JUROR NO. 129: Richard Stieve, 129. I had  
6 a brother who's law enforcement in California.

7 THE COURT: All right. Is --

8 PROSPECTIVE JUROR NO. 129: No issues.

9 THE COURT: I'm sorry, sir, I didn't mean to cut you off.

10 PROSPECTIVE JUROR NO. 129: No issues, though.

11 THE COURT: Okay. Thank you, I appreciate that.

12 And then, you guys, don't worry about standing up. You  
13 can stay seated, you don't need to stand. But thank you for doing  
14 so, I appreciate it.

15 PROSPECTIVE JUROR NO. 081: Jeremy Meador, 018. I  
16 don't know if this counts or not, but I work for the parole board.

17 THE COURT: Okay. And so it counts if you tell me that it  
18 matters. So if you feel like, because of that position, it would be  
19 difficult for you to be fair and impartial to both sides, then it  
20 definitely matters.

21 PROSPECTIVE JUROR NO. 018: I'm good. I just didn't  
22 know if you need to know about that or not.

23 THE COURT: Yeah. No, I appreciate you telling me.  
24 Thank you, sir.

25 PROSPECTIVE JUROR NO. 316: Kim Heikkinen, Badge

1 Number 316. And my first cousin was a detective in Chicago.

2 THE COURT: Okay. Anything about your relationship  
3 with him that would affect you from being a --

4 PROSPECTIVE JUROR NO. 316: No.

5 THE COURT: -- fair and impartial juror today?

6 PROSPECTIVE JUROR NO. 316: No.

7 THE COURT: All right. Thank you. I appreciate your  
8 answers.

9 Does anybody think that they know anything about this  
10 case, heard anything about this case before coming in here today?  
11 Showing no response.

12 Does anyone have any philosophical, religious, or any  
13 other beliefs that would prevent you from serving as a fair and  
14 impartial juror in this case? Showing no response.

15 Is there anyone here who has been in a situation where  
16 they have had contact with law enforcement and they felt like they  
17 were not treated fairly or with the dignity and respect in which they  
18 were deserved -- in which they deserved? So contact with law  
19 enforcement where you feel like you were not treated with the  
20 dignity and respect in which you should have been. Showing no  
21 response.

22 Mr. Stanton, Mr. Fischer, are there any witnesses who  
23 do -- that would need the aid of an interpreter during the trial?

24 MR. STANTON: [Indiscernible; audio cut out.]

25 THE COURT: And would that be Spanish?

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MR. STANTON: Thai.

THE COURT: Thai. Okay.

Is there anyone in here who speaks Thai? Okay. All right.

So I don't -- you don't have to go over there with the mic, Dean. Don't worry about that.

So when we -- in the courtroom when we have witnesses who don't speak English, we then bring in interpreters. And the interpreter interprets for them. The law -- and you'll read -- you'll get instructions on this -- you have to go by what the interpreter says. So you can't turn to another juror and say, hey, the interpreter just got it all wrong, this is what, you know, this is what the witness actually said.

Sir, and it is Badge Number 44. One second. All right. And it's -- is it Ryan Dennis? Okay, no, after Ryan Dennis. David Hight? Yes. All right.

Mr. Hight, do you have any issues with the interpreter rule, sir? Okay.

And he said no on the record, De'Awna.

Under our system, certain principles apply in every criminal trial. They are the following:

Number one, the charging document filed in this case is merely an accusation and is not evidence, in any way, of guilt.

Number two, the defendant is presumed innocent.

And Number three, the State must prove the defendant guilty beyond a reasonable doubt.

1 Is there anyone here who either, A, does not understand  
2 those legal concepts, or B, disagrees with those legal concepts? No  
3 response.

4 Is there anyone here who would have trouble following  
5 the instructions on the law that I give you, regardless of whether or  
6 not you think it's a good law or a bad law? Is there anyone here  
7 who would have problems following the law even if you disagree  
8 with the law? Showing no response. All right.

9 So now I'm going to turn it over to the first 24 of you. So  
10 those of you seated on the floor, not against the wall, you'll see  
11 your numbers down by your feet. That's the number of the chair  
12 you're in. And then those of you sitting against the wall, it's above  
13 your head. Okay?

14 So we'll start with the first 24 of you. And then, actually,  
15 you know what, really quickly. Wait, where is that person? Oh, we  
16 need to fill the seat. Okay. Got it.

17 Before I fill that seat, I've -- I can't remember if I asked this,  
18 so forgive me if I did. Is there anyone here who was familiar -- I  
19 think Ms. Parks -- with any of the witnesses called by the State? All  
20 right.

21 Ms. Parks?

22 PROSPECTIVE JUROR NO. 035: Yes. Ethan Grimes.

23 THE COURT: All right. And how do you know

24 Mr. Grimes?

25 PROSPECTIVE JUROR NO. 035: Our children went to

1 school together and I'm friends with his wife, especially, and him a  
2 little bit.

3 THE COURT: Okay. And so if Mr. Grimes gets in here and  
4 testifies, is that going to be an issue for you? Do you still believe  
5 you can be fair and impartial to both sides? What are your  
6 thoughts on that?

7 PROSPECTIVE JUROR NO. 035: I've never watched him in  
8 his professional role, only as a dad. But I'm aware of his role as a  
9 detective. So I would hope I could be -- I would that I could be  
10 impartial. I suppose as a friend I have a trust in him, though.

11 THE COURT: Okay. So let me ask you this: When  
12 Detective Grimes takes the stand, would you automatically give him  
13 more credibility than let's say a witness you don't know because of  
14 your relationship with him or his family?

15 PROSPECTIVE JUROR NO. 035: Having never done it, it is  
16 a hard answer.

17 THE COURT: Sure.

18 PROSPECTIVE JUROR NO. 035: So I'm giving it thought.  
19 It gives me pause. Because of a friendship, it gives me pause, not  
20 because of his role so much as because I know him as a person. I  
21 would like to say that I will weigh his statement if he testifies, that I  
22 would weigh his words and let that stand, you know, for  
23 themselves as opposed to any relationship.

24 THE COURT: And the relationship, first of all, how long  
25 have you known them?



1 PROSPECTIVE JUROR NO. 035: Since my freshman was  
2 in kindergarten. So it's around nine years.

3 THE COURT: Okay. And how often would you say you  
4 interact with them?

5 PROSPECTIVE JUROR NO. 035: Pre-COVID, probably  
6 every couple of months. Not with him, but with his family. Since  
7 that time, no. So it has been over a year.

8 THE COURT: Okay. Thank you. I appreciate that.

9 All right. And then let's fill that -- oh, yeah, Badge  
10 Number -- thank you.

11 This is 018.

12 PROSPECTIVE JUROR NO. 018: Yep.

13 THE COURT: Jeremy Meador. Yes, Mr. Meador?

14 PROSPECTIVE JUROR NO. 018: Yes. I don't know the  
15 individual people here that they named. But I worked at the  
16 SunCoast for five years in the count room. And we worked with  
17 security all night long, the graveyard shift and the morning shift.

18 THE COURT: What's the cat room?

19 PROSPECTIVE JUROR NO. 018: The count rooms, we  
20 count all the money.

21 THE COURT: Oh, count room.

22 PROSPECTIVE JUROR NO. 018: And we had security with  
23 us the whole time. I haven't worked there for, like, four or five  
24 years. But I still talk to multiple people that work on the graveyard  
25 shift and the daytime security almost every day.

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THE COURT: Okay.

PROSPECTIVE JUROR NO. 018: So.

THE COURT: Is there anything about your previous work there that makes you feel like you wouldn't be able to be fair?

PROSPECTIVE JUROR NO. 018: My job, personally, like, that wouldn't really influence me at all. But I might -- I don't know, like, the names that were named. But I might have already heard about it from my friends, because I talk to them, like I said, almost every day for a couple of them.

THE COURT: And then when you say you might have already heard about it, you mean, like, this case?

PROSPECTIVE JUROR NO. 018: Yeah. Like, I don't know his specific name or who was involved. But if one of my friends were involved, I would have probably heard about it by now.

THE COURT: Okay. All right. And so one of the things that you'll probably hear me talk about over and over again is when you're in trial, you have to base your verdict solely on the things that are presented within the four walls of the courtroom, right?

PROSPECTIVE JUROR NO. 018: Uh-huh.

THE COURT: So evidence that's admitted, testimony that's admitted, things like that. Are you able to do that? Are you able to base a verdict and discuss your deliberations only on the evidence that you hear and see as admissible in the courtroom?

PROSPECTIVE JUROR NO. 018: Yes.

THE COURT: Okay. Thank you.

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Any other hands that I missed?

PROSPECTIVE JUROR NO. 077: I don't know if it matters.  
I work for Caesar's.

THE COURT: And name and badge number?

PROSPECTIVE JUROR NO. 077: I work at their security  
department.

THE COURT: And what was your name?

PROSPECTIVE JUROR NO. 077: Mary. Oh, 077.

THE COURT: 077. All right. Thank you. So this is Mary  
Dimick, Badge Number 077. All right.

Mary, what do you do for Caesar's?

PROSPECTIVE JUROR NO. 077: Security.

THE COURT: Are you in the floor or in the --

PROSPECTIVE JUROR NO. 077: On the floor.

THE COURT: On the floor? Okay.

And I don't remember, Mr. Stanton, was Caesar's one of  
the venues you named?

MR. STANTON: Yes, Your Honor.

THE COURT: Okay. All right.

So Ms. Dimick, did you recognize any of the names read --

PROSPECTIVE JUROR NO. 077: No.

THE COURT: -- by the State?

PROSPECTIVE JUROR NO. 077: Uh-uh.

THE COURT: All right. And is there -- I'm going to ask  
you the same questions that I was asking the previous prospective

1 juror, and that is, is if you were selected as a juror, can you base  
2 your verdict only on the things that you see and hear as admissible  
3 testimony and evidence in the courtroom?

4 PROSPECTIVE JUROR NO. 077: Yes.

5 THE COURT: Okay. Thank you. I appreciate it.

6 PROSPECTIVE JUROR NO. 077: Uh-huh.

7 THE COURT: Any other hands that I missed? Okay.

8 PROSPECTIVE JUROR NO. 137: Juror Number 137,  
9 Stephanie Scarpantonio.

10 THE COURT: Yes, ma'am.

11 PROSPECTIVE JUROR NO. 137: Caesar's Entertainment  
12 and Cosmopolitan are clients of mine.

13 THE COURT: And what, specifically, do you do?

14 PROSPECTIVE JUROR NO. 137: I work for a travel and  
15 tourism company.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 137: Called EBG. They use our  
18 ticketing technology at their concierge desk. And we also contract  
19 to sell all of their entertainment products.

20 THE COURT: All right. Anything about that working  
21 relationship that makes you feel like it would prevent you from  
22 being fair and impartial?

23 PROSPECTIVE JUROR NO. 137: No.

24 THE COURT: Okay. Thank you.

25 Yes, sir?

1 PROSPECTIVE JUROR NO. 182: Michael Potempa, Badge  
2 Number 182. Pre-COVID, I just wanted full transparency, I don't  
3 know the two district attorneys here, but for the past seven years I  
4 spent a lot of times in these halls. I know a lot of the district  
5 attorneys, prosecutors, and child advocates, because I was a  
6 member of BACA, Bikers Against Child Abuse.

7 THE COURT: Okay. And did you start out by saying you  
8 didn't think that would affect you?

9 PROSPECTIVE JUROR NO. 182: No.

10 THE COURT: You just wanted to --

11 PROSPECTIVE JUROR NO. 182: No, I just want you to  
12 know.

13 THE COURT: All right. Thank you. I appreciate you  
14 telling me that.

15 Right behind you, Dean. Oh, I guess, two of them.

16 Go ahead, sir.

17 PROSPECTIVE JUROR NO. 207: Michael Hesser, 207. Just  
18 full disclosure, I used to sell to all the hotels, so I know them all.  
19 However, that's been over 10 years ago and I have no conflicts.

20 THE COURT: Okay. Thank you.

21 And then right to your left, Dean.

22 PROSPECTIVE JUROR NO. 169: Kerry Kwok, 0169. I also  
23 work for Caesar's, but I don't know anybody in the, you know,  
24 witness or anything like that. I just want to let you know.

25 THE COURT: Thank you. And anything about your

1 employment at Caesar's makes you feel like it would be difficult for  
2 you to be fair and impartial to both sides, sir?

3 PROSPECTIVE JUROR NO. 169: No.

4 THE COURT: All right. Thank you. All right. Okay.

5 And, Ms. Brown, if we could fill Seat 11, please. Thank  
6 you.

7 THE CLERK: That'll be Badge Number 137, Stephanie  
8 Scarpantonio.

9 THE COURT: All right. So now, ladies and gentlemen,  
10 what we're going to do is my marshal's going to hand out a piece  
11 of paper to the first 24 of you. This piece of paper will have specific  
12 questions listed out on it. So the first juror, which is -- is it  
13 Ms. Kallush, do I say that right? Oh, no, sorry, I'm on the -- I have --  
14 I had the wrong page. I apologize.

15 Ms. Mars. Okay. So my marshal's going to hand the  
16 microphone to you. You don't have to read the question out loud,  
17 but if you could include the question in your answer so, like, for  
18 instance, I've lived in Clark County for, so we know exactly which  
19 one you're on. Okay?

20 PROSPECTIVE JUROR NO. 134: Okay.

21 THE COURT: All right. And just start from the top and  
22 then we'll pass it to the -- down the line to the first 24.

23 PROSPECTIVE JUROR NO. 134: Okay.

24 THE COURT: Whenever you're ready, Ms. Mars.

25 PROSPECTIVE JUROR NO. 134: I have lived in Clark

1 County since 1996. I attended college, I have a associate's degree  
2 in culinary arts. I am currently unemployed, but still under the  
3 employment of MGM.

4 THE COURT: What did you do for MGM when you were  
5 employed?

6 PROSPECTIVE JUROR NO. 134: I was a sous chef.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 134: And I am married. And  
9 he is a technician for [indiscernible]. I have two children, both girls,  
10 one is 9 and one is 5.

11 No one close to me is -- was a victim of a crime. No one  
12 close to me accused of a crime.

13 Never served as a juror before.

14 I have not heard anything about this particular trial.

15 Yes, I can base my verdict solely on the evidence  
16 presented. And yes, I can be fair and impartial to both sides.

17 THE COURT: Thank you, I appreciate that.

18 So my marshal is handing out some Clorox wipes. So  
19 when you hold the microphone, if you wouldn't mind just holding it  
20 with the wipe, and then you guys don't have to wipe it down every  
21 time, just use the wipe instead of touching it with your hand. All  
22 right.

23 Next, Mr. Meador, Badge Number 018. From the top  
24 when you're ready, sir.

25 PROSPECTIVE JUROR NO. 018: Yes. I've lived in Clark

1 County since 1998. I do have an associate's degree from the  
2 College of Southern Nevada. It is a paralegal degree.

3 THE COURT: Mr. Meador, have you ever worked as a  
4 paralegal?

5 PROSPECTIVE JUROR NO. 018: No.

6 THE COURT: All right. And so can you walk me through  
7 that? Why did you go into that? What made you want to go into  
8 that? Why haven't you used it?

9 PROSPECTIVE JUROR NO. 018: Well, I went to college to  
10 be a paralegal at the time. And when we got to the end of the  
11 course, I saw that there was an opportunity to go to the parole  
12 board, and my interest kind of changed a little bit towards the end  
13 of my college. So I decided to go into the -- to the parole board,  
14 because I figured I would finish my degree anyways, because I was  
15 so far done with it, I may as well finish it.

16 Right now, I'm in administration for the parole board.  
17 Like, I don't make the decisions, but I'm in the room when they do  
18 make the decisions, and I do, like, the files and everything.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 018: So kind of like a  
21 paralegal, I guess, but in a different setting, I guess.

22 THE COURT: Understood. Thank you.

23 PROSPECTIVE JUROR NO. 018: I've worked for the parole  
24 board for five years.

25 I am not married, but I'm engaged to a woman and we're



1 supposed to get married at the end of this year. I don't have any  
2 kids, I just -- but, yeah, no kids of my own. I do have a  
3 step-daughter.

4 THE COURT: And what does your fiancee do?

5 PROSPECTIVE JUROR NO. 018: Right now she is actually  
6 a paralegal for a defense group out of Henderson. She just started  
7 working there about a month ago.

8 THE COURT: And do you know the firm's name?

9 PROSPECTIVE JUROR NO. 018: I don't. I could ask her  
10 and find out. But I know it's out of Henderson, though.

11 THE COURT: And when you say defense, do you mean  
12 civil defense or criminal defense?

13 PROSPECTIVE JUROR NO. 018: Civil.

14 THE COURT: Okay. Understood. Thank you.

15 PROSPECTIVE JUROR NO. 018: I don't know anyone  
16 that's been a victim of a crime. I don't know anyone that's been  
17 accused of a crime.

18 I have never served as a juror before.

19 So far, there's nothing that would kind of make -- that  
20 would make me biased about anything about this, and I could be  
21 fair to both sides.

22 THE COURT: All right. Thank you, I appreciate that.

23 Ms. McHugh, Badge Number 024, whenever you're ready,  
24 ma'am.

25 PROSPECTIVE JUROR NO. 024: I lived in Clark County

1 for 40 years.

2 I have a bachelor's degree in political science.

3 I am employed, I am an assistant vice president in human  
4 resources at Credit One Bank.

5 I am married, my husband is a professional poker player.

6 I have a son who is 9.

7 I have not been nor has anyone close to me has been a  
8 victim of a crime. I have not been nor anyone close to me has been  
9 accused of a crime.

10 I've never served as a juror.

11 I've not heard anything about this trial.

12 I can be fair and impartial to this jury, and I can base my  
13 verdict on -- based on the evidence.

14 THE COURT: Thank you. Appreciate that.

15 Let's go to Mr. Katsoris, Badge Number 025.

16 Whenever you're ready, sir.

17 PROSPECTIVE JUROR NO. 025: I've lived in Clark County  
18 since '99.

19 I have a master's degree in business management from  
20 Canterbury. I am a senior property manager for Advance  
21 Management Group.

22 My partner, she's also -- works for Advance Management  
23 Group as a property manager. I have two children, 21 and 13.

24 I don't know anybody that's been a victim of crime. I  
25 don't know anyone who's been accused close to me.

1 I have served in a jury back in Chicago in '97. It was a civil  
2 trial.

3 THE COURT: Was a verdict -- don't tell me what the  
4 verdict was, but was a verdict reached in that case?

5 PROSPECTIVE JUROR NO. 025: Yes.

6 THE COURT: And were you the foreman?

7 PROSPECTIVE JUROR NO. 025: No.

8 THE COURT: Okay. Thank you.

9 PROSPECTIVE JUROR NO. 025: I haven't heard anything  
10 about the trial. I can be fair and impartial for both sides.

11 THE COURT: Thank you.

12 Going onto Ms. Miller, Badge Number 026.

13 PROSPECTIVE JUROR NO. 026: Hi, Your Honor.

14 THE COURT: Hi.

15 PROSPECTIVE JUROR NO. 026: I've lived in Clark County,  
16 Nevada, all my life, 1992, 29 years old.

17 I graduated high school. I did try to attend a, like,  
18 government-funded college, which was in Reno, which was Sierra  
19 Nevada Job Corps. I just was, you know, debating two different  
20 career choices, which was hotel management and culinary.

21 Now I am currently employed, just doing sales, cashier.  
22 I'm interested in going to school again, maybe doing dental  
23 hygienist or flight attendant.

24 I am not married. I'm significant relationship, semi. No  
25 kids.

1           Anyone close to me ever been a victim of crime? Yes. My  
2 grandmother's car was stolen at Boulder Station Casino. The crime  
3 was reported and the people were caught.

