

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \*

JASON JONES,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

CASE NO. 63136

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APPELLANT'S APPENDIX

VOLUME 3

Direct Appeal From A Judgment of Conviction  
Eighth Judicial District Court  
The Honorable Valerie Adair, District Court Judge  
District Court No. C285488

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DISTRICT COURT  
CLARK COUNTY, NEVADA

CASE NO. C285488-1  
DEPT. XXI

0212

1 LAS VEGAS, CLARK COUNTY, NV., THURS., JAN. 17, 2013

2  
3 THE COURT: All right. State versus Jason Jones.

4 THE DEFENDANT: Good morning, Your Honor.

5 THE COURT: Good morning. Mr. Jones is present in custody, and we have  
6 Mr. Cano and Mr. Pike and Ms. Christensen for the State. And this is the time for  
7 calendar call.

8 THE DEFENDANT: I'd request, for the record, you know, my transcript from  
9 every court appearance in this courtroom.

10 THE COURT: We'll get to that in a minute.

11 MR. PIKE: Your Honor, this situation, the State has made an offer. The  
12 defense -- the defendant has indicated what he wanted to plea. I think that because  
13 of the -- the manner in which the Court has -- the Court has had to deal with the  
14 proper person statements of the client, we were able to discuss all of this with his  
15 father. His father came up here. We've managed to get a visit set for his father to  
16 talk with him tonight.

17 THE COURT: Okay.

18 MR. PIKE: If we could continue the calendar call till tomorrow --

19 THE COURT: Okay. We'll set -- okay. Let me -- without obviously violating  
20 any privilege or anything, you have talked with Mr. Jones about the offer, correct?

21 MR. PIKE: That is correct, Your Honor.

22 THE DEFENDANT: I have not heard about any offers.

23 THE COURT: You what, went over to the jail yesterday?

24