4           I was a victim of crime, raped in Las Vegas, and the  
5 person was caught.

6           How do I feel about the situation that was handled by the  
7 criminal justice system? The rape was not handled properly, but  
8 that's okay. But my grandmother's stolen vehicle was handled and  
9 we got the car back.

10          Have you or anyone --

11          THE COURT: Oh, sorry. One second, Ms. Miller.

12          So let me ask you a few questions, if you don't mind.

13          How long ago was the sexual assault?

14          PROSPECTIVE JUROR NO. 026: Probably -- I think I was,  
15 like, 21.

16          THE COURT: Okay.

17          PROSPECTIVE JUROR NO. 026: So I'm now 29.

18          THE COURT: All right. And was this a stranger rape or  
19 someone you knew?

20          PROSPECTIVE JUROR NO. 026: Strangers.

21          THE COURT: Strangers -- multiple?

22          PROSPECTIVE JUROR NO. 026: Multiple.

23          THE COURT: All right. And did this happen, like, in a  
24 casino? your home? a party?

25          PROSPECTIVE JUROR NO. 026: It happened at some

1 apartments. Now that I'm fully aware of my city and the streets, it  
2 happened somewhere, like, by the Palms, like, on Twain or  
3 something.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 026: But --

6 THE COURT: And did you report it right away?

7 PROSPECTIVE JUROR NO. 026: Oh, yeah. We report -- I  
8 reported it as soon as I woke up, as soon as I got access to a phone.

9 THE COURT: Okay. And the individuals were caught, you  
10 said?

11 PROSPECTIVE JUROR NO. 026: The individual was  
12 caught and I was supposed to attend a hearing or something, but I  
13 never completed it. So that was probably my fault, but I left it in  
14 karma and God at that point.

15 THE COURT: Okay. And so do you know what happened  
16 with the -- to that person or you have no idea?

17 PROSPECTIVE JUROR NO. 026: I don't know what  
18 happened. I can kind of remember the guy's name, but I don't  
19 know what happened to him.

20 THE COURT: Okay. Do you feel like law enforcement  
21 handled the situation appropriately?

22 PROSPECTIVE JUROR NO. 026: It was so long ago, but, I  
23 mean, they definitely came in a rush. So they came properly and  
24 fast. They definitely took care of me and helped me, you know,  
25 getting checked and everything.

1 THE COURT: Okay. Is there anything about that situation  
2 that makes you feel like it may impact your ability to be fair and  
3 impartial in this case?

4 PROSPECTIVE JUROR NO. 026: No.

5 THE COURT: All right. Thank you.

6 And you were about to talk about whether you know  
7 anyone who's ever been accused.

8 PROSPECTIVE JUROR NO. 026: Anyone that's ever been  
9 accused of crime? Not to my knowledge.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 026: How do you feel that the  
12 situation handled by the criminal justice -- how do I feel?

13 Anybody -- I'm not sure.

14 I've never done jury duty before, criminal or civil. I've  
15 never done that.

16 Without stating what the verdict was -- I'm not sure what  
17 that question is.

18 THE COURT: So you've never been a juror before, right?

19 PROSPECTIVE JUROR NO. 026: Yes. I've never --

20 THE COURT: Okay. So you can go onto the next one.

21 PROSPECTIVE JUROR NO. 026: Okay. Is there anything  
22 that you've heard about this trial? No, I haven't heard anything. I  
23 mean, I'm always watching my local news, I'm always getting the  
24 local Las Vegas news on my phone. So just with everything  
25 happening right now, I'm very shocked with how much criminals

1 are still trying to get away with things.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 026: Based on my verdict  
4 solely on the evidence presented during this trial, I'm just going to  
5 have an open mind in this whole case.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 026: And I will be fair and  
8 impartial to both sides.

9 THE COURT: Thank you, I appreciate that.

10 Ms. Parks, Badge Number 023.

11 PROSPECTIVE JUROR NO. 023: I've lived in Clark County  
12 since 1997.

13 I have an associate's degree in nursing.

14 I am employed, I own and operate my own business, a  
15 legal nurse consulting firm.

16 I am married for a very long time, and he is a  
17 self-employed consultant, as well, that does non -- he works with  
18 nonprofits, both churches and businesses in growth plans.

19 I have two children, ages 12 and 14.

20 I have never been the victim of a crime, but I have two  
21 close friends that have been. Both have had their homes broken  
22 into in Las Vegas. Both crimes were reported. I do not know that  
23 the people were caught.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 023: I don't have much of an

1 opinion about the situation being handled. I wasn't present for any  
2 of it and I didn't follow it through afterward. They weren't -- neither  
3 of them were home at the time, so there was not the escalated type  
4 of involvement.

5 No one close to me has been accused of a crime that I'm  
6 aware of.

7 I have never served as a juror.

8 No, I have not heard anything about this trial thus far.

9 And we talked about 10:00 if I can base the verdict solely  
10 on the evidence presented and I think we got to the point that yes, I  
11 would listen to the testimony given as opposed to forming a --  
12 based on anything else. And then to follow up, yes, I think that  
13 could make me be fair and impartial to both sides.

14 THE COURT: Thank you. Appreciate that.

15 Ms. Stratton, Badge Number 042.

16 PROSPECTIVE JUROR NO. 042: Hello.

17 THE COURT: Hi.

18 PROSPECTIVE JUROR NO. 042: I've lived in Clark County  
19 since 2006.

20 I have a high school degree.

21 I'm not employed. I've done various secretarial jobs over  
22 the years.

23 THE COURT: Have any of those secretarial jobs been in  
24 the law field?

25 PROSPECTIVE JUROR NO. 042: No.



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THE COURT: All right. Thank you.

PROSPECTIVE JUROR NO. 042: I'm married. My husband's retired military pilot.

I have one child, 38. She's an executive assistant.

I have not been close to anyone that's been a victim of a crime. And I have not been close to anyone that's been accused of a crime.

I've never served as a juror.

No, there is nothing that makes me feel that it would be difficult for me to sit as a juror.

Can you base your verdict solely on the evidence presented during the trial and wait in forming your opinion? Yes.

Can you be fair and impartial? Yes.

THE COURT: Thank you. Appreciate it.

Mr. Jacobs, Badge Number 045.

PROSPECTIVE JUROR NO. 045: I have lived in Clark County for five years.

THE COURT: Where did you live before Clark County?

PROSPECTIVE JUROR NO. 045: Salt Lake City.

THE COURT: Okay.

PROSPECTIVE JUROR NO. 045: I -- let's see. I'm -- have a degree, a doctorate degree in physical therapy. I am employed. I work as a home health physical therapist.

I'm married and my wife is a stay-at-home mom. I have three children, a 6-year-old, 3-year-old, and a newborn.

1 I don't know anyone who's been -- not close to anyone  
2 that's been a victim of a crime, I'm not close to anyone who's been  
3 accused of a crime.

4 I've never served as a juror before.

5 I haven't heard anything about the trial before this and  
6 yes, I can base my verdict on the evidence and be fair and impartial.

7 THE COURT: Thank you. Appreciate it.

8 Johnson, Badge Number 047.

9 PROSPECTIVE JUROR NO. 047: Yes. I have lived in Clark  
10 County since about '98, I believe.

11 I earned a bachelor's degree in psychology at UNLV. I'm  
12 not currently employed.

13 I am not married or in a significant relationship. I do not  
14 have children.

15 I have and an immediate family member have been  
16 victims of crime, unreported. I do not blame the justice system for  
17 that:

18 THE COURT: Were the -- you and the family members  
19 victims of the same type of crime?

20 PROSPECTIVE JUROR NO. 047: No. The immediate  
21 family member was molested as a child, and I was assaulted by  
22 peers in high school.

23 THE COURT: Thank you.

24 PROSPECTIVE JUROR NO. 047: And my uncle was  
25 accused and convicted of lewdness with a minor. And based on

1 what I know, I do believe the situation was handled appropriately  
2 by the criminal justice system.

3 THE COURT: Was that here in Las Vegas?

4 PROSPECTIVE JUROR NO. 047: It was in Missouri.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 047: I have never served as a  
7 juror.

8 Nothing that I've heard so far about this trial makes me  
9 feel that it would be difficult for me to sit as a juror.

10 I do believe I can base my verdict solely on the evidence  
11 presented during the trial. And I believe I can be fair and impartial  
12 to both sides in this case.

13 THE COURT: All right. Thank you very much.

14 All right. So, ladies and gentlemen, we're going to take  
15 our first morning recess for 15 minutes. Every time we break, I do  
16 have to read you the same admonishment. The admonishment is  
17 as follows:

18 During this recess you must not discuss or communicate  
19 with anyone, including fellow jurors, in any way regarding the case  
20 or its merits either by voice, phone, e-mail, text, Internet, or other  
21 means of communication or social media, read, watch or listen to  
22 any news or media accounts or commentary about the case, do any  
23 research, such as consulting dictionaries, using the Internet, or  
24 using reference materials, make any investigation, test a theory of  
25 the case, recreate any aspect of the case, or in any other way

1 investigate or learn about the case on your own, or form or express  
2 any opinion regarding this case until the matter is finally submitted  
3 to you.

4 It is 11:00. Let's see, if you could be back at about 11:15.

5 [Court recessed at 10:55 a.m., until 11:12 a.m.]

6 [In the presence of the prospective jury panel.]

7 THE COURT: All right. Thank you. Welcome back,  
8 everyone. If we could pass the microphone.

9 Honey, how do I spell your last name? Badge  
10 Number 048.

11 PROSPECTIVE JUROR NO. 048: Jose, J-O-S-E.

12 THE COURT: Okay. All right. Badge Number 048,  
13 Ms. Jose, whenever you're ready, from the top.

14 PROSPECTIVE JUROR NO. 048: I live in Clark County  
15 since 2006.

16 And I have a bachelor's degree in nursing. And I am  
17 employed right now in one of the hospital.

18 I am married and I -- my husband is a laboratory manager.

19 I have three kids, 17, 14, and 10.

20 I was a victim of a crime 10 years ago. It's a burglary. I  
21 don't know if the person was caught. And I think the, you know, the  
22 cops handled it correctly.

23 I don't know anyone that has been accused of a crime.

24 I have never been a juror before.

25 And I've never heard of this trial.

1 I can base my verdict solely on the evidence presented to  
2 me, and I can be fair and impartial to both sides.

3 THE COURT: Okay. Thank you. Appreciate that.

4 All right. So, Ms. Scarpantonio, Badge Number 137?

5 PROSPECTIVE JUROR NO. 137: Yes. I have lived in Clark  
6 County since 2005.

7 I have a BA in communications with emphasis in public  
8 relations.

9 I am employed; I'm the vice president of partner  
10 development for a company called EBG.

11 I'm married. My husband is currently unemployed due to  
12 COVID. He worked in travel and tourism.

13 I have three stepchildren, ages 22, 17, and 12.  
14 The 22-year-old is a preschool teacher, but she is currently not  
15 working because she is pregnant.

16 I've actually been the victim of several crimes, credit card  
17 theft, identity theft, and I've been held at gunpoint.

18 THE COURT: How long ago were each of those?

19 PROSPECTIVE JUROR NO. 137: The credit card theft was  
20 here in Vegas. I want to say that was probably approximately 2008.  
21 It was at Chase Bank in Henderson, and someone put a skimmer on  
22 the ATM machine.

23 THE COURT: Oh, okay.

24 PROSPECTIVE JUROR NO. 137: Do I don't have any  
25 knowledge other than that. I know the bank investigated it, so I

1 don't have any knowledge of, you know, how the case was handled.

2 My identity theft happened when I was living in Long  
3 Beach. And I think that was -- it was early 2000s. She actually  
4 broke into my car when I was at work. My backpack was in the car  
5 with my social security card in it. I know, not the smartest move,  
6 but I was young and didn't know better at the time. So she stole  
7 that and she stole my identity.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 137: They did catch her fairly  
10 quickly, so I do feel like that was handled well, it never went to trial.  
11 I think she does -- I don't know if she did a plea deal or -- because  
12 she was in jail for it.

13 And then I haven't talked to him in many years, but my -- I  
14 do have a first cousin who was in jail twice. The first time was for --  
15 I believe it was attempted murder was the charge, and the second  
16 time was -- it was, like, a domestic violence type of situation.

17 THE COURT: And what about the time when you were  
18 held at gunpoint?

19 PROSPECTIVE JUROR NO. 137: Oh, I'm sorry. I was  
20 leaving -- living in Chico, California, at the time. I think this was -- I  
21 was going to junior college there, so it was around '95. And we  
22 lived in -- it was all college kids in an apartment complex and we all  
23 just left our doors open and kind of came and went. We had -- it  
24 was so long ago, it was either two or three men that came into our  
25 apartment with sawed-off shotguns.

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THE COURT: Wow.

PROSPECTIVE JUROR NO. 137: It was a case of mistaken identity. And I was actually -- they were aiming them -- they came in and aimed them at all of us, but their focus was on my male roommate. So I was able to get out of the apartment and call the police.

THE COURT: So in all of those situations, do you feel like -- I know some of them you said, well, I don't really know how far it when.

PROSPECTIVE JUROR NO. 137: Yeah.

THE COURT: But do you feel like it was handled appropriately by the individuals that were called in regards to law enforcement?

PROSPECTIVE JUROR NO. 137: I do.

THE COURT: And is there anything about any of those three scenarios that makes you feel would impact your ability to be fair and impartial here?

PROSPECTIVE JUROR NO. 137: I want to say that I'll do my best to be fair and impartial. I've been victim of identity theft, and I believe that that was part of this case.

THE COURT: Uh-huh.

PROSPECTIVE JUROR NO. 137: So I do also have compassion for people who have gone through that. But I'm prepared to, you know, be an impartial juror.

THE COURT: So -- yeah, and, you know, I think that it --

1 it's okay to be compassionate for people. First things, like, in a  
2 murder case, right? Of course people can feel compassion for the  
3 individual who lost their lives.

4 PROSPECTIVE JUROR NO. 137: Sure.

5 THE COURT: But the important thing is, is you still have  
6 to be able to hold the State to their burden. So the law says, listen,  
7 the State has to prove these things beyond a reasonable doubt.  
8 And while you can definitely feel compassion to those involved in  
9 the case, it just can't affect your ability to hold the State to their  
10 burden. Do you feel okay with that?

11 PROSPECTIVE JUROR NO. 137: Understood. Yes.

12 THE COURT: Okay. Thank you.

13 PROSPECTIVE JUROR NO. 137: Uh-huh.

14 THE COURT: And then the -- ever been a juror before?

15 PROSPECTIVE JUROR NO. 137: I have never been a juror  
16 before.

17 I haven't heard anything about this trial.

18 And I think we just talked about basing the verdict on the  
19 evidence.

20 THE COURT: Yes.

21 PROSPECTIVE JUROR NO. 137: And, yes, I think I can be  
22 fair and impartial.

23 THE COURT: All right. Thank you, ma'am. Appreciate it.  
24 All right. And Mr. Gammie?

25 PROSPECTIVE JUROR NO. 052: I've lived in Clark County



1 for -- well, since '05.

2 I graduated high school.

3 I'm a retired pipefitter.

4 Married, my wife is retired from Federal Express.

5 Got two children, age 37 and 41.

6 And I've been a victim of a crime, several of them, and  
7 they were reported. The situation was handled fine.

8 THE COURT: And were these in -- where were these at?

9 PROSPECTIVE JUROR NO. 052: Beg your pardon?

10 THE COURT: Where were the crimes committed?

11 PROSPECTIVE JUROR NO. 052: North Carolina and  
12 Illinois, California.

13 THE COURT: And were they property crimes?

14 PROSPECTIVE JUROR NO. 052: No. I was a victim of  
15 armed robbery and assaults and theft.

16 THE COURT: And you said that you had reported each of  
17 those, correct?

18 PROSPECTIVE JUROR NO. 052: Yeah. Yeah.

19 THE COURT: And you feel like they were handled  
20 appropriately?

21 PROSPECTIVE JUROR NO. 052: Yeah.

22 THE COURT: Is there anything about being the victim in  
23 each of those instances that you feel would prevent you from being  
24 fair and impartial in this case?

25 PROSPECTIVE JUROR NO. 052: No.

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THE COURT: Okay. Thank you, sir. Go ahead.

PROSPECTIVE JUROR NO. 052: I have a nephew who was accused of a crime, and that was handled appropriately.

I've been a juror before in a civil case and numerous coroners juries.

THE COURT: Were you -- have -- in the civil case, were you the foreman?

PROSPECTIVE JUROR NO. 052: No.

THE COURT: And was a verdict reached?

PROSPECTIVE JUROR NO. 052: No.

THE COURT: Was it hung or was it negotiated?

PROSPECTIVE JUROR NO. 052: No, they settled.

THE COURT: Okay.

PROSPECTIVE JUROR NO. 052: And then I haven't heard anything about this trial and I don't think there's anything that would prevent me from having a fair and impartial opinion.

THE COURT: Okay. Thank you.

Mr. Altamirano, Badge Number 056.

PROSPECTIVE JUROR NO. 056: I been living here in Las Vegas all my life, since 1993.

I have a high school degree.

I'm currently employed right now in supermarket right now.

I'm not married or in any relationship.

I don't have no childrens at all.

1           No, I don't have anyone who has been in a crime or I  
2 haven't been in a crime, either.

3           Haven't served in a jury before.

4           I haven't heard anything from this trial at all.

5           And, yes, I could be fair and impartial for both sides.

6           THE COURT: Thank you, sir. I appreciate it.

7           And Ms. Zhuo.

8           PROSPECTIVE JUROR NO. 070: I'm living Clark County  
9 since 2017.

10          I attend the college, but not finished.

11          I'm working in the manage company, the realty manage  
12 company.

13          Not married, no children.

14          Don't have anyone ever being the victim of the crime.

15          My sister has been accused of a crime, but I couldn't  
16 remember was the situations.

17          No stories as a juror.

18          I don't heard about the trial before.

19          I can -- yes, I can, based on -- yes, I can stand the both  
20 side.

21          THE COURT: And question for you. When -- but where  
22 did you live before 2017?

23          PROSPECTIVE JUROR NO. 070: 2017?

24          THE COURT: Did you say you moved to Clark County --

25          PROSPECTIVE JUROR NO. 070: No, I say -- I'm coming

1 the United States since the 2010. So one just -- I stayed there as  
2 soon as I'm coming 2010.

3 THE COURT: 2010?

4 PROSPECTIVE JUROR NO. 070: Yeah.

5 THE COURT: Okay. And where did you come from?

6 PROSPECTIVE JUROR NO. 070: China.

7 THE COURT: All right. And why did you come from  
8 China?

9 PROSPECTIVE JUROR NO. 070: Sorry?

10 THE COURT: What was -- why did you decide to come to  
11 the United States?

12 PROSPECTIVE JUROR NO. 070: Because my mom and  
13 my sister all here, so I just move here.

14 THE COURT: Okay. Great. And then your sister was  
15 accused of a crime, was that here in Las Vegas?

16 PROSPECTIVE JUROR NO. 070: Yes.

17 THE COURT: All right. But you're not sure about anything  
18 else of it?

19 PROSPECTIVE JUROR NO. 070: Yeah, I'm not sure.

20 THE COURT: All right. Thank you. Appreciate it.

21 PROSPECTIVE JUROR NO. 070: Welcome.

22 THE COURT: And Ms. Dimick, Badge Number 077.

23 PROSPECTIVE JUROR NO. 077: I've lived in -- I was born  
24 and raised here.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 077: I have a college degree, a  
2 bachelor's in criminal justice.

3 I'm employed with Caesar's.

4 I'm not married; I do have two kids.

5 And never been a victim of a crime or accused that --  
6 anyone knowing anything that --

7 Never been a juror.

8 THE COURT: Okay. There should be -- is there three  
9 questions on the back?

10 PROSPECTIVE JUROR NO. 077: I don't know anything  
11 about this trial.

12 And I can form my own opinion.

13 And I can be fair.

14 THE COURT: Okay. Thank you.

15 Mr. Dumovich, Badge Number 082.

16 PROSPECTIVE JUROR NO. 082: I've lived in Clark County  
17 since 1993.

18 I graduated high school.

19 I'm employed as a land surveyor.

20 My wife is a volunteer for a pet rescue.

21 I have two grown children, a 31-year-old mechanic, and  
22 a 25-year-old mechanical engineer.

23 I've never been the victim of a crime, I don't know anyone  
24 who's been a victim of a crime.

25 I've never served on a jury before.

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I've not heard of this case.

And I will be able to form my own opinion, and I can be fair and impartial to both side.

THE COURT: Thank you, appreciate that.

Mr. Lin, Badge Number 100.

PROSPECTIVE JUROR NO. 100: All right. I have lived in Las Vegas for 38 years.

I went to UNLV, but not -- did not finish.

I am self-employed, but not currently working. I'm a DJ.

I'm not married. I do not have any children.

I was once robbed at gunpoint. It was reported. They were not caught.

THE COURT: Was that here in Las Vegas?

PROSPECTIVE JUROR NO. 100: Yeah, it was.

THE COURT: And when was that?

PROSPECTIVE JUROR NO. 100: I want to say around 2003ish.

THE COURT: Okay.

PROSPECTIVE JUROR NO. 100: I felt it was handled as best as it could have been.

I don't know anybody who has been accused of a crime.

I have never served as a juror.

I have not heard anything about this trial.

Yes, I can base my verdict solely on the evidence presented, and yes, I can be fair and impartial.

1 THE COURT: Thank you. Appreciate it.

2 Mr. Bilzerian, Badge Number 111.

3 PROSPECTIVE JUROR NO. 111: I've been in Clark County  
4 since [indiscernible; audio cut out].

5 THE COURT: Mr. Bilzerian, I'm sorry. So sometimes  
6 during -- that seat underneath the wall, it cuts out. Could you do  
7 me a favor, would you stand and come just maybe one foot forward  
8 so it doesn't do that with the mic. Thank you.

9 PROSPECTIVE JUROR NO. 111: Is that better?

10 THE COURT: Yeah, that's better. Go ahead.

11 PROSPECTIVE JUROR NO. 111: Okay. Lived in Clark  
12 County since 2009.

13 I went to college, but didn't graduate.

14 I'm the CEO of a publicly traded company.

15 I'm in a relationship.

16 I don't have kids.

17 I've been robbed a few times.

18 Let's see --

19 THE COURT: Were those -- where were those robberies  
20 at?

21 PROSPECTIVE JUROR NO. 111: Couple of houses got  
22 broken into.

23 THE COURT: Were you home at the time?

24 PROSPECTIVE JUROR NO. 111: I was not.

25 THE COURT: And is that in Las Vegas?

1 PROSPECTIVE JUROR NO. 111: One was my LA house,  
2 and the other one was my Vegas house. Sorry, this mask.

3 THE COURT: That's okay. Did -- were -- did you report it?

4 PROSPECTIVE JUROR NO. 111: I did.

5 THE COURT: And did police respond? How do you feel it  
6 was taken care of?

7 PROSPECTIVE JUROR NO. 111: Well, the LA robbery was  
8 kind of a headache. They impounded more things than were  
9 stolen, which was kind of annoying. But, yeah, I mean, it was fine.

10 THE COURT: Okay. What about LV?

11 PROSPECTIVE JUROR NO. 111: They didn't catch them.

12 THE COURT: Anything about either of those incidents that  
13 makes you feel like you wouldn't be able to be fair and impartial  
14 here?

15 PROSPECTIVE JUROR NO. 111: Nope.

16 THE COURT: All right.

17 PROSPECTIVE JUROR NO. 111: And I have been accused  
18 of some crimes.

19 THE COURT: Okay. What are those?

20 PROSPECTIVE JUROR NO. 111: I had a weapon on or  
21 about school grounds in high school, so I got thrown in jail for three  
22 weeks for that. And I blew up a semi-truck with 100 pounds of  
23 explosives out here, got arrested for that. Yeah, that's about it. Oh,  
24 I got arrested for attempted robbery. Some guy cheated me out  
25 of 50,000 in poker, but I wasn't convicted, so.



1 THE COURT: All right. So let's talk about the blew up the  
2 semi-truck. So --

3 PROSPECTIVE JUROR NO. 111: Well, it was my truck. I  
4 bought the truck.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 111: So.

7 THE COURT: So you were prosecuted by who, the DA's  
8 office?

9 PROSPECTIVE JUROR NO. 111: I'm not sure. I got -- I had  
10 to pay a fine and then I got convicted of failure to extinguish a  
11 campfire.

12 THE COURT: Okay. And then what about the attempt  
13 robbery; what happened with that?

14 PROSPECTIVE JUROR NO. 111: This guy cheated me out  
15 of some money in poker and --

16 THE COURT: Oh, sorry, I just mean what happened, like,  
17 did you -- were the charges dropped? Did you plead -- what --

18 PROSPECTIVE JUROR NO. 111: Yeah, charges were  
19 dropped.

20 THE COURT: Did you -- but you go arrested for it?

21 PROSPECTIVE JUROR NO. 111: I did.

22 THE COURT: Okay. Did you -- were they just dropped  
23 outright, or did you have to jump through some hoops to get them  
24 dropped?

25 PROSPECTIVE JUROR NO. 111: No, the guy was a

1 convicted felon and he didn't want to testify.

2 THE COURT: Okay. Got you. All right.

3 So, now, let's talk about any of these situations where you  
4 were the victim or whether you were the accused, do any of those  
5 things combined make you feel like it would be difficult for you to  
6 sit as a fair and impartial juror?

7 PROSPECTIVE JUROR NO. 111: No, I don't think so.

8 THE COURT: And then one thing that I have to ask  
9 specifically is that if you were, in fact, prosecuted by, you know, the  
10 district attorneys' office, these two attorneys work for that office.  
11 So is there anything about their situation or the fact that they work  
12 for the office that prosecuted you, does it bother you? Does it come  
13 into your mind at all?

14 PROSPECTIVE JUROR NO. 111: No, not at all. I -- it was a  
15 plea deal. I mean, the -- it was a binary explosive that was legal.  
16 So I didn't do anything illegal. It was just, I guess, irritating that I  
17 blew up a semi-truck.

18 THE COURT: So maybe -- this isn't really a legal question,  
19 but why were you blowing up semi-trucks?

20 PROSPECTIVE JUROR NO. 111: It was just for fun.

21 THE COURT: Oh. Okay. All right. Any -- let's see, was  
22 that it with all the questions?

23 PROSPECTIVE JUROR NO. 111: Let's see.

24 THE COURT: Did you answer if you've been a juror  
25 before?

1 PROSPECTIVE JUROR NO. 111: I keep getting called for  
2 this. I came about a year ago, but I didn't get picked for the jury.

3 THE COURT: Okay. And you can base your verdict solely  
4 on the things that you hear and see in the courtroom as admissible  
5 testimony?

6 PROSPECTIVE JUROR NO. 111: Yes.

7 THE COURT: And you can be fair and impartial to both  
8 sides?

9 PROSPECTIVE JUROR NO. 111: Yes.

10 THE COURT: Thank you. Appreciate you.

11 PROSPECTIVE JUROR NO. 116: Hi.

12 THE COURT: All right. Mr. Leboeuf, Badge Number 116.

13 PROSPECTIVE JUROR NO. 116: Yeah, Tom Leboeuf.

14 How long I've lived in Clark County, since '96, 1996.

15 Far did I get in school? I didn't graduate. I had a hard  
16 time.

17 Not employed at the moment.

18 I was married, but now I'm widowed.

19 THE COURT: I'm sorry.

20 PROSPECTIVE JUROR NO. 116: Had children, they're not  
21 mine, they're hers -- they were hers.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 116: Stepkids.

24 THE COURT: Do you raise the stepchildren?

25 PROSPECTIVE JUROR NO. 116: I helped raise them for a

1 little while, yeah.

2 THE COURT: Okay. And what were you doing the last  
3 time you were employed?

4 PROSPECTIVE JUROR NO. 116: Last time I worked in a  
5 door shop.

6 THE COURT: At a what?

7 PROSPECTIVE JUROR NO. 116: At a door shop, just hard  
8 labor.

9 THE COURT: Oh, okay. Got you. All right.

10 PROSPECTIVE JUROR NO. 116: And, where was I, close  
11 to you ever been a victim of a crime? I don't believe so. No one  
12 has.

13 No, nobody's been accused of a crime.

14 Served as a juror before? No.

15 Anything you've heard about the trial this far makes you  
16 feel like it would be difficult? No.

17 Base my verdict solely on evidence presented, okay,  
18 during trial.

19 Wait in forming your opinion, case submitted to you,  
20 yeah.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 116: And then I can be fair and  
23 impartial on both sides.

24 THE COURT: All right. Thank you. I appreciate that.

25 If we could pass it to Ms. Gomez, Badge Number 121.

1           Go ahead, Ms. Gomez. Whenever you're ready, from the  
2 top.

3           PROSPECTIVE JUROR NO. 121: Uh-huh. I'm be here in  
4 Clark County until 1999.

5           I go to the college in Mexico. I finish my college. And I  
6 coming here, and five years ago, I go to again school to study for  
7 massage therapies. I'm back and forth, back and forth to the  
8 college to learning English, where I never finished.

9           I'm employed now.

10          I not married, but I had a religion [indiscernible], and he  
11 were in the houseman in one casino.

12          I do have a children.

13          I do have a -- I don't know is this for victim or crime --

14          THE COURT: Have you ever been the victim of a crime  
15 before? Like, have you ever been robbed or hit or --

16          PROSPECTIVE JUROR NO. 121: Somebody put in my  
17 one -- shooting at me, and then I report and I go to my separation  
18 long time ago. I don't remember.

19          THE COURT: Oh, it was a boyfriend of yours?

20          PROSPECTIVE JUROR NO. 121: Yeah.

21          THE COURT: Held you at gunpoint?

22          PROSPECTIVE JUROR NO. 121: Yeah.

23          THE COURT: Okay. And so you report it. Was this in  
24 Mexico?

25          PROSPECTIVE JUROR NO. 121: No, here.

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THE COURT: Oh, here, okay.

PROSPECTIVE JUROR NO. 121: Here.

THE COURT: In Las Vegas?

PROSPECTIVE JUROR NO. 121: In Las Vegas. Yeah.

THE COURT: Okay. And do you remember what happened?

PROSPECTIVE JUROR NO. 121: This moment happen for bankruptcy and it's hard to report everything. And he's very angry, upset. And he say don't -- he don't do nothing. And then everything is by my name. And I say, oh, I need to do --

THE COURT: Okay.

PROSPECTIVE JUROR NO. 121: -- you know, and then put it to me the [indiscernible] in my face.

THE COURT: Okay. All right. Thank you.

PROSPECTIVE JUROR NO. 121: This is -- I coming one more times here, but I don't stay for -- and this time I don't never, never understand nothing and this moment English.

I don't understand the next question.

THE COURT: The next question is have you -- can you base your verdict -- so if you were selected as a juror, can you form that decision only on the things that you hear and see in the courtroom and not let outside influences distract you?

PROSPECTIVE JUROR NO. 121: I don't know.

THE COURT: Okay. That's okay. Thank you so much, ma'am. I appreciate it.

1 Let's go onto Mr. Stieve, Badge Number 129.

2 PROSPECTIVE JUROR NO. 129: Yeah, I've been in Clark  
3 County since '92.

4 I do have some college, but no degree.

5 I am currently employed as a risk coordinator for a casino.

6 I am married, my wife is medically retired.

7 I do have children, a 40-year-old who works for Clark  
8 County Fire Department, a stepson who -- he works for Tesla.

9 Never been a victim of a crime, don't know anybody who  
10 has been accused of a crime.

11 Never served on a jury.

12 There's -- I don't know anything about this trial, and I can  
13 be impartial.

14 THE COURT: Thank you, sir. I appreciate it.

15 Ms. Gries, Badge Number 130.

16 PROSPECTIVE JUROR NO. 130: Hi. I've lived in Vegas  
17 for -- since 2013.

18 I graduate high school in '06. I have some college credits,  
19 but no degree.

20 I am employed. I'm a shift manager at Taco Bell.

21 I am married. My husband works at Big-O Tires as a tire  
22 tech.

23 I do have children, 6, 4, and 1.

24 I haven't been a victim of crime. I don't know anybody  
25 that's been accused of a crime.

1 I've never served on a jury before.  
2 I never heard of the trial before.  
3 And yes, I can -- solely my evidence when I'm in the trial.  
4 And then I can be fair and impartial on both sides.  
5 THE COURT: Okay. Where did you live before Vegas?  
6 PROSPECTIVE JUROR NO. 130: California.  
7 THE COURT: And how long in California?  
8 PROSPECTIVE JUROR NO. 130: Maybe four years, five  
9 years.  
10 THE COURT: Okay. Is -- do you guys move because of  
11 jobs?  
12 PROSPECTIVE JUROR NO. 130: No. I lived with my -- I  
13 live my dad out in California.  
14 THE COURT: Okay.  
15 PROSPECTIVE JUROR NO. 130: Before that, I lived in  
16 Delaware. So -- with my mom. That was the longest years of, like,  
17 eight years.  
18 THE COURT: Okay. Got it.  
19 PROSPECTIVE JUROR NO. 130: Yeah.  
20 THE COURT: Thank you very much.  
21 Ms. Kallush, Badge Number 134.  
22 PROSPECTIVE JUROR NO. 134: I've lived in Clark County  
23 since --  
24 THE COURT: Oh, just -- if you wouldn't mind holding that  
25 mic to your -- yeah. Thank you.



1 PROSPECTIVE JUROR NO. 134: I've lived in Clark County  
2 since January of 2013.

3 I finished about two years of college, but I have degree  
4 equivalency as an accountant.

5 I was employed as an accountant and a business  
6 development consultant. I'm retired and I'm an executive with a  
7 local nonprofit, a volunteer executive.

8 I'm married. My husband does the same work that I did.  
9 We were partners in our firm. We have no children.

10 We have both been robbed at gunpoint in the past. The  
11 crimes were reported, the people were not caught.

12 THE COURT: Was that -- where was that at?

13 PROSPECTIVE JUROR NO. 134: Let's see. My husband  
14 was robbed twice in Detroit as a worker in two different retail  
15 stores, two different years. I was robbed in Louisville, Kentucky, in  
16 my parking lot of the neighborhood I lived in. And that was in  
17 the '70s. And then we were robbed in a home that we owned in  
18 Macon, Georgia.

19 THE COURT: Were you -- when -- were you home at the  
20 time?

21 PROSPECTIVE JUROR NO. 134: Actually, no. It was -- I  
22 had been there for the weekend. The house was cased while I was  
23 there. I had stayed with a neighbor the night before I left and the  
24 house was robbed the next day.

25 THE COURT: Okay. Now, in each of these situations,

1 were the police called?

2 PROSPECTIVE JUROR NO. 134: The police were called.

3 THE COURT: Do you feel like in each of these situations, it  
4 was handled properly?

5 PROSPECTIVE JUROR NO. 134: For the early robberies,  
6 yes. But for the one that happened at our house, I had to contact  
7 them multiple times, they never called me. A realtor was handling  
8 the sale of our house at the time. They called her once, they  
9 retrieved some of our items, and I could never get a hold of them to  
10 get our items back.

11 THE COURT: All right. Do you feel like any of those  
12 situations would prevent you in being fair and impartial in this  
13 case?

14 PROSPECTIVE JUROR NO. 134: I would hope not. But,  
15 like someone else said earlier, it depends on what the subject  
16 matter would be of the trial. And I, you know, I can't guarantee that  
17 my judgment wouldn't be jaded by my own experience.

18 THE COURT: So in --

19 PROSPECTIVE JUROR NO. 134: I would try, but --

20 THE COURT: Yeah. In the limited information that the  
21 State gave, it is burglaries and grand larcenies, meaning going into  
22 public spaces.

23 PROSPECTIVE JUROR NO. 134: Right.

24 THE COURT: There's -- so it's, you know, more stores, like  
25 you heard Cosmo --

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PROSPECTIVE JUROR NO. 134: Right.

THE COURT: -- or Caesar's or things like that. So it's not factually similar to your scenario.

PROSPECTIVE JUROR NO. 134: Right. Well, we were also robbed in a store that we owned. So I do have some other experiences, but I would do my best to be partial -- to be impartial.

THE COURT: Okay.

PROSPECTIVE JUROR NO. 134: Let's see. I have been called to serve as a juror before, but not selected, multiple times.

Let's see. I haven't heard anything about this trial.

And, again, I would try to weigh the information based on what took place in the trial.

THE COURT: Thank you.

Let's go to Mr. Seepo, Badge Number 135.

PROSPECTIVE JUROR NO. 135: Excuse me, I told you before, my English for me is not very good.

THE COURT: Okay.

PROSPECTIVE JUROR NO. 135: So just like now with the bad time, I'm call my son. He told me some part of the questions.

THE COURT: Okay. All right.

Can I see the parties in the back, please.

Just one second, Mr. Seepo.

[Bench conference transcribed as follows.]

THE COURT: All right, guys. We're outside the presence of the jury. I wanted to talk to the parties about a few things.

1           So Mr. Seepo right now, Badge Number 135, he contacted  
2 my marshal on the break and let him know that while he can speak  
3 English, he doesn't read or write in English. So that's why he's  
4 saying he called his son. I think he called his son -- I don't know if  
5 he took a snapshot of the questions, but he doesn't read or write  
6 English. And I don't think he's trying to get off, because he is very  
7 articulate, like Mr. Stanton was saying. But, I mean, if he can't read  
8 or write, then we've got an issue with jury instructions, with  
9 PowerPoints, et cetera.

10           State?

11           MR. STANTON: I agree with the Court, that makes him  
12 unable to serve.

13           MR. FISCHER: And I'll submit it, Your Honor.

14           THE COURT: Okay. So Mr. Seepo's going to be excused.

15           Ms. Gomez, Liliana Gomez -- give me a second.

16 Ms. Gomez, Badge Number 121, the State had discussed some  
17 concerns they had. I allowed her to stay, because I wanted her to  
18 be able to do some back-and-forth with the attorneys. However,  
19 when asked -- being asked questions on the sheet, she clearly was  
20 struggling. Brought up again and again that she didn't understand  
21 English. Couple of her answers to my questions were  
22 nonresponsive. I definitely don't think she enough command of the  
23 English language to sit as a juror in this trial.

24           State?

25           MR. STANTON: I would agree with the Court's

1 assessment. In addition, when she was reading the standard  
2 questions, she did not understand or at least did not address any of  
3 the follow-up questions to the main question. I observed that to be  
4 an artifact of her inability to read. I would join asking that she be  
5 removed for cause.

6 MR. FISCHER: And again, I didn't necessarily get the  
7 impression that language was as much of a barrier. But for other  
8 reasons, I'll submit it.

9 THE COURT: Okay. So she'll be released.

10 Ms. Peel, Badge Number 267, the 32-week pregnant lady,  
11 she has now produced paperwork that she is high risk, and she now  
12 has multiple doctors' appointments this week, which she has  
13 shown proof to my marshal. So I am going to let her go.

14 All right. At any -- do you guys want to address Parks  
15 right now? Parks is the one who is good friends with Detective  
16 Grimes' wife. If you're not going to address it, that's fine. If you  
17 want to, I want to do it now so we can fill some of those seats if we  
18 have any empty. You know what I'm saying?

19 MR. FISCHER: I think I have to object [indiscernible].

20 THE COURT: Okay. So 035, Jennifer Parks, State?

21 MR. STANTON: Judge, there's nothing that she's stated  
22 that would cause her inability to be fair and impartial, which I think  
23 is the standard.

24 THE COURT: All right. So I'm going to let you guys do  
25 some follow-up with her. I do have some concerns based on -- it's

1 really hard when they say I think I can be fair, I'm going to try to be  
2 fair. Because, I mean, I don't -- I can't foretell in three days if she's  
3 going to raise her hand and say I thought I could be fair, but I can't.  
4 So I'm going to allow some follow-up by both sides on her. But it's  
5 definitely something that I'm looking at.

6 And then Bilzerian, Badge Number 111, he clearly doesn't  
7 remember -- did he even come to court whenever you were in  
8 there, Mr. Stanton?

9 MR. STANTON: I don't think he physically was ever in the  
10 courtroom when we were there.

11 THE COURT: All right. Okay. So I'm going to allow  
12 follow-up on him. But, obviously, he's on the radar as well. But  
13 thus far, he's said that he can be fair and it's not going to affect him.

14 So with that being said, I'm going to let go Gomez, Peel,  
15 Seepo, we'll get them in those seats, get their questions done,  
16 break for lunch, we come back, and you guys can have them.

17 MR. STANTON: Judge, I can't remember [indiscernible]  
18 you know, tendency or --

19 THE COURT: Yeah, for --

20 MR. STANTON: -- [indiscernible] put everything else  
21 [indiscernible] just accentuate that [indiscernible].

22 THE COURT: Yeah.

23 MR. STANTON: I think he's going to [indiscernible].

24 MR. FISCHER: Oh, yeah, Bilzerian or whatever, the --

25 MR. STANTON: Yeah.

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THE COURT: Okay.

[End of bench conference.]

THE COURT: Badge Number 121, Liliana Gomez, could you please stand; Ms. Peel, Badge Number 267; and Mr. Seepo, Badge Number 135. Thank you so much for your service today, you are excused. You can go ahead and leave. Thank you.

And then if we could please fill Seats 20 and 24, please, Ms. Brown.

THE CLERK: Okay. So Seat Number 20 will be Alex Perren, Badge Number 140; and in Seat 24 will be Manuel Cortez, Badge Number 144.

PROSPECTIVE JUROR NO. 140: All right. I was born and raised in Clark County, Nevada, so 1997.

I have gotten a MIG welding certification at CSN.

Yes, I am employed. I am a independent contractor out in Logandale, Nevada, where I do tours through the Valley of Fire.

I'm in a significant relationship. My partner is a server at a cafe.

I do not have children.

I have not been a victim of a crime, but I do have a couple friends who were in burglary situations.

No, I have not been accused of a crime.

No, I have not served as a juror before.

No, there is not anything about the trial that I have heard that will make me not be a good juror.

1 Yes, I can base my verdict solely on the evidence  
2 presented. And yes, I can be fair and impartial to both sides.

3 THE COURT: Okay. Do I have Manuel Cortez in here?  
4 Manuel Cortez? Okay.

5 So I'm going to need to do an Order to Show Cause for  
6 Mr. Cortez, because he was here this morning and didn't come  
7 back. So I'll issue an Order to Show Cause.

8 So we'll have to have Mr. Crawford, if you could please  
9 get into Seat 24, I'd appreciate that.

10 Whenever you're ready, from the top.

11 PROSPECTIVE JUROR NO. 145: I've been in Clark County  
12 since 1990.

13 How far did you go to school? I -- okay. I got a bachelor's  
14 degree in accounting.

15 I'm employed. I'm working as an agent at insurance  
16 agency.

17 I am not married. I have two children, age 32 and 33. My  
18 son works for the Air Force, he's a mechanic, and my daughter is a  
19 homemaker.

20 I was a victim of a couple of crimes. One of them, my  
21 house was burglarized, and the other was my van was burglarized.

22 THE COURT: And were those here in Las Vegas?

23 PROSPECTIVE JUROR NO. 145: Yes.

24 THE COURT: And were they reported?

25 PROSPECTIVE JUROR NO. 145: Yes.



1 THE COURT: And how did you feel that was handled by  
2 either the police department or the prosecuting office?

3 PROSPECTIVE JUROR NO. 145: It was handled okay.

4 THE COURT: Okay. Anything about those situations that  
5 make you feel like it would be difficult for you to be fair and  
6 impartial in this case because of it?

7 PROSPECTIVE JUROR NO. 145: No.

8 THE COURT: Thank you. Keep going.

9 PROSPECTIVE JUROR NO. 145: I have never been  
10 accused of a crime or I don't know anyone who was.

11 I have never served as a juror.

12 I haven't heard anything about this trial.

13 And yes, I can base my verdict on the evidence and I'd be  
14 fair and impartial.

15 THE COURT: Thank you.

16 All right. So that concludes the Court's preliminary  
17 questions for the first 24. I'll now turn it over to the State of Nevada  
18 for questions for the first 24.

19 MR. STANTON: Thank you, Your Honor.

20 Ladies and gentlemen, I'm going to ask this question, it's  
21 a general question for all those members at least seated, as the  
22 judge had indicated, here in the floor, in the central part of the  
23 room. If, for some reason, my question triggers something that is a  
24 response to you, please raise your hand and then we'll do the same  
25 drill as far as your name and badge number.

1           This being a criminal case, there are certain things that  
2 have happened in the past that lead to my questions to you. And  
3 they're, security officer, things that you can't do during a trial. And  
4 so we know very little about you other than the brief questions that  
5 you've answered today. And so this is kind of a series of questions  
6 to probe what type of person you are and whether or not that type  
7 of person suits well with a criminal case.

8           So the best way for me to explain this is to ask my first  
9 question to you, and that is, in a criminal case, civil, as well, a juror,  
10 if you are selected, you cannot do your own investigation. And this  
11 used to be kind of simplistic about what happens, but with the  
12 advent of the Internet and phones and everything like that, it has  
13 become somewhat of a problem in the sense that eight out of the  
14 top 30 television shows deal with *CSI* or some form of the criminal  
15 justice system, as does YouTube and several other social media  
16 sites that deal with people trying to solve crimes.

17           So my question to you all is, looking inside as to the type  
18 of person you are, could you abide by the Court's instruction  
19 throughout the entirety of this trial, that you cannot conduct your  
20 own investigation, going on the Internet, looking up terms, going to  
21 the scenes that you're going to hear and see as evidence during this  
22 trial to make whatever assessment you want or what -- why you  
23 think you would be compelled to go there. You can't do any of that.

24           For the time that you're sworn as a juror in this case until  
25 the verdict is rendered, all the information that you use to decide

1 and to render your verdict will be held and heard in a court of law  
2 and nowhere else.

3 Is there anybody here that feels they cannot do that? No  
4 positive response.

5 The second thing that has caused problems if people  
6 posting that you are in the process or potentially, ultimately  
7 selected as a juror in this case, and then posting that on social  
8 media. You can't do that, either.

9 I know there's a person in here who I happen to have seen  
10 in social media, they have several million followers to their different  
11 social media sites. And you can't post -- and I'm not saying this  
12 person would -- but you cannot post anything about the contents of  
13 what's going on.

14 I'm sure most of you, if not all of you, have heard over the  
15 past several years cases that have made the medica, from  
16 O.J. Simpson's trial in California to his trial here in Las Vegas. If  
17 you think about the jurors that were selected on cases like that or  
18 even more recently than that, it would be entirely improper for any  
19 member of the jury at any time during the trial to post anything  
20 about what they've heard, their thoughts about the case, anything  
21 like that on social media.

22 Now, that sounds all very common sensical, but believe  
23 me, it happens, and it happens on a regular basis. And thus, once  
24 again, my question is: Does anybody feel like they cannot follow  
25 that rule, that you cannot broadcast the content's nature and

1 aspects of serving in this particular case? No positive response.

2           There is also, over my years of being a prosecutor, what I  
3 refer to as the *CSI*/vortex. And what I mean by that is out of those  
4 eight out of 30 top shows, a lot of those shows, to include kind of  
5 the famous one, the *CSI*/show, deals with forensics and how  
6 forensic plays a part in criminal investigations and, ultimately, in  
7 criminal prosecutions. That show actually claimed to be based  
8 upon what happens here in Las Vegas.

9           I don't want to ask you as a show of hands who's fans of  
10 the show or whatever. But simply this: Is there anybody in here,  
11 and please raise your hand if you think you're one of these  
12 individuals, that would require in a criminal prosecution some  
13 forms of forensic evidence, like DNA or fingerprints, in order to be  
14 able to convict a defendant. In other words, unless you show me  
15 some science, I'm not being able to convict anybody beyond a  
16 reasonable doubt. Does anybody feel that it has to be that kind of  
17 forensics in order for them to convict?

18           The next series of questions --

19           And, Your Honor, do you want me to go into specifics too  
20 or just generals at this point?

21           THE COURT: Nope, go for it.

22           MR. STANTON: Okay. Now I have some specific  
23 questions for those of you that have previously been questioned by  
24 the Court. I'd like to start off with Mr. Meador.

25           Mr. Meador, could you raise your hand so I'm not -- okay.

1 You had a background in paralegal training; what type of law did  
2 you want to get into when you became a paralegal?

3 PROSPECTIVE JUROR NO. 018: I actually wanted to get  
4 into probate, is what I wanted to do when I was in school.

5 MR. STANTON: Okay.

6 PROSPECTIVE JUROR NO. 018: In fact, contracts and  
7 probate.

8 MR. STANTON: So from probate, you end up on the  
9 parole board. That's not a straight line, but I assume --

10 PROSPECTIVE JUROR NO. 018: Yeah, it's kind of like --

11 MR. STANTON: Right.

12 PROSPECTIVE JUROR NO. 018: Yeah.

13 MR. STANTON: Let me ask you, you say you're present  
14 during parole hearings.

15 PROSPECTIVE JUROR NO. 018: Uh-huh.

16 MR. STANTON: Is that hearings where they take evidence  
17 from what the statute in Nevada requires or at least offers people to  
18 present evidence?

19 PROSPECTIVE JUROR NO. 018: They don't present  
20 evidence. But we have the case summaries, and whatever evidence  
21 was found is written in the case summaries. And they do talk about  
22 it with every inmate that they talk to.

23 MR. STANTON: Okay. Well, there's parole hearings, and  
24 I'm sure you're aware of this, where people outline by statute --

25 PROSPECTIVE JUROR NO. 018: Uh-huh.

1 MR. STANTON: -- can testify in front of the parole board.  
2 Are you involved in any of that process?

3 PROSPECTIVE JUROR NO. 018: No. But we do hear,  
4 basically, any kind of crime you could think of for any kind of  
5 inmate you could think of, we talk to them.

6 MR. STANTON: Okay. But that also includes victims who  
7 have a right to address the parole board --

8 PROSPECTIVE JUROR NO. 018: Yes.

9 MR. STANTON: -- in parole hearings.

10 PROSPECTIVE JUROR NO. 018: Victims and supporters of  
11 the inmates also show up, and we hear what they have to say.

12 MR. STANTON: And you're part of that process?

13 PROSPECTIVE JUROR NO. 018: Yes.

14 MR. STANTON: Okay. And so you're kind of familiar, and  
15 this is a Dave Stanton term, with prison math, how things are  
16 calculated --

17 PROSPECTIVE JUROR NO. 018: Yeah.

18 MR. STANTON: -- for parole board hearings?

19 You'd understand that, in this particular case, a case  
20 where the jury would not be determining the punishment, that the  
21 knowledge that you have via your job cannot be introduced at any  
22 time if you're selected as a juror in this case?

23 PROSPECTIVE JUROR NO. 018: Yes.

24 MR. STANTON: You'd understand that?

25 PROSPECTIVE JUROR NO. 018: Yeah.

1 MR. STANTON: Okay. And so let's just get past the fact  
2 that you understand that, let's say in your deliberations, someone  
3 remembers that you're on the parole board and they ask you during  
4 deliberations, hey, you're on the parole board, what is the  
5 punishment for this charge? You understand that you couldn't  
6 answer that question?

7 PROSPECTIVE JUROR NO. 018: Yeah, I understand that.

8 MR. STANTON: Okay. Great. Thank you, sir.

9 PROSPECTIVE JUROR NO. 018: Uh-huh.

10 MR. STANTON: Let me go to my next juror. That would  
11 be Ms. Miller.

12 And, Detective Kelly, it's all the way up front here. And  
13 that would be, for the record Badge Number 026.

14 Ms. Miller, I want to ask you a couple of questions about  
15 the incident that you described about the victim portion of the  
16 questionnaire.

17 PROSPECTIVE JUROR NO. 026: Sure.

18 MR. STANTON: Is there -- did you interact with detectives  
19 during that case?

20 PROSPECTIVE JUROR NO. 026: For the rape?

21 MR. STANTON: Yes.

22 PROSPECTIVE JUROR NO. 026: I think so. I just can't  
23 remember. Like, it was so long ago. Like, I don't even care  
24 anymore.

25 MR. STANTON: Okay. So it sounds like some details, at

1 least the aspect of the investigation process, you've kind of,  
2 probably for good reason, want to put aside and move on with your  
3 life.

4 PROSPECTIVE JUROR NO. 026: Yes.

5 MR. STANTON: Is that a fair --

6 PROSPECTIVE JUROR NO. 026: Yeah.

7 MR. STANTON: Okay.

8 PROSPECTIVE JUROR NO. 026: I don't even care about it  
9 anymore.

10 MR. STANTON: Let me just ask one final question about  
11 that. There is a distinction in law enforcement, a significant one  
12 between what most people would understand it to be: Patrol  
13 officers, officers in uniform who drive a marked patrol unit that are  
14 dispatched to scenes. And then there is a detective, usually not in  
15 uniform. And they follow up and do investigations on the more  
16 serious charges. Do you have any recollection of a distinction  
17 between police that you talked to, in that case, detective versus  
18 patrol officers?

19 PROSPECTIVE JUROR NO. 026: Yeah. I remember that  
20 there was a detective and, like, a little recording female and I  
21 remember that. But, like, I got so distraught during that whole  
22 procedure, I said I don't want the help.

23 MR. STANTON: Okay. So kind of my next question is, is  
24 there anything about that experience, with those police officers in  
25 this case or the other case that you mentioned, that causes you to



1 feel negatively about how law enforcement, patrol officers or  
2 detectives, responded and worked on your case?

3 PROSPECTIVE JUROR NO. 026: No. I'm very open. And,  
4 actually, I am interested in the field. So I am always open to see  
5 how a business is running.

6 MR. STANTON: Okay.

7 PROSPECTIVE JUROR NO. 026: And how you guys do  
8 things. So, I -- like I said, I'm open-minded to see how this works.  
9 And if my voice has a say in putting somebody away that did  
10 something wrong, then that would be good, I guess.

11 MR. STANTON: Okay. But you don't have any preformed  
12 opinions one way or another as to either side in this case --

13 PROSPECTIVE JUROR NO. 026: Right.

14 MR. STANTON: -- what the outcome or what the verdict  
15 would be?

16 PROSPECTIVE JUROR NO. 026: No.

17 MR. STANTON: Correct?

18 PROSPECTIVE JUROR NO. 026: Correct.

19 MR. STANTON: Okay. Thank you.

20 Next would be Garret Johnson, 047.

21 Mr. Johnson, I'm going to ask the question as you're  
22 getting the mic here. I want to talk to you about the comments you  
23 made about people close to you that had been victims of crime.

24 PROSPECTIVE JUROR NO. 047: Okay.

25 MR. STANTON: It sounds like there was a very serious

1 crime that was part of the family or nuclear group sometime in the  
2 past with you; is that correct?

3 PROSPECTIVE JUROR NO. 047: It was not involving me. I  
4 only know it because the stories I was told. It happened before I  
5 was born. So.

6 MR. STANTON: Oh, okay. I gotcha. So -- but this was  
7 people that you knew in your greater family, not you, but some  
8 other people within a larger family unit; would that be accurate?

9 PROSPECTIVE JUROR NO. 047: Yes.

10 MR. STANTON: Okay. And is that something that  
11 ultimately led to your uncle that you mentioned?

12 PROSPECTIVE JUROR NO. 047: They were completely  
13 distinct events.

14 MR. STANTON: Okay. So those are two different events,  
15 then?

16 PROSPECTIVE JUROR NO. 047: Yes.

17 MR. STANTON: I gotcha.

18 PROSPECTIVE JUROR NO. 047: Yes. The incident  
19 involving my family member and another family member happened  
20 in Minnesota.

21 MR. STANTON: Okay.

22 PROSPECTIVE JUROR NO. 047: Year-wise, I would say it  
23 was sometime in the '70s.

24 As far as the incident with my uncle, that was something  
25 that happened in Missouri I think around 2004.

1 MR. STANTON: Okay. And, once again, it sounds like, in  
2 one, you didn't have much information about it at all. But out of  
3 either one and collectively, either these events or any other in your  
4 life, do you have any feelings strongly positive or strongly negative  
5 towards law enforcement? Once again, law enforcement, for  
6 purposes of my question, would be patrol officers as well as  
7 detectives.

8 PROSPECTIVE JUROR NO. 047: And based on what little I  
9 do know, because I don't know the full story in any of the situations,  
10 I believe that everybody did what was -- what they were justified in  
11 doing.

12 MR. STANTON: Okay.

13 PROSPECTIVE JUROR NO. 047: So I don't have strong  
14 feelings one way or the other. I feel like the outcomes that  
15 presented themselves were appropriate.

16 MR. STANTON: And as far as -- that would include your  
17 uncle that you believe he was treated fairly both in the fact that he  
18 was convicted as well as whatever punishment was meted out to  
19 him; would that be correct?

20 PROSPECTIVE JUROR NO. 047: Yes, based on his own  
21 words.

22 MR. STANTON: Okay. Thank you, sir. I appreciate it.

23 PROSPECTIVE JUROR NO. 047: Thank you.

24 MR. STANTON: One quick question for Ms. Jose, Badge  
25 Number 048.

1 Ms. -- all the way in front, Dean.

2 You indicated you worked in nursing? Can you tell me  
3 what type of nursing you do and what type of nursing you have  
4 done in the past?

5 PROSPECTIVE JUROR NO. 048: Yes. I work at the  
6 hospital right now. It's a cardiology unit. And I work in critical care  
7 before too in the --

8 MR. STANTON: So that is pre-op or post-op?

9 PROSPECTIVE JUROR NO. 048: It's a pre-op and a  
10 post-op.

11 MR. STANTON: Okay. Both?

12 PROSPECTIVE JUROR NO. 048: Both.

13 MR. STANTON: Have you ever worked in an ER room?

14 PROSPECTIVE JUROR NO. 048: No. But I get floated  
15 there sometimes.

16 MR. STANTON: Oh, you do?

17 PROSPECTIVE JUROR NO. 048: Uh-huh.

18 MR. STANTON: So even now you will rotate into an ER  
19 room?

20 PROSPECTIVE JUROR NO. 048: No, not anymore,  
21 because I work in a specialty unit.

22 MR. STANTON: Okay.

23 PROSPECTIVE JUROR NO. 048: So I just stay there.

24 MR. STANTON: But you used to be part of a rotation that  
25 would do some ER time?

1 PROSPECTIVE JUROR NO. 048: Right.  
2 MR. STANTON: Okay.  
3 PROSPECTIVE JUROR NO. 048: True, right.  
4 MR. STANTON: Thank you very much.  
5 PROSPECTIVE JUROR NO. 048: Uh-huh. You're  
6 welcome.  
7 MR. STANTON: And Ms. -- I think it's pronounced Zhuo?  
8 And that would be, for the record, Badge Number 070.  
9 Ma'am, what is the correct pronunciation of your last  
10 name?  
11 PROSPECTIVE JUROR NO. 070: Zhou.  
12 MR. STANTON: Okay. Can you tell me about your sister,  
13 you said she as accused of a crime; do you remember that?  
14 PROSPECTIVE JUROR NO. 070: I just heard it from her  
15 friend. She work in casino before as the dealer. But I don't know  
16 the actual situation. I just have the claim now.  
17 MR. STANTON: So where was she living when she was  
18 accused of the crime?  
19 PROSPECTIVE JUROR NO. 070: Living with me. That --  
20 yeah.  
21 MR. STANTON: Here in Las Vegas?  
22 PROSPECTIVE JUROR NO. 070: Yes.  
23 MR. STANTON: And was she arrested?  
24 PROSPECTIVE JUROR NO. 070: No.  
25 MR. STANTON: She wasn't arrested for -- she was just a

1 suspect in a crime?

2 PROSPECTIVE JUROR NO. 070: Yes. So -- but I don't  
3 know the actually what happened, and just the one is happened, we  
4 find the lawyer or something to help her. Yeah.

5 MR. STANTON: Okay. So you don't know if she was ever  
6 arrested for the crime?

7 PROSPECTIVE JUROR NO. 070: I don't know.

8 MR. STANTON: Okay. And I would assume, based upon  
9 your answer to my question, you don't know whether or not she  
10 was convicted of anything?

11 PROSPECTIVE JUROR NO. 070: Yeah, I don't know,  
12 actually, the full --

13 MR. STANTON: Okay. Does she still work in a casino?

14 PROSPECTIVE JUROR NO. 070: No.

15 MR. STANTON: Okay. Do you -- did you have any  
16 discussion with her about -- or come away with an opinion whether  
17 or not she was treated fairly during this investigation?

18 PROSPECTIVE JUROR NO. 070: I just don't -- as little time  
19 she's feel as that'll be set on something, and she find a number to  
20 of trying to stop another things. Yeah.

21 MR. STANTON: Okay. Thank you.

22 If you could go, Dean, to -- right -- if you could stop right  
23 there, to Mr. Bilzerian, Number -- Badge Number 111.

24 Mr. Bilzerian, you mentioned about being charged  
25 involving a tractor trailer in the desert.

1 PROSPECTIVE JUROR NO. 111: Yes.

2 MR. STANTON: Do you remember much about that case  
3 as far as who was involved in either the investigation or the  
4 prosecution of the case from my office?

5 PROSPECTIVE JUROR NO. 111: I don't.

6 MR. STANTON: Okay. Would it be fair to say that you  
7 don't -- well, let me just ask you: What is your thoughts about  
8 Mr. Brooks and myself being the prosecutors in that same office  
9 that prosecuted you for that offense?

10 PROSPECTIVE JUROR NO. 111: I mean, it was bullshit,  
11 but I don't hold it against you guys. I mean, tannerite's legal, you  
12 can buy it at Bass Pro Shops. Semi truck's mine, nothing illegal  
13 about it. People do it all the time. But, you know, what are you  
14 going to do?

15 MR. STANTON: Well, is there anything about the -- if  
16 you're selected as a juror in this particular case, that Mr. Brooks or  
17 myself, being part of the office that prosecuted you, that you  
18 thought was bullshit, is that going to be a problem for Mr. Brooks  
19 or myself?

20 PROSPECTIVE JUROR NO. 111: No. I just didn't like how  
21 it was guilty until proven innocent.

22 MR. STANTON: Okay.

23 PROSPECTIVE JUROR NO. 111: Because they took away  
24 my ability to buy firearms and, you know, whatnot. So other than  
25 that. But I don't hold it against you guys. I don't even remember

1 who it was that was prosecuting me.

2 MR. STANTON: Okay. And you're able to purchase  
3 firearms now? I mean, there's nothing about your conviction that  
4 precludes that, correct?

5 PROSPECTIVE JUROR NO. 111: Actually, for some weird  
6 reason, they're still not allowing me to purchase firearms.

7 MR. STANTON: Okay.

8 PROSPECTIVE JUROR NO. 111: Even though it was a  
9 misdemeanor offense.

10 MR. STANTON: And it's that misdemeanor that's the  
11 basis of the denial, as you understand it?

12 PROSPECTIVE JUROR NO. 111: That's what I was told.

13 MR. STANTON: Okay. Thank you, sir.

14 Is there anything else about your interaction with law  
15 enforcement, both as a victim several times and also this poker guy,  
16 that has a negative experience about law enforcement?

17 PROSPECTIVE JUROR NO. 111: I have negative and  
18 positive. I was part of law enforcement. I've been on both sides of  
19 it. So no, I'm impartial.

20 MR. STANTON: And so kind of like in every line of work,  
21 law enforcement being no different, there's good, bad, and average  
22 in everything. And you see that in law enforcement too, right?

23 PROSPECTIVE JUROR NO. 111: 100 percent.

24 MR. STANTON: And as you're reserve, you kind of see  
25 and have seen that different quality of work both at a patrol level as



1 well as a detective level; would that be accurate?

2 PROSPECTIVE JUROR NO. 111: Yes.

3 MR. STANTON: And can you, if you were selected as a  
4 juror in this case, could you make that evaluation about the  
5 credibility and the weight to lend to testimony, in particular,  
6 involving law enforcement based upon your assessment of the  
7 evidence you hear and see in a courtroom?

8 PROSPECTIVE JUROR NO. 111: I mean, I would be  
9 completely impartial, if that's what you're asking.

10 MR. STANTON: Yeah. That's -- it -- just ruling -- whatever  
11 you assess, your background, both working with and having  
12 interactions with law enforcement, you'll base it by what you see in  
13 a courtroom, not on anything else that's happened in your life;  
14 would that be true?

15 PROSPECTIVE JUROR NO. 111: That's correct.

16 MR. STANTON: Okay. Thank you, sir.

17 If I could, Dean, ask you to go to Mr. Leboeuf, and that  
18 would be Badge Number 116.

19 Sir, can you tell me how I can correctly pronounce your  
20 last name?

21 PROSPECTIVE JUROR NO. 116: It's Leboeuf?

22 MR. STANTON: Leboeuf?

23 PROSPECTIVE JUROR NO. 116: Leboeuf.

24 MR. STANTON: And, sir, your voice is a little low and I  
25 couldn't hear you, and I apologize. You're currently unemployed?

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PROSPECTIVE JUROR NO. 116: Yes.

MR. STANTON: And when you were employed, what did you do?

PROSPECTIVE JUROR NO. 116: I worked at a door shop, just, you know, doing -- nailing up doors, building them, and working on the machines and whatnot.

MR. STANTON: Okay. Thank you, sir.

PROSPECTIVE JUROR NO. 116: Uh-huh.

MR. STANTON: If I could have, Dean, this to Badge -- Nicole Kallush, Badge Number 134. Okay. Thank you.

You described that you are an executive for a nonprofit?

PROSPECTIVE JUROR NO. 134: Yeah.

MR. STANTON: Can you tell me what the nonprofit -- its name and its general goal or function?

PROSPECTIVE JUROR NO. 134: [Indiscernible; audio cut out.]

MR. STANTON: No, it's not on yet. So let Detective O'Kelly --

PROSPECTIVE JUROR NO. 134: How's that?

MR. STANTON: Perfect.

PROSPECTIVE JUROR NO. 134: You can tell I use the mic at my job.

MR. STANTON: Right.

PROSPECTIVE JUROR NO. 134: I am the VP of luncheons for the West Side Newcomers Club. It is a local nonprofit. It is not

1 a charity, it's a social organization that helps women who move to  
2 the valley or have life changes become more socially integrated to  
3 avoid loneliness. And it's a -- that's our philanthropy.

4 MR. STANTON: I gotcha. Thank you very much.  
5 Judge, I have no further questions.

6 THE COURT: At this time, do you pass the panel?

7 MR. STANTON: I do, except reserving any questions that  
8 defense counsel would bring up.

9 THE COURT: Okay. All right. Ladies and gentlemen,  
10 we're going to take our lunch hour at this time. Again, the  
11 admonishment is still in effect.

12 Please, during the recess, do not discuss or communicate  
13 with anyone, including fellow jurors, in any way regarding the case  
14 or its merits either by voice, phone, e-mail, text, Internet, or other  
15 means of communication or social media, read, watch, or listen to  
16 any news or media accounts or commentary about the case, do any  
17 research such as consulting dictionaries, using the Internet, or  
18 using reference materials, make any investigation, test a theory of  
19 the case, recreate any aspect of the case, or in any other way  
20 investigate or learn about the case on your own, or form or express  
21 any opinion regarding this case until the matter is formally  
22 submitted to you.

23 It is 12:20. I'll see you back here at 1:20, please.

24 [Court recessed at 12:18 p.m., until 1:30 p.m.]

25 [In the presence of the prospective jury panel.]

1 THE COURT: All right. Thank you. Welcome back from  
2 lunch, everybody. We're on the record in State of Nevada versus  
3 Andrew Young, C-350623. Mr. Young is present with his attorney,  
4 Mr. Fischer, both deputy district attorneys, Mr. Stanton and  
5 Mr. Brooks, are present.

6 Do both parties stipulate to the presence of the jury? All  
7 right. Great.

8 So right before we stopped for lunch, the State turned  
9 over the panel. So, Mr. Fischer, the floor is yours.

10 MR. FISCHER: Good afternoon. Appreciate everybody's  
11 time.

12 Just wanted to make a few general statements and get  
13 some feedback. And feel free to raise your hand. But does  
14 anybody here not understand that there are two different burdens  
15 of proof, when we're talking about a civil case versus a criminal  
16 case, which is what we have here? Does anybody not understand  
17 that or want me to explain what that means?

18 Yes, juror number, raising her hand. The lady. You'd like  
19 us to -- like me to explain it? All right. I'll try to put my law  
20 professor hat on for a minute; okay?

21 UNIDENTIFIED PROSPECTIVE JUROR: Thank you.

22 MR. FISCHER: So in a civil case we're talking about the  
23 burden of proof being on the plaintiff by a preponderance of the  
24 evidence. Okay. Whereas, in a criminal case, we're talking about  
25 the burden of proof is on the State, the two gentlemen to my left, to

1 prove each and every element of the offense charged beyond a  
2 reasonable doubt. So those are two different evidentiary standards  
3 of proof, preponderance in a civil where money is at issue, versus  
4 liberty, and the burden being reasonable doubt. Does that make  
5 sense?

6 Are there any follow-up questions?

7 That's very fundamental to our country, to this  
8 constitution is understanding that.

9 Anyone take issue with the presumption of innocence that  
10 our constitution provides? What is the presumption of innocence?  
11 Anyone?

12 Right here, ma'am, Juror Number --

13 PROSPECTIVE JUROR NO. 035: 35.

14 MR. FISCHER: Thank you, ma'am. Go ahead.

15 THE COURT: This is Ms. Parks, for the record.

16 MR. FISCHER: Yes. Thank you.

17 PROSPECTIVE JUROR NO. 035: That's correct.

18 Though we are to presume the innocence of the  
19 gentleman you're representing until the State shows otherwise.

20 MR. FISCHER: Okay. And they show otherwise how?

21 PROSPECTIVE JUROR NO. 035: By presenting evidence  
22 that would bring us to believe beyond a reasonable doubt that your  
23 client is guilty.

24 MR. FISCHER: Okay. All right. And you're making it  
25 specific to Mr. Young, who does stand charged. And so I -- that's

1 okay. That's a correct statement.

2 PROSPECTIVE JUROR NO. 035: But generally speaking,  
3 any of your criminal clients.

4 MR. FISCHER: So in general terms, presumption of  
5 innocence under our constitution is, only because you're charged  
6 does not automatically equal that you are also guilty. Does  
7 anybody take issue with that?

8 THE COURT: Go ahead, Mr. Fischer. It's just the first 24  
9 for right now.

10 MR. FISCHER: Oh, it's just the first 24? Okay. So am I  
11 going beyond that, Judge?

12 THE COURT: Yeah.

13 MR. FISCHER: Okay.

14 THE COURT: He just had a question for the marshal.

15 MR. FISCHER: Okay. We'll take it one step beyond that,  
16 the fact that Mr. Young is taking his case to a jury trial, does anyone  
17 take issue with that specific to Mr. Young here? Okay.

18 And you will expect to receive or see evidence in the form  
19 of witnesses, the State's burden showing that the charges being  
20 brought are, in fact, the responsibility of Mr. Young seated to my  
21 right.

22 Now, credibility of witnesses, does anybody here think  
23 that just because somebody works in law enforcement, they should  
24 have more credibility than, say, a regular witness to an event? And  
25 in the first 24, I guess I'll just start pointing fingers. Anybody have

1 an opinion?

2 This is a good one for you, sir. Right here, Juror  
3 Number -- Meador.

4 THE COURT: Go ahead, Mr. Meador. Do you think simply  
5 because you're law enforcement, simply -- not because you, but  
6 because a witness is law enforcement, that they automatically  
7 should have more credibility?

8 PROSPECTIVE JUROR NO. 018: No.

9 MR. FISCHER: So you would judge each witness by their  
10 testimony and by what they're describing to you?

11 PROSPECTIVE JUROR NO. 018: Yes.

12 MR. FISCHER: Regardless of whether or not, for example,  
13 they have a badge? Or in some cases, it could also be you would  
14 hold the badge against them, correct? Which we don't want either.

15 PROSPECTIVE JUROR NO. 018: Yeah, I'd say I wouldn't  
16 put it against them, but everyone --

17 MR. FISCHER: Right.

18 PROSPECTIVE JUROR NO. 018: -- I would take everyone  
19 as equal, whether they're law enforcement or not, personally.

20 MR. FISCHER: Okay. And that's exactly what we want.  
21 And I know everybody likes to pick on you a little bit, if you want to  
22 call it that, with your legal background, your paralegal background,  
23 working on the parole board. Do you feel you would be a good  
24 juror here?

25 PROSPECTIVE JUROR NO. 018: I think I would.

1 MR. FISCHER: And why is that?

2 PROSPECTIVE JUROR NO. 018: Because I see things,  
3 similar cases, I guess, with -- well, not necessarily similar -- well,  
4 yeah, similar cases and cases in general, I hear all day long. We do  
5 about 25 a day. So I see a little bit of everything. And I think I see a  
6 little bit more of this than the average person would that's not  
7 working for something in a similar field.

8 MR. FISCHER: Okay. Now, you understand that there's  
9 no specialized training or experience other than what's brought into  
10 this trial. Obviously, your everyday experience. But any specialized  
11 training, we really, you know -- you wouldn't want to make  
12 decisions beyond what you should be as a juror, understanding  
13 what you --

14 PROSPECTIVE JUROR NO. 018: Yeah, I understand.

15 MR. FISCHER: Yes? Okay. Good. It was a little  
16 awkwardly expressed, but I think --

17 PROSPECTIVE JUROR NO. 018: Yeah.

18 MR. FISCHER: -- everyone hopefully understood what I  
19 was getting at there. Okay. Thank you.

20 Thank you, Mr. Meador.

21 Court's indulgence here.

22 So Ms. Parks, Juror 35. We're going to follow up a little  
23 bit more. And it's certainly not a crime to be friends with  
24 somebody who is in law enforcement. It's not at all what I'm  
25 suggesting. And as a defense attorney, I'm certainly not saying



1 that, either. But we, obviously, want to talk about the fact that a  
2 witness or a potential witness in this case is someone that you have  
3 some familiarity with.

4 So having said that, do you feel you would be a good  
5 juror under the circumstances? Would you be able to do what we  
6 just discussed with Mr. Meador?

7 PROSPECTIVE JUROR NO. 035: There we go. I don't feel  
8 differently than what I said prior, that I've never been faced with  
9 that before. It's a very valid question. It's -- everything in this -- in  
10 that question. I don't know that it would be an issue, except if you  
11 have direct opposition to that witness's testimony, if you have a  
12 counter-witness for that, that could be an issue.

13 Because between someone I don't know and someone  
14 that I do, all things being equal and hearing the words that -- I don't  
15 know that I would give the same weight if I heard contradictory  
16 things, direct contradictory things to that person's testimony.

17 MR. FISCHER: Okay. So am I hearing you saying that if  
18 you have some familiarity with the person, you may tend to give  
19 them -- their testimony a little bit more weight? Or what they have  
20 to say?

21 PROSPECTIVE JUROR NO. 035: I don't think it's -- it's very  
22 minorly different than that. I feel that it's more if there was -- if you  
23 brought a witness that was in direct opposition, opposing witness  
24 to that very statement, that that's where it would be an issue. I  
25 don't think that just the -- a general testimony from a witness that I

1 know and have that familiarity would necessarily tip me towards  
2 that side's argument. It's that if it's in direct opposition. Because if  
3 two people are saying things that are opposite, either one is lying --

4 MR. FISCHER: Okay.

5 PROSPECTIVE JUROR NO. 035: -- or they just have a  
6 different memory of it, a different viewpoint of it. One of the two,  
7 right?

8 MR. FISCHER: Okay.

9 PROSPECTIVE JUROR NO. 035: So -- and I don't know  
10 what's going to be presented. So that's where I'm, like, oh, we're  
11 speaking a little in hypotheticals, right?

12 MR. FISCHER: Well, yeah, sure. It's a -- definitely a  
13 hypothetical --

14 PROSPECTIVE JUROR NO. 035: It's hard to know.

15 MR. FISCHER: -- and that's -- we're -- it -- you know, we  
16 don't want you to feel that you should be excluded, because, again,  
17 I started saying that's certainly not a crime to associated or friends  
18 with somebody.

19 In this case, it goes a little bit beyond that. We just want  
20 to make sure that I'm still not clear under the circumstances what  
21 you're describing, are you saying that you would give the testimony  
22 of two witnesses giving the same type of testimony equal weight?  
23 Is that what you're saying?

24 THE COURT: Mr. Fischer?

25 MR. FISCHER: Yes.

1 THE COURT: I'm sorry. Can I step in for one second?

2 MR. FISCHER: Yes, Your Honor. Yes.

3 THE COURT: Just to make sure I understand.

4 MR. FISCHER: Uh-huh.

5 THE COURT: So, Ms. Parks, if I understand what you're  
6 saying -- and maybe I don't -- if the person that you know, which is  
7 Detective Grimes, right?

8 PROSPECTIVE JUROR NO. 035: Yes.

9 THE COURT: If there is someone who testifies in direct  
10 contradiction to what Detective Grimes testifies to, being that you  
11 know Detective Grimes and know his character, you would lend a  
12 little bit more credibility to him because of your history. Am I  
13 saying that right?

14 PROSPECTIVE JUROR NO. 035: Just on paper, yes.  
15 We're -- because we have to do it that way, right?

16 THE COURT: Yes.

17 PROSPECTIVE JUROR NO. 035: So yes, that's my  
18 concern. I would like to say, you know, in my line of work, that I  
19 have to remain objective for what I do and always look at  
20 everything that's presented. But I --

21 MR. FISCHER: And you're a banker, right? A vice  
22 president? Is that --

23 PROSPECTIVE JUROR NO. 035: No, I'm a nurse --

24 MR. FISCHER: Nurse?

25 PROSPECTIVE JUROR NO. 035: -- and I work as a legal

1 nurse consultant.

2 MR. FISCHER: Okay.

3 PROSPECTIVE JUROR NO. 035: In civil matters.

4 MR. FISCHER: Right. Okay.

5 PROSPECTIVE JUROR NO. 035: I really don't dabble in  
6 the -- in any criminal matters. But I have to look at everything, I  
7 have to look at what's in medical records, what are statements that  
8 are said, read depositions and look at all of that together in order to  
9 form an opinion and to be of assistance. The difference is I don't  
10 know any of those people. So I have not been faced with what is it  
11 when I know someone and respect their character versus just  
12 having some general knowledge of the person. Does that help?  
13 Does that --

14 MR. FISCHER: That does. And I think that sounds fair. I  
15 appreciate your honesty. Thank you.

16 PROSPECTIVE JUROR NO. 035: And if I may just follow  
17 up.

18 Your Honor, you asked if it would be in direct  
19 contradiction. And yes, if it weren't in direct contradiction or if they  
20 were similar stories, would I give more weight? There wouldn't  
21 probably be a reason to. It's if there's opposing testimony to that  
22 statement that the person I know gave.

23 THE COURT: Understood.

24 PROSPECTIVE JUROR NO. 035: Okay.

25 THE COURT: Thank you.

1 MR. FISCHER: And that's -- you -- we certainly want you  
2 to bring your everyday experience. Again, it's just whether or not  
3 certain testimony carries greater weight. We want to make sure  
4 that it remains fair and impartial to ensure Mr. Young's due process  
5 rights.

6 See, Ms. Parks -- no, I'm sorry, 117, I'm sorry, Stratton,  
7 right? Got the name wrong? Okay. My apologies. I'm sorry. Was  
8 it Miller? Yes. Okay. So I have the name wrong.

9 What was it correctly?

10 PROSPECTIVE JUROR NO. 026: Maranda.

11 MR. FISCHER: Okay. All right. You've lived here all your  
12 life?

13 PROSPECTIVE JUROR NO. 026: Yeah.

14 MR. FISCHER: In Clark County? Okay.

15 PROSPECTIVE JUROR NO. 026: Yes.

16 MR. FISCHER: So then my notes are correct, at least. I  
17 want to make sure.

18 PROSPECTIVE JUROR NO. 026: Yeah, 1992.

19 MR. FISCHER: Okay. All right. And did I hear you say  
20 that you worked -- or were in the job corps for a while?

21 PROSPECTIVE JUROR NO. 026: Yeah, I did the  
22 government Sierra Nevada Job Corps, which is in Reno.

23 MR. FISCHER: Okay. And I'm sorry, with the mask, I  
24 didn't hear you. You did what in Reno?

25 PROSPECTIVE JUROR NO. 026: It's, like, a government

1 funding for schooling and housing. So I went for schooling and  
2 housing, and then I did the hotel management and culinary.

3 MR. FISCHER: Okay.

4 PROSPECTIVE JUROR NO. 026: As a trade.

5 MR. FISCHER: Okay. All right.

6 PROSPECTIVE JUROR NO. 026: Like a trade school.

7 MR. FISCHER: Okay. All right. No children, married, and  
8 then you have had some involvement with -- as a victim yourself in  
9 the criminal justice system?

10 PROSPECTIVE JUROR NO. 026: Yes.

11 MR. FISCHER: And you don't feel that that was handled  
12 very well, you said, as it pertained to you?

13 PROSPECTIVE JUROR NO. 026: Yeah, the one to me, I  
14 didn't personally think that that was handled well. But at the end of  
15 the day, I just let it go.

16 MR. FISCHER: Okay. And what was it about that  
17 experience that wasn't handled correctly?

18 PROSPECTIVE JUROR NO. 026: Well, rape. Rape is  
19 always a big topic.

20 MR. FISCHER: Let me stop you real quick. I guess the  
21 question is a little more specific. In terms of law enforcement and  
22 how it was handled, that's really -- I understand it was a serious --  
23 there was a serious accusation, but what was it about that law  
24 enforcement that maybe it wasn't --

25 PROSPECTIVE JUROR NO. 026: They --

1 MR. FISCHER: If I'm hearing you correctly.

2 PROSPECTIVE JUROR NO. 026: Yeah. The law  
3 enforcement and the detectives -- basically, the judgment. The  
4 judgment was very, very rude. You know, not trusting what we  
5 have to say as being victims and that was probably the big thing,  
6 like, just not having my voice heard. Which is, like, the number one  
7 things in the Constitution, right? You have the right to your voice.  
8 So, I don't know, it just -- when I wasn't being heard on the topic, I  
9 just dismissed the charges.

10 MR. FISCHER: So you felt you weren't heard, so you felt  
11 like maybe your rights weren't protected somewhere along the  
12 way?

13 PROSPECTIVE JUROR NO. 026: Yes, correct.

14 MR. FISCHER: And am I hearing you correctly, that it  
15 was -- that you didn't feel good about that, right?

16 PROSPECTIVE JUROR NO. 026: Right. And, like, to be  
17 honest, in any type of law situations, getting a ticket or anything like  
18 that, I always feel like I'm not being heard as a person.

19 MR. FISCHER: Okay. That's a -- that's fair. I appreciate  
20 that answer.

21 Was it Stratton with the retired military pilot husband?  
22 There we go. Yeah.

23 PROSPECTIVE JUROR NO. 042: Hello.

24 MR. FISCHER: And that's not a crime, either, to be retired  
25 from the military, by the way. So.

1 PROSPECTIVE JUROR NO. 042: I hope not.  
2 MR. FISCHER: Which branch did your husband serve in?  
3 PROSPECTIVE JUROR NO. 042: The Army.  
4 MR. FISCHER: Okay. And he served, what, 20 years?  
5 PROSPECTIVE JUROR NO. 042: 20 years.  
6 MR. FISCHER: More than 20?  
7 PROSPECTIVE JUROR NO. 042: 20 years.  
8 MR. FISCHER: Okay. When did he retire?  
9 PROSPECTIVE JUROR NO. 042: 1995.  
10 MR. FISCHER: Oh, that's been a little while then.  
11 PROSPECTIVE JUROR NO. 042: Yes.  
12 MR. FISCHER: Did you guys travel?  
13 PROSPECTIVE JUROR NO. 042: Traveled all over.  
14 MR. FISCHER: Where did you travel while you were in  
15 military -- or were you in the military or just your husband?  
16 PROSPECTIVE JUROR NO. 042: Oh, no. No. My  
17 father-in-law -- we're all military, the whole family.  
18 MR. FISCHER: Okay.  
19 PROSPECTIVE JUROR NO. 042: Military brats, military  
20 spouse. Yeah. We were in Germany, Kentucky, Alabama,  
21 Washington state, New York. I think that's about it.  
22 MR. FISCHER: Okay. And he was a pilot for the Army?  
23 PROSPECTIVE JUROR NO. 042: Yeah, Black Hawk pilot.  
24 MR. FISCHER: Oh, cool. Okay. All right. Thank you.  
25 And then Mr. Johnson, 47. Hi there.



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PROSPECTIVE JUROR NO. 047: Hello.

MR. FISCHER: So you've been a victim of a few different situations in your -- or crimes, as you -- as we put it; is that correct?

PROSPECTIVE JUROR NO. 047: I've been a victim of assault.

MR. FISCHER: Okay.

PROSPECTIVE JUROR NO. 047: I just -- I've had family members, as well, who have been victims of various crimes.

MR. FISCHER: And those were -- and I'm sorry if you already answered this, were those reported crimes?

PROSPECTIVE JUROR NO. 047: My assault was not reported. As far as I know, my immediate family members, the molestation she suffered as a child, I believe that was reported. My uncle's lewdness with a minor was reported and prosecuted him.

MR. FISCHER: And did you say that those were handled, in your opinion, they were handled fairly as far as you know?

PROSPECTIVE JUROR NO. 047: Yes.

MR. FISCHER: They were? And then you never reported the assault, I think you said in school, maybe, as it --

PROSPECTIVE JUROR NO. 047: Yes.

MR. FISCHER: How old were you?

PROSPECTIVE JUROR NO. 047: I was 15.

MR. FISCHER: Okay. And that was here in Clark County?

PROSPECTIVE JUROR NO. 047: Yes.

MR. FISCHER: And why did you not report I?

1 PROSPECTIVE JUROR NO. 047: I didn't want to tell  
2 anybody about it. I felt ashamed that it happened, because I didn't  
3 feel that it happened with a sexual intent. But the assault was of a  
4 sexual nature. So it felt very violating. And at that point, I didn't  
5 want to tell anybody about it. Reporting it would have just opened  
6 it up; I didn't want that.

7 MR. FISCHER: And do you have any regrets about not  
8 reporting it?

9 PROSPECTIVE JUROR NO. 047: No, because, again, I  
10 don't feel that the way I felt about what happened matched with the  
11 intent behind what happened. So it's something I moved on from.

12 MR. FISCHER: So this wasn't a legal proceeding that  
13 determined that, that was your own thinking --

14 PROSPECTIVE JUROR NO. 047: It's just my rationalization  
15 of it, correct.

16 MR. FISCHER: Okay. Do you think you would be a fair  
17 and impartial juror if you were selected here?

18 PROSPECTIVE JUROR NO. 047: I believe so.

19 MR. FISCHER: Thank you, sir.

20 PROSPECTIVE JUROR NO. 047: Thank you.

21 MR. FISCHER: 48, Jose, please. Okay.

22 Hi there.

23 PROSPECTIVE JUROR NO. 048: Hi.

24 MR. FISCHER: Right in front of me. We don't even need  
25 these microphones, but nobody else could hear us.

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So you are employed at the hospital; is that right?

PROSPECTIVE JUROR NO. 048: Yes.

MR. FISCHER: And which hospital is that?

PROSPECTIVE JUROR NO. 048: Valley.

MR. FISCHER: Okay. And you're the -- you're -- is it you husband who's the lab manager?

PROSPECTIVE JUROR NO. 048: My husband is a lab manager in Spring Valley.

MR. FISCHER: Okay. And you're -- and what do you do?

PROSPECTIVE JUROR NO. 048: I'm an RN in a specialty unit. It's -- we recover and we prep patients for heart procedures.

MR. FISCHER: How long have you been doing that?

PROSPECTIVE JUROR NO. 048: I've been working here at the -- in Las Vegas for almost, like, 15 years.

MR. FISCHER: Okay. All right. And you have three children; those keep you busy, I'm sorry, right?

PROSPECTIVE JUROR NO. 048: Yeah.

MR. FISCHER: What were their ages again?

PROSPECTIVE JUROR NO. 048: I'm so sorry?

MR. FISCHER: Your children's ages?

PROSPECTIVE JUROR NO. 048: I have 17, I have a 14, and I have a 10.

MR. FISCHER: So 17 is a junior, then?

PROSPECTIVE JUROR NO. 048: Yeah.

MR. FISCHER: About to go into senior year of high

1 school.

2 PROSPECTIVE JUROR NO. 048: Yeah.

3 MR. FISCHER: Here we go.

4 PROSPECTIVE JUROR NO. 048: I'm not ready for that.

5 MR. FISCHER: So you mentioned the word burglary,  
6 victim of a crime; is that right?

7 PROSPECTIVE JUROR NO. 048: Yes.

8 MR. FISCHER: And I just wanted to follow up on that a  
9 little bit. That was here in Clark County?

10 PROSPECTIVE JUROR NO. 048: Yes.

11 MR. FISCHER: And what was the year for that?

12 PROSPECTIVE JUROR NO. 048: Probably around 2011.

13 That was at my previous home.

14 MR. FISCHER: Okay.

15 PROSPECTIVE JUROR NO. 048: In -- yeah, around the  
16 Valley. Yeah.

17 MR. FISCHER: And that was reported?

18 PROSPECTIVE JUROR NO. 048: It was reported, yeah.

19 MR. FISCHER: And was it -- was there any sort of  
20 resolution?

21 PROSPECTIVE JUROR NO. 048: I'm not sure if the person  
22 was caught. And we're not even aware how many people, you  
23 know --

24 MR. FISCHER: Okay.

25 PROSPECTIVE JUROR NO. 048: -- were in --  
8th Ty 8th March pe text here

1 MR. FISCHER: But you think there was a criminal  
2 proceeding, maybe, that came from that, or you don't know?

3 PROSPECTIVE JUROR NO. 048: I am not aware, actually.

4 MR. FISCHER: So you never testified or anything?

5 PROSPECTIVE JUROR NO. 048: I never followed up on  
6 that one.

7 MR. FISCHER: Okay. So that's not something that lingers  
8 to this day in your mind as unresolved?

9 PROSPECTIVE JUROR NO. 048: Probably just, you know,  
10 my privacy, personal issues, you know.

11 MR. FISCHER: Okay.

12 PROSPECTIVE JUROR NO. 048: Yeah, but other than that,  
13 no.

14 MR. FISCHER: Just feeling invaded because of that  
15 experience?

16 PROSPECTIVE JUROR NO. 048: Yes.

17 MR. FISCHER: Okay. But you wouldn't hold that  
18 experience against Mr. Young, the fact that you've been through an  
19 experience that was, essentially, a victim of a crime, you wouldn't  
20 hold that against him?

21 PROSPECTIVE JUROR NO. 048: No.

22 MR. FISCHER: Okay. Thank you, ma'am.

23 Okay. All right. Gammie, 52, please. Okay.

24 Fort Collins, Colorado.

25 PROSPECTIVE JUROR NO. 052: Yes.

1 MR. FISCHER: All right. Okay. And then Clark County  
2 since 2005?

3 PROSPECTIVE JUROR NO. 052: Correct.

4 MR. FISCHER: Then victim of -- you said of several  
5 crimes, armed robberies, assaults. Then you also provided a --  
6 some answers to a questionnaire; do you recall doing that?

7 PROSPECTIVE JUROR NO. 052: Yes.

8 MR. FISCHER: Prior to trial?

9 And you answered some questions there, one of the  
10 questions being:

11 Is the criminal justice system effective?

12 Do you remember that?

13 PROSPECTIVE JUROR NO. 052: Yes.

14 MR. FISCHER: And, specifically, in there, your answer --  
15 and correct me if it's not right -- was no; is that right?

16 PROSPECTIVE JUROR NO. 052: Correct.

17 MR. FISCHER: Okay. And then I'm going to come back to  
18 that, if you don't mind, because I'd like to just follow up on it a little  
19 bit. Okay?

20 And then the following question, 8, is: In general, you feel  
21 the criminal justice system is fair? And then you say no, I believe.  
22 Is that correct again? Is that your --

23 PROSPECTIVE JUROR NO. 052: I'm not sure I follow you.

24 MR. FISCHER: Number 8, was your answer no?

25 PROSPECTIVE JUROR NO. 052: I'd have to see the

1 question again.

2 MR. FISCHER: Sure. Let's see if I have a hard copy of that  
3 right here.

4 Is that something I can do, Judge? Can I show him the  
5 questionnaire?

6 THE COURT: Sure.

7 MR. FISCHER: Okay. Let's see if I can get to it quickly  
8 here. Court's brief indulgence.

9 [Pause in proceedings.]

10 PROSPECTIVE JUROR NO. 052: Oh, right, yeah.

11 MR. FISCHER: Did you have a chance to look at that, sir?

12 PROSPECTIVE JUROR NO. 052: Yeah.

13 MR. FISCHER: Do you agree that that's what you wrote on  
14 that form at the time?

15 PROSPECTIVE JUROR NO. 052: Right. Yes, I do.

16 MR. FISCHER: Okay. And by the way, this isn't, like, a  
17 right-or-wrong, you know, I'm not trying to make you feel bad. I  
18 just want to understand and make sure we're all on the same page.

19 So to that question your answer was no, as well, right?

20 PROSPECTIVE JUROR NO. 052: Right.

21 MR. FISCHER: And then if we go down a little bit further,  
22 there's a specific question about: Have you ever had prejudicial  
23 thoughts about another person based on their racial background?

24 And then it goes on beyond that. I want to be exact with  
25 the language: Even if those thoughts made you feel uncomfortable

1 or uneasy?

2 And then your answer to that was yes; is that correct?

3 PROSPECTIVE JUROR NO. 052: Yes.

4 MR. FISCHER: Okay. All right. So if you don't mind, I just  
5 want to go back for a little bit and just talk about your answers  
6 to 7, 8, and 14; is that okay?

7 PROSPECTIVE JUROR NO. 052: Yeah.

8 MR. FISCHER: Okay. Thank you.

9 So regarding Question Number 17: In general, do you feel  
10 the criminal justice system is effective? And your answer is no.

11 PROSPECTIVE JUROR NO. 052: Correct.

12 MR. FISCHER: And what do you mean by that, sir?

13 PROSPECTIVE JUROR NO. 052: Yeah, I just don't think  
14 that it's always effective.

15 MR. FISCHER: Like, could you be more specific?

16 PROSPECTIVE JUROR NO. 052: Well, I mean, there's a lot  
17 of people that get away with crimes and a lot of people that are  
18 arrested unfairly. I don't think it's always effective. Should it be?  
19 Oh, yeah. It's the best system we've got, so -- but it doesn't always  
20 work 100 percent.

21 MR. FISCHER: So am I hearing you say that mistakes  
22 occur, the system as a whole, mistakes happen, whether it be by  
23 the government actors, law enforcement, private attorneys  
24 representing people charged, public defenders --

25 PROSPECTIVE JUROR NO. 052: Right.



1 MR. FISCHER: -- judges?  
2 PROSPECTIVE JUROR NO. 052: Mistakes happen.  
3 MR. FISCHER: You're saying along the way, in that entire  
4 system --  
5 PROSPECTIVE JUROR NO. 052: Correct.  
6 MR. FISCHER: -- mistakes happen?  
7 PROSPECTIVE JUROR NO. 052: Right.  
8 MR. FISCHER: So that's not different than any other  
9 organization, right?  
10 PROSPECTIVE JUROR NO. 052: Right. Right.  
11 MR. FISCHER: Do you think that's correct?  
12 PROSPECTIVE JUROR NO. 052: I don't think it's a correct  
13 or incorrect thing, it's just the way that it shakes out. Mistakes  
14 happen, so.  
15 MR. FISCHER: Okay. And, you know, we'll go a little bit to  
16 sort of where I started in terms of some of the fundamental rights of  
17 a trial. Right? And our founding fathers thought that this was  
18 something that was very fundamental in that -- I think I took away  
19 from it that it was effective. So are you saying that as it's being  
20 done it's not effective?  
21 PROSPECTIVE JUROR NO. 052: No, I think --  
22 MR. FISCHER: Or as it was created?  
23 PROSPECTIVE JUROR NO. 052: As it was created, I think  
24 it's effective. I just think in actual practice it's not as effective.  
25 MR. FISCHER: Do you --

1 PROSPECTIVE JUROR NO. 052: It's supposed to be in a,  
2 you know, perfect world, but it's not a perfect world. So --

3 MR. FISCHER: So you're saying the system itself, be it the  
4 Constitution, separation of powers and individual rights, those you  
5 don't take any issue with --

6 PROSPECTIVE JUROR NO. 052: No.

7 MR. FISCHER: -- but you're saying that the system as it's  
8 maybe carried out now --

9 PROSPECTIVE JUROR NO. 052: In practice.

10 MR. FISCHER: -- 200-some years later --

11 PROSPECTIVE JUROR NO. 052: Right.

12 MR. FISCHER: -- isn't what you would like it to be?

13 PROSPECTIVE JUROR NO. 052: Right.

14 MR. FISCHER: And your examples of that are what again?  
15 Like you were saying, judge -- I think you said that sometimes it's --  
16 I don't want to put words in your mouth.

17 PROSPECTIVE JUROR NO. 052: No, but --

18 MR. FISCHER: But as far as the people responsible, did  
19 you have an opinion about that?

20 PROSPECTIVE JUROR NO. 052: No, it's just the way it is.  
21 It's just human nature, people make mistakes. There's mistakes on  
22 both sides, there's, you know, people make mistakes, they get  
23 arrested. People make mistakes and arrest the wrong people. It's  
24 just the way it is.

25 MR. FISCHER: And so that's why you're -- the follow-up

1 question is no, as well; is that why -- when we -- where when you're  
2 asked is the criminal justice system fair, in Question 8, you said no.  
3 Is that --

4 PROSPECTIVE JUROR NO. 052: Right. Well, I also think  
5 that there's a lot to do with, you know, do you have a lot of money,  
6 you can get the proper lawyers and you can bend the system  
7 around to your way of thinking or not. If you don't, same thing can  
8 happen in reverse.

9 MR. FISCHER: So you're saying that it's possible through  
10 really effective defense lawyer trickery to obtain acquittals?

11 PROSPECTIVE JUROR NO. 052: I think it's possible, sure.  
12 I think everybody does.

13 MR. FISCHER: So what's an example of that type of  
14 trickery? What would that be?

15 PROSPECTIVE JUROR NO. 052: Oh, I don't know. I  
16 haven't -- thinking of anything specific. You know, but I'm just  
17 saying in general.

18 MR. FISCHER: I'm not a magician. The evidence will be  
19 what it is.

20 PROSPECTIVE JUROR NO. 052: Well, the -- you know, I  
21 mean, not having been through a trial, I don't know any specific  
22 stuff.

23 MR. FISCHER: Okay.

24 PROSPECTIVE JUROR NO. 052: I'm just going on what I  
25 hear.

1 MR. FISCHER: Will you keep an open mind if selected?

2 PROSPECTIVE JUROR NO. 052: Sure.

3 MR. FISCHER: And maybe contribute to an effective  
4 system.

5 PROSPECTIVE JUROR NO. 052: Right.

6 MR. FISCHER: Specifically, an effective trial allowing for  
7 Mr. Young to have a fair and impartial jury.

8 PROSPECTIVE JUROR NO. 052: Yes.

9 MR. FISCHER: Are you okay with that?

10 PROSPECTIVE JUROR NO. 052: Sure.

11 MR. FISCHER: Okay. So then Number 14 is the last one.  
12 And this was the question about: Have you ever had prejudice  
13 thoughts about another person based on their racial background,  
14 even if those made you feel uncomfortable and uneasy?

15 Now, I'm not trying to point fingers; I just want to help  
16 you -- help me understand what you mean by that statement.

17 PROSPECTIVE JUROR NO. 052: Oh, just thinking back to  
18 in grade school and high school and the stuff we used to call each  
19 other and guys we hung around with, you know.

20 MR. FISCHER: Okay. Can you be more specific? I'm  
21 sorry, you know --

22 PROSPECTIVE JUROR NO. 052: Well, just --

23 MR. FISCHER: -- maybe in your life, but --

24 PROSPECTIVE JUROR NO. 052: -- thinking back, my high  
25 school days.

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MR. FISCHER: -- give us an example. I'm sorry?

PROSPECTIVE JUROR NO. 052: You know, I can't think of any specific example, but back when you're kids, you know, everybody's saying stuff to everybody else and calling them names and --

MR. FISCHER: Are we referring to some type of reference to race here?

PROSPECTIVE JUROR NO. 052: Oh, yeah. Absolutely.

MR. FISCHER: Are we referring to statements? Are we referring to actions? Are we referring to both? What are you saying?

PROSPECTIVE JUROR NO. 052: Oh, just name calling as kids.

MR. FISCHER: I'm sorry?

PROSPECTIVE JUROR NO. 052: Just name calling as kids. You know, in school.

MR. FISCHER: Okay. So maybe --

PROSPECTIVE JUROR NO. 052: So-and-so -- are you so-and-so or --

MR. FISCHER: Racial slurs?

PROSPECTIVE JUROR NO. 052: Oh, absolutely, yeah.

MR. FISCHER: Okay. And those made you feel uncomfortable?

PROSPECTIVE JUROR NO. 052: Yeah, you kind of get into the habit of it and it's not a good habit to be in.

1 MR. FISCHER: And who was uncomfortable, you or the  
2 other person, or both of you?  
3 PROSPECTIVE JUROR NO. 052: Oh, probably a little bit of  
4 both.  
5 MR. FISCHER: Okay. All right. Thank you, sir.  
6 Dimick, 77, please. Dimick, 77.  
7 Hi there.  
8 PROSPECTIVE JUROR NO. 077: Hi.  
9 MR. FISCHER: I wrote in all capitals B-A-R, born and  
10 raised in Las Vegas; is that correct?  
11 PROSPECTIVE JUROR NO. 077: Yes.  
12 MR. FISCHER: Okay. I'm not going to pick on you, don't  
13 worry.  
14 PROSPECTIVE JUROR NO. 077: Okay.  
15 MR. FISCHER: I'm just going ask you a few questions.  
16 You have a bachelor's in criminal justice; is that right?  
17 PROSPECTIVE JUROR NO. 077: Yes.  
18 MR. FISCHER: Okay. And what is it that -- so you work for  
19 the Caesar's. How --  
20 PROSPECTIVE JUROR NO. 077: I work for --  
21 MR. FISCHER: I'm sorry?  
22 PROSPECTIVE JUROR NO. 077: I work security for  
23 Caesar's Palace.  
24 MR. FISCHER: Okay. And how long have you done that?  
25 PROSPECTIVE JUROR NO. 077: Three years.

1 MR. FISCHER: Okay. And what's your -- tell us a little bit  
2 about your job responsibilities?

3 PROSPECTIVE JUROR NO. 077: We collect all the money,  
4 make sure there's no fights, kick out prostitutes, homeless.

5 MR. FISCHER: You interact with law enforcement quite a  
6 bit in that context?

7 PROSPECTIVE JUROR NO. 077: All the time.

8 MR. FISCHER: Okay. And you didn't raise your hand as  
9 recognizing anybody the State named today; is that correct?

10 PROSPECTIVE JUROR NO. 077: Yeah, I don't know.

11 MR. FISCHER: Okay. All right. So nothing about your  
12 employment with the -- with Caesar's Palace or your employment  
13 as private security would affect you here in, for example, giving,  
14 say, law enforcement and their testimony greater weight than that  
15 of another, like we kind of discussed just a few moments ago;  
16 would you do that?

17 PROSPECTIVE JUROR NO. 077: No. But my thing is, if  
18 you steal something and you get caught, you pay it and you've got  
19 to pay your comings. I mean, if that is what it is. I don't believe  
20 in -- I'm not going to --

21 MR. FISCHER: Sure. But the mere fact that somebody's  
22 charged and seated at this table doesn't mean that they're  
23 responsible or guilty, right?

24 PROSPECTIVE JUROR NO. 077: Correct.

25 MR. FISCHER: So you would consider all the evidence

1 presented --

2 PROSPECTIVE JUROR NO. 077: Yes.

3 MR. FISCHER: -- before you make a decision, even if you  
4 had more than one officer telling you this is who you need to be  
5 looking at, this is who did this?

6 PROSPECTIVE JUROR NO. 077: Just because they're an  
7 officer doesn't mean that they know any more than anybody. Yeah.  
8 No.

9 MR. FISCHER: Okay. Would you be a fair juror?

10 PROSPECTIVE JUROR NO. 077: If I knew that he didn't --  
11 yes. They've got to prove he did it.

12 MR. FISCHER: Who's they?

13 PROSPECTIVE JUROR NO. 077: They need to prove that  
14 he did whatever they're -- I'm thinking it has to do something with  
15 stealing.

16 MR. FISCHER: Well, so I think what you were just saying  
17 is that they, being the State --

18 PROSPECTIVE JUROR NO. 077: Yes.

19 MR. FISCHER: -- Mr. Stanton and Mr. Brooks for the State  
20 are the ones who bear the burden of --

21 PROSPECTIVE JUROR NO. 077: Proof.

22 MR. FISCHER: -- proving each and every element of the  
23 offense charged here --

24 PROSPECTIVE JUROR NO. 077: Uh-huh.

25 MR. FISCHER: -- beyond a --<sup>8th</sup>



1 PROSPECTIVE JUROR NO. 077: Reasonable doubt.  
2 MR. FISCHER: Right. So you would expect them to do  
3 that, and you wouldn't just give them a pass if you thought maybe  
4 there was some evidence good in one place, but not in another. It's  
5 okay that, you know, they're the ones -- we're on the same team.  
6 You wouldn't do that?  
7 PROSPECTIVE JUROR NO. 077: No.  
8 MR. FISCHER: Okay. Well, thank you.  
9 Okay. All right. Let's see here, Mr. Lin, 100.  
10 Hi there, sir. How are you?  
11 PROSPECTIVE JUROR NO. 100: Not too bad.  
12 MR. FISCHER: Good. Just a few minutes here. So 38  
13 years in Las Vegas?  
14 PROSPECTIVE JUROR NO. 100: Yes, sir.  
15 MR. FISCHER: And where were you before that?  
16 PROSPECTIVE JUROR NO. 100: I was born and raised  
17 here.  
18 MR. FISCHER: Okay. So I would have guessed that, but  
19 the way it's written down, I wasn't sure if that meant you lived  
20 somewhere else. And you're a DJ?  
21 PROSPECTIVE JUROR NO. 100: Yes, sir.  
22 MR. FISCHER: Is that your full-time profession?  
23 PROSPECTIVE JUROR NO. 100: Uh-huh. Not working  
24 right now, because nothing's open. But.  
25 MR. FISCHER: That sounds almost as cool as the guy

1 behind you.

2 PROSPECTIVE JUROR NO. 100: Pretty much.

3 MR. FISCHER: Okay. Now, I did want to ask you a little bit  
4 about being robbed at gunpoint around 2003.

5 PROSPECTIVE JUROR NO. 100: Yeah, around  
6 there, 2002, 2003, when I was, like, around 20-ish.

7 MR. FISCHER: Is that -- what -- tell us about how that  
8 made you feel.

9 PROSPECTIVE JUROR NO. 100: The actual robbery or --

10 MR. FISCHER: The experience, sure. I mean, yes. You  
11 know, I guess, really, we're speaking to the experience, you know,  
12 from --

13 PROSPECTIVE JUROR NO. 100: Yeah, it's -- I mean, it was  
14 pretty intense, you know. My then-girlfriend and I were outside my  
15 parents' house and then, you know, some teenagers ran up on us  
16 and, you know, did the whole thing. I turned around, there's a gun  
17 in my face. You know, we gave them our money and then they  
18 took off. We called the police, you know, did a report. They  
19 stopped some teenagers that fit the description and then they asked  
20 us to ID them, but, you know, we were pretty much in shock, so we  
21 really couldn't tell if it was them or not. So I don't think they ever  
22 caught anybody.

23 MR. FISCHER: So you bring up a really good point there.  
24 What do you mean by you were in shock and you were -- what were  
25 your words? You really couldn't --

1 PROSPECTIVE JUROR NO. 100: You know, just really  
2 frightened after that happened. And then, you know, the officers  
3 drove us around, they said they stopped some people. They're,  
4 like, were these the people? You know, we weren't positive about  
5 it, so we couldn't positively ID them. And then that was pretty  
6 much it.

7 MR. FISCHER: And what do you attribute that to, why you  
8 couldn't positively ID them?

9 PROSPECTIVE JUROR NO. 100: I mean, they were, like,  
10 when the situation was happening, they were behind me. So I  
11 didn't really get a great look at them. You know, I wasn't exactly  
12 going through my head to make a mental note of what, you know,  
13 exactly, they were wearing or anything like that.

14 MR. FISCHER: Were you inside an establishment?

15 PROSPECTIVE JUROR NO. 100: I was outside my parents'  
16 house, in the driveway.

17 MR. FISCHER: So it was 2003, maybe, I don't know how  
18 advanced your family is, but did you have video surveillance of the  
19 incident?

20 PROSPECTIVE JUROR NO. 100: What's that?

21 MR. FISCHER: Was there any video surveillance of what  
22 occurred?

23 PROSPECTIVE JUROR NO. 100: Oh, no, not at all.

24 MR. FISCHER: So there wasn't really anything other than  
25 what your memory was?

1 PROSPECTIVE JUROR NO. 100: Mine and then my  
2 then-girlfriend.

3 MR. FISCHER: And both of you were not able to really --  
4 what were you able to recall, if anything, as to the description?

5 PROSPECTIVE JUROR NO. 100: They -- you know, they  
6 were younger, probably in their teens. They were -- I think they  
7 took off on bicycles. They were African-American. You know,  
8 males. That's about it.

9 MR. FISCHER: Okay. That brings up an interesting point.  
10 So they were African-American. What -- and what about that, did  
11 that age your memory or did it, you think, cause you maybe some  
12 inability to remember specifics?

13 PROSPECTIVE JUROR NO. 100: No, I don't think so. You  
14 know, it just wasn't -- yeah, I just didn't want to get hurt at that  
15 point. That was running through my mind, you know, I wasn't  
16 plan -- you know, I wasn't thinking about making a mental note of  
17 exactly what they look like or anything like that.

18 MR. FISCHER: But you did your very best, obviously, to  
19 cooperate with law enforcement, provide them with the details that  
20 you could, right?

21 PROSPECTIVE JUROR NO. 100: Uh-huh. Absolutely.

22 MR. FISCHER: And then nothing was -- nothing came out  
23 of it because they couldn't locate anybody that was responsible?

24 PROSPECTIVE JUROR NO. 100: Yeah, you know, like I  
25 said, they did stop some people and they asked us to ID them to see

1 if, you know, we could give a positive ID if that was them or not.  
2 But we couldn't, because we couldn't remember, you know, clearly  
3 exactly what they looked like.

4 MR. FISCHER: Anything about that experience that leaves  
5 you feeling frustrated or bitter?

6 PROSPECTIVE JUROR NO. 100: No, not at all.

7 MR. FISCHER: Okay. And that -- would that be something  
8 that you feel like you could set aside and consider all the evidence  
9 until it's been completely presented to you before reaching a  
10 decision in this case, yes?

11 PROSPECTIVE JUROR NO. 100: Absolutely.

12 MR. FISCHER: And even though these two very  
13 handsome well-dressed gentlemen to my left will be able to do  
14 what they do, you'll still give the evidence your consideration, after  
15 considering it fully, yes?

16 PROSPECTIVE JUROR NO. 100: Yes, sir.

17 MR. FISCHER: Thank you.

18 Oh, boy. Leg span, right behind him. We won't talk too  
19 much celebrity here. I know everybody probably would love to.  
20 How are you, sir?

21 PROSPECTIVE JUROR NO. 111: Not too bad. I haven't  
22 slept much, but --

23 MR. FISCHER: I just did a quick search to pull up some  
24 images to give everybody an idea here. So -- meaning my client,  
25 who you are.

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PROSPECTIVE JUROR NO. 111: Okay.

MR. FISCHER: Well, thank you for your time.

What are your thoughts about being on this jury?

PROSPECTIVE JUROR NO. 111: I wasn't too excited about it. But now that I'm here, figure I might as well do it.

MR. FISCHER: Okay. What does that mean? Be a little more specific. I don't want you to be so casual that, you know, we're talking --

PROSPECTIVE JUROR NO. 111: Well, you asked me where my thoughts were at.

MR. FISCHER: -- we need serious people that can be fair and impartial. Cool people are cool, but we need serious people. Which one are you going to be if on this jury?

PROSPECTIVE JUROR NO. 111: No, no, I get it. I just -- you know, it was a little early for me. I've been writing my book. So it was tough to get up at 7:00 a.m., but here I am.

MR. FISCHER: Okay.

PROSPECTIVE JUROR NO. 111: I'm going to, you know, do my best.

MR. FISCHER: And you've had experiences a little bit on both sides of the equation of law enforcement, right? As both an accused and then also as somebody who was a victim; is that right? Or in circumstances where you were robbed, I think you said?

PROSPECTIVE JUROR NO. 111: I mean, all three. So I've been a cop, I've been a victim of crime, and then I've committed

1 crime -- well, allegedly, I guess. Blowing up your own truck, I  
2 guess, is a crime, but -- according to them. I don't think it is. It  
3 wasn't illegal, but, you know, the way the court system is set up,  
4 you know, it's, you know, you plead out and do what you've got to  
5 do so you don't lose your rights.

6 MR. FISCHER: Okay. And you talked about rights before.  
7 What do you mean by losing your rights?

8 PROSPECTIVE JUROR NO. 111: Well, I was assumed  
9 guilty. The moment, you know, they charged me, I could buy a  
10 firearm. So that is an assumption of guilt in my opinion.

11 MR. FISCHER: As opposed to what?

12 PROSPECTIVE JUROR NO. 111: Well, you should be able  
13 to operate freely until you're convicted.

14 MR. FISCHER: Presumption of innocence, maybe.

15 PROSPECTIVE JUROR NO. 111: Yeah, that's the  
16 Constitution, right?

17 MR. FISCHER: And, obviously, the defense as well as the  
18 prosecution wants fair and impartial jurors. If selected, you already  
19 said -- I think -- I'm not sure, are you committed to the idea of being  
20 a juror if selected?

21 PROSPECTIVE JUROR NO. 111: Yeah, I'll do my best. I  
22 mean, it's -- like I said, wasn't excited about it, but, I mean, if you  
23 want a fair trial, you have to be, you know, willing to be on a jury.  
24 So.

25 MR. FISCHER: It's a civic duty and, I mean, it's -- how

1 much burden is it really?

2 PROSPECTIVE JUROR NO. 111: It's worth it. I mean, a  
3 person's life is on the line. So.

4 MR. FISCHER: I'm sorry?

5 PROSPECTIVE JUROR NO. 111: I said it's worth it. A  
6 person's life is on the line.

7 MR. FISCHER: Thank you, Mr. Bilzerian.

8 134, Kallush. So we're ready -- I'm sorry, we already  
9 spoke, ma'am. Thank you, appreciate it. Just going over my notes,  
10 making sure I'm not missing anything. I think that concludes --  
11 pass, Your Honor.

12 THE COURT: Do you pass the panel as a whole,  
13 Mr. Fischer?

14 MR. FISCHER: Yes, Your Honor. Yes.

15 THE COURT: And, Mr. Stanton, were there any issues that  
16 were brought up that we need to discuss at the back?

17 MR. STANTON: No.

18 THE COURT: Okay. All right. So both sides are passing  
19 for -- the panel for cause. All right.

20 Okay. So, ladies and gentlemen, at this time, if you  
21 remember at the beginning of this morning when I was talking  
22 about there are two types of causes, challenges for cause and  
23 challenges for peremptory. So at this point in time, we are doing  
24 the challenges for peremptory.

25 In a moment, you're going to see my marshal handing



1 back a piece of papers between the parties. They are exercising  
2 their peremptory challenges. Each side gets five. And so after  
3 they're done passing that sheet, we will have our jury.

4 So please feel free to talk quietly amongst yourselves with  
5 one another. Also you can get out your cell phone. This process  
6 takes a little bit, but please stay in your seats, because they need to  
7 make sure the faces where the seat is. All right. Thank you very  
8 much.

9 [Pause in proceedings.]

10 THE COURT: Parties in the back, please.

11 [Bench conference transcribed as follows.]

12 THE COURT: All right. We're outside the presence of the  
13 jury, in the back with the parties. I just always want to give you  
14 guys the last opportunity to make sure that the page is correct. So  
15 the individuals that are not highlighted are your jury.

16 Since Plaintiff waived, that means the last guy gets kicked.  
17 So take a look at that and just make sure that the people who are  
18 not highlighted are the people that you selected as your jurors.

19 [End of bench conference.]

20 THE COURT: All right. If I say your name, please stand.

21 Badge Number 017, Krysti Mars; Badge Number 018,  
22 Jeremy Meador; Badge Number 024, Stephanie McHugh; Badge  
23 Number 025, Dion Katsoris; Badge Number 042, Ursula Stratton;  
24 Badge Number 045, Alex Jacobs; Badge Number 17, Stephanie  
25 Scarpantonio; Badge Number 056, Jose Altamirano; Badge

1 Number 082, Steven Dumovich; Badge Number 100, Tommy Lin;  
2 Badge Number 111, Dan Bilzerian; Badge Number 140, Alex Perren;  
3 Badge Number 129, Richard Stieve; and Badge Number 130,  
4 Brittany Gries.

5 Those of you seated at this moment, thank you so much  
6 for your willingness to serve on this jury. I appreciate you coming  
7 down, especially under these circumstances. At this point in time  
8 you are excused if you are seated. Go ahead and go, please.

9 [Balance of prospective jury dismissed at 2:32 p.m.]

10 THE COURT: Those of you that remain are our jurors. If  
11 you could just go ahead and have a seat, please. All right.

12 So the remaining 14 of you are our jurors. I'm going to  
13 give you, like, just a quick 5-10-minute break, because in a -- when  
14 you guys come back, I'm going to read you the opening instructions  
15 for the trial. And then I'm going to let you go for the day. And then  
16 tomorrow we'll come back at 9:00 a.m. and we'll start the jury trial  
17 with the opening statements. But there are some preliminary  
18 instructions that I have to read before we start with opening  
19 instructions. So I'll go ahead and do those this afternoon, so when  
20 you get to court tomorrow morning, we can roll right into the  
21 opening and witnesses. Okay.

22 So it is 2:35. We'll take a quick 10-minute break. Be back  
23 at 2:45 so I can give you those instructions.

24 During this recess you must not discuss or communicate  
25 with anyone, including fellow jurors, in any way regarding the case

1 or its merits either by voice, phone, e-mail, text, Internet, or other  
2 means of communication or social media, read, watch or listen to  
3 any news or media accounts or commentary about the case, do any  
4 research, such as consulting, dictionaries, using the Internet, or  
5 using reference materials, make any investigation, test a theory of  
6 the case, recreate any aspect of the case, or in any other way  
7 investigate or learn about the case on your own, or form or express  
8 any opinion regarding this case until the matter is submitted to you.

9 I'll see you in 10 minutes. Thank you very much.

10 [Court recessed at 2:33 p.m., until 2:47 p.m.]

11 [In the presence of the jury.]

12 THE COURT: All right. Ladies and gentlemen, we're back  
13 on the record in State of Nevada versus Andrew Young, C-350623.  
14 Mr. Young is present with his attorney, Mr. Fischer, both deputy  
15 district attorneys, Mr. Stanton and Mr. Brooks, are also present in  
16 the courtroom. Do the parties stipulate to the now jury?

17 MR. FISCHER: Yes, Your Honor.

18 THE COURT: All right. Ladies and gentlemen, before we  
19 begin the trial, for those of you who remain as jurors, I want to let  
20 you know what you can expect throughout this process. What I will  
21 now say is intended to serve as a general introduction to the trial of  
22 this case. It is not a substitute for the detailed instructions on the  
23 law, which I will give you at the close of the case and before you  
24 retire to consider your verdict.

25 First, we would like you to be as comfortable as possible

1 while you are here. If you have trouble hearing or seeing at any  
2 time during the trial, please raise your hand as an indication. When  
3 we get into the COVID courtroom tomorrow, the witness will be  
4 behind a plexiglas, like I'm behind right now, and they will have a  
5 mask on. So at times, if it becomes difficult to hear them, please  
6 just make sure and raise your hand and just let me know, like, by  
7 showing -- you know, tapping your ear, and I will turn up the mics, I  
8 will have them speak a little bit louder. So just make sure you let  
9 me know. Okay?

10 Also, if you need to use the restroom, if you feel ill or if  
11 you have any other problem, please raise your hand as an  
12 indication. I also encourage you to stand up and stretch between  
13 witnesses or when the attorneys are discussing something up here  
14 at the bench with me. You can also feel free to bring in water or  
15 any other clear liquid, as long as it doesn't cause any disruption in  
16 the proceedings.

17 During trial we generally meet around 9:00 a.m. and  
18 recess for lunch around 12:00, and then we always end a little bit  
19 before 5:00. Occasionally, we may break a little bit after 5:00 if  
20 there is a witness testifying at that time or a witness who needs to  
21 be called out of order.

22 Generally, I take breaks about every hour and a half to two  
23 hours for about 15 minutes, as you see in the morning and then in  
24 the afternoon, as well.

25 As I already stated, this is a criminal case commenced by

1 the State of Nevada, which I may sometimes refer to as the State,  
2 against the defendant. This case is based on an amended  
3 superseding indictment. The clerk will now read that amended  
4 superseding indictment to the ladies and gentlemen of the jury and  
5 state the plea of the defendant to that amended superseding  
6 indictment, please.

7 [Indictment read.]

8 THE COURT: Thank you.

9 Please understand that the document just read by the  
10 clerk is simply a charging document and that is it not in any sense  
11 evidence of the allegations it contains. The defendant has pled not  
12 guilty. The State therefore has the burden of proving each of the  
13 essential elements of the amended superseding indictment beyond  
14 a reasonable doubt. As the defendant sits before you now, he is  
15 not guilty. The purpose of this trial is to determine whether the  
16 State will meet that burden.

17 It is your primary responsibility as jurors to find and  
18 determine the facts. Under our system of criminal procedure, you  
19 are the sole judge of the facts. You are here to determine the facts  
20 from the testimony you hear and other evidence, including exhibits  
21 introduced in court. It is up to you to determine the inferences  
22 which you feel may be properly drawn from the evidence.

23 Ladies and gentlemen, you must base your verdict solely  
24 on the evidence presented in the courtroom and the instructions on  
25 the law that I give you. To protect the integrity of the jury process,

1 it is very important that you do not do any independent research  
2 about this case until the jury has reached a final decision.

3           You may not visit any location involved in this case. You  
4 must not do any research or look up words, names, maps, or  
5 anything else that may have anything to do with the case. This  
6 includes reading newspapers, watching television or using a  
7 computer, cell phone, the Internet, or any other means to get  
8 information related to this case or the people and places involved in  
9 this case. This applies whether you're in the courthouse, at home,  
10 or anywhere else.

11           Additionally, until you are discharged from service as a  
12 juror, you must not provide or receive any information about your  
13 jury service to anyone, including friends, co-workers, family  
14 members, or announce it on social media. You may tell people that  
15 you have been picked for a jury and how long the case will take.  
16 However, you must not give any other information about the case  
17 itself or the people involved in the case.

18           You must also warn people not to try to say anything to  
19 you or write to you about your jury service on the case. This  
20 includes face to face, phone, or computer communications. In this  
21 age of electronic medium communication, I want to stress that you  
22 must not use electronics devices or computers to research or talk  
23 about this case in any form, including Googling, Tweeting, texting,  
24 blogging, e-mailing, Instagraming, Tik-Toking, I mean, it goes on  
25 and on. Okay? So don't post any information on a web site or any

1 other means at all. All of us are depending on you to follow these  
2 rules so that there will be a fair and lawful resolution of this case.

3 You may not declare to your fellow jurors any facts  
4 relating to this case of your own knowledge, and if you discover  
5 during the trial or after the jury has retired that you or any other  
6 juror has personal knowledge of any witness or fact in controversy  
7 in this case, you must disclose that information to me outside the  
8 presence of the other jurors.

9 The trial begins with opening statements. The district  
10 attorneys will make an opening statement if they so desire, which is  
11 an outline to help you understand what the State expects to prove  
12 in their case. Next, the defense attorney may, if he so desires, make  
13 an opening statement, but does not have to. Opening statements  
14 serve as an introduction to the evidence which the party making the  
15 statement intends to prove, but they are not evidence.

16 Then comes the presentation of evidence. The State will  
17 commence with its case in chief. This is the State's opportunity to  
18 present its evidence in its case. This consists of the calling of  
19 witnesses and the production of physical items of evidence, such as  
20 documents or photographs and the like. Counsel for the defendant  
21 may cross-examine the State's witnesses.

22 Following the State's case in chief, the defendant may  
23 present evidence and the district attorneys may cross-examine the  
24 defense witnesses. However, as I have said, the defendant is not  
25 obligated to present any evidence.

1           Next becomes rebuttal evidence. If the defendant does  
2 present evidence, the State will then have the opportunity to  
3 present what's referred to as rebuttal evidence, and the defendant,  
4 if he so chooses, may have the opportunity to present surrebuttal  
5 evidence.

6           The evidence in this case will consist of sworn testimony  
7 of witnesses, all exhibits received as admissible evidence  
8 regardless of which side introduces the evidence. If the attorneys  
9 on both sides stipulate to the existence of a fact, you must, unless  
10 otherwise instructed, accept the stipulation as evidence and regard  
11 that fact as proven.

12           In every case, there are two types of evidence: Direct and  
13 circumstantial. Direct evidence is testimony by a witness about  
14 what the person saw or heard or did. Circumstantial evidence is  
15 testimony or exhibits which are proof of a particular fact from  
16 which, if that fact is proven, you can infer the existence of the  
17 second fact.

18           So let me give you a real-world example of direct and  
19 circumstantial evidence are. So direct evidence is, is if today, as  
20 we're leaving the courtroom, you get into your car, the clouds start  
21 forming, you start seeing thunder and lightning, everything gets  
22 gray, and it starts to rain, and rain falls before your eyes on your  
23 car, that's direct evidence. You saw -- you, yourself saw that rain  
24 falling. That's direct evidence that it rained.

25           Circumstantial evidence is a little bit different. So same



1 thing, out of court today, you leave, you get in your car, you see the  
2 clouds forming, you start to hear thunder and lightning, everything  
3 gets gray. You go home, you're tired, you go straight to bed.  
4 When you wake up in the morning, you get out to your car, there's  
5 water on your car, there's water running down the street, there's  
6 water on the grass, on the driveway. In your mind, that is  
7 circumstantial evidence that it's rained. You didn't see it rain, right?  
8 So it's not direct evidence. But looking at all of the facts around, it's  
9 circumstantial evidence that you know it rained.

10           You may consider both direct and circumstantial evidence  
11 in deciding this case. The law permits you to give equal weight to  
12 both types of evidence. But it is up to you to decide how much  
13 weight to give a particular piece of evidence.

14           The parties may sometimes make objections to some of  
15 the testimony or other evidence. It is the duty of a lawyer to object  
16 to evidence which he or she believes may not properly be offered,  
17 and you should not be prejudiced in any way against the lawyer  
18 who makes objections on behalf of the party he or she represents.

19           At times I may sustain objections or direct that you  
20 disregard certain testimony or exhibits. You must not consider any  
21 evidence to which an objection has been sustained or which I have  
22 instructed you to disregard. You also must not consider anything  
23 which you may have seen or heard when the court is not in session,  
24 even what you see or hear is said -- even if what you see or hear is  
25 said or done by one of the parties or by one of the witnesses.

1           In considering the weight and value of the testimony of  
2 any witness, you must take into consideration the appearance,  
3 attitude, and behavior of the witness, the interest of the witness in  
4 the outcome of the case, if any, the relation of the witness to the  
5 defendant or the State, the inclination of the witness to speak  
6 truthfully or not, and the probability or improbability of the  
7 witness's statements and all of the facts and circumstances in  
8 evidence. Thus, you may give the testimony of any witness just  
9 such weight and value as you believe the testimony of the witness  
10 is entitled to receive.

11           At the conclusion of the evidence, I will instruct you on the  
12 law. You must not be concerned with the wisdom of any rule of  
13 law stated in these instructions or in the instructions that I will read  
14 to you after the evidence is in. Regardless of any opinion you may  
15 have as to what the law ought to be, it would be a violation of your  
16 oath to base a verdict upon any other view of the law than that give  
17 to you by the Court.

18           Until the case is submitted to you, you must not discuss it  
19 with anyone, even with your fellow jurors, after it is submitted to  
20 you. You must discuss it only the jury room with your fellow jurors.

21           It is important that you keep an open mind and not decide  
22 any issue in the case until the case is formally submitted to you  
23 under instructions from me. Again, if you discovery during the  
24 course of the trial that you have personal knowledge of the facts of  
25 the case or that you know one of the witnesses, please give a note

1 to the marshal, who will present it to me.

2 Oftentimes jurors don't recognize that you can't even  
3 speak to each other about the case until it's submitted to you.  
4 Obviously, everybody knows you can't go home and talk to your  
5 husband, wife, boyfriend, girlfriend, kids, friends, anything about  
6 the case. You actually can't even speak to one another about your  
7 thoughts on the case until the case is completely over and I've sent  
8 you to deliberate. Okay. So just keep that in mind, please.

9 After the instructions have been read to you, each side  
10 will have the opportunity to present closing arguments. What is  
11 said in closing arguments is not evidence, just like opening  
12 statements are not evidence. The arguments are designed to  
13 summarize and interpret the evidence while discussing with you  
14 how to apply the law to the facts in the case. Since the State has  
15 the burden of proving the defendant beyond a reasonable doubt,  
16 the State has the right to open and close the arguments. This  
17 means the State will make a closing argument, followed by closing  
18 arguments from the defense, and then the State may make a  
19 rebuttal closing argument. After the arguments have been  
20 completed, you'll retire to deliberate on your verdict.

21 During the trial it may be necessary for me to confer with  
22 the lawyers. Before COVID we would do it up here at the bench or  
23 in the COVID courtroom up at the bench where my -- where I sit.  
24 However, because of COVID, we actually have to step outside of the  
25 courtroom and go to a conference room behind. So if you see me,

1 just like you saw me today, say parties approach, we'll just go back  
2 to the courtroom, we'll put something on the record, and we'll be  
3 right back.

4 Sometimes you also may be excused from the courtroom  
5 for these same reasons. I try to limit these interruptions as much as  
6 possible, but please understand, if we take a break, it is necessary  
7 and that we appreciate your patience.

8 I was a juror, like I said to you guys earlier, and one of the  
9 things I was most frustrated with was we were always out in the  
10 hall for longer periods of time. So the judge would say 15 minutes,  
11 and, like, 30 minutes later, we'd still be out there. I understand it's  
12 frustrating. What I just ask of you guys is that you understand and  
13 have patience that when we are in the courtroom, we are actually  
14 deciding legal issues and it actually makes it move more quickly  
15 and more efficiently. So if you're out there and the time is ticking, I  
16 apologize. Blame me for that. I'll take the responsibility. But just  
17 know that we're not in there having a break, we're actually  
18 discussing the legal issues and trying to move the case forward as  
19 efficiently as possible.

20 You will be given a blue badge to wear during your jury  
21 service. Please wear the badge at all times while you're in the  
22 courthouse or on a break. This badge lets everyone know that you  
23 are a juror in this case. This is important, because during the  
24 course of the trial, the attorneys for both sides and court personnel  
25 other than the marshal are not permitted to talk to members of the

1 jury. And they can't talk to you at all, not even to ask the time of  
2 day, to say good morning, thank you, you're welcome, none of that.

3           The badge helps them to identify you as a juror. If  
4 someone will not talk to you, please understand they are not being  
5 rude. To ensure that absolute impartiality of the jury, the people  
6 involved in the case are bound by ethics and law to avoid contact  
7 with jurors until the case is decided.

8           You will also be handed out a little -- I don't want to say  
9 binder, but a little booklet, a notebook, and pens for your use. You  
10 are free to take notes during the trial if you wish, but please keep  
11 the notes to yourself until you and your fellow jurors go to the jury  
12 room to decide the case. Do not let note-taking distract you. You  
13 also should rely on your own memory of what was said and not be  
14 overly influenced by the notes of other jurors. If jurors have  
15 conflicting notes, you should not rely on the notes, because the  
16 court recorder record contains the complete and authentic record of  
17 the trial and can be given to you if needed.

18           I will probably type a lot of notes during trial. Please do  
19 not take this into consideration. If I begin to type during a witness's  
20 testimony, you are not to consider that testimony more important  
21 than any other testimony. In fact, you are not to consider anything I  
22 say or do or anything during this trial that suggests that I am  
23 inclined to favor the claims or position of any party. I am required  
24 to remain neutral. It would be wrong for you to conclude that  
25 anything I say or do means I am for one side or another in trial.

1 Discussing and deciding the facts is your job alone.

2 Jurors are allowed to ask questions in my courtroom.  
3 And so that process looks like this: After the attorneys ask the  
4 questions and the witness is free to leave, before I let them leave, I  
5 will turn to the jurors and ask, ladies and gentlemen, do any of my  
6 jurors have a question for this witness? If you do, in your notepad  
7 on a clean piece of paper, I need you to write the question, I need  
8 you to write your juror number and sign it. Only one question per  
9 page. So if a witness is up there and you have three questions,  
10 each question has to be on a separate piece of paper with your  
11 badge number and your signature.

12 Questions must be factual in nature and designed to  
13 clarify information already presented. If it is a proper question  
14 under court rules, I will ask it; if the evidence rules prevent me from  
15 asking the question, then I won't ask it. If I don't ask one of your  
16 questions, please don't think that someone is trying to hide the  
17 answer from you. It's just because there are certain evidentiary  
18 rules in place that prevents me from asking the question.

19 Like I stated, please reserve your questions until the  
20 attorneys have finished asking questions of the witness, as the  
21 attorneys will likely ask your question. Jurors must not place  
22 undue weight on the responses to their questions or draw any  
23 conclusions because a question was not asked.

24 Some testimony may be given in the Thai language. An  
25 interpreter will provide a translation for you at the time the

1 testimony is given. You must rely on the translation provided by  
2 the interpreter, even if you understand the language spoken by the  
3 witness. Do not retranslate any testimony for other jurors. If you  
4 believe the court interpreter translated testimony incorrectly, let me  
5 know immediately by writing a note and giving it to the marshal  
6 prior to the witness being excused from the courtroom.

7           Finally, in fairness to the parties to this case, you should  
8 keep an open mind throughout the trial, reach your conclusion only  
9 during your final deliberations, after all of the evidence is in and  
10 you have heard the attorneys closing arguments and my  
11 instructions to you on the law.

12           Also lastly, I should have said, when we are in court,  
13 please make sure that your cell phones are either, A, powered off,  
14 or B, on silent. And then in your -- of course, in your pocket or in  
15 your purse. They can't be out while the court is in session.

16           The attorneys will always -- you'll see them constantly  
17 typing on their laptops, their iPads, texting, things like that. They  
18 are working on this case 24 hours a day, seven days a week when  
19 they're not sleeping. Right? So they have to be constant contact  
20 with law clerks, secretaries, interns, all of that. So please don't hold  
21 it against them if you see them on their laptop, their iPad, or their  
22 cell phone.

23           Tomorrow when we meet, we'll be meeting at 9:00 in the  
24 morning, and we'll be meeting just across this little bridge in 3F.  
25 That will be the courtroom --

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Are we in 3F or 3C? 3C, sorry. I always get those two confused. We are in 3C as in Cat. So be a few minutes before 9:00 in -- out front in -- of 3C. And we will start with opening -- I'll have to swear you in as a jury and then we'll go right into opening statements and then witnesses.

So I'm going to leave you now for the evening.

During this recess you must not discuss or communicate with anyone, including fellow jurors, in any way regarding the case or its merits either by voice, phone, e-mail, text, Internet, or other means of communication or social media, read, watch or listen to any news or media accounts or commentary about the case, do any research, such as consulting dictionaries, using the Internet, or using reference materials, make any investigation, test a theory of the case, recreate any aspect of the case, or in any other way investigate or learn about the case on your own, or form or express any opinion regarding this case until the matter is finally submitted to you.

Have a good evening. I'll see you tomorrow morning at 9:00 a.m. Thank you.

[Court recessed at 3:16 p.m.]

///

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video proceedings in the above-entitled case to the best of my ability.

  
Shawna Ortega, CET\*562



**IN THE SUPREME COURT OF THE STATE OF NEVADA**

---

ANDREW YOUNG,	)	NO. 83243
	)	
Appellant,	)	
	)	
vs.	)	
	)	
THE STATE OF NEVADA,	)	
	)	
Respondent.	)	

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**APPELLANT'S APPENDIX**

**VOLUME IV – PAGES 611-765**

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**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the            day of           , 2021.

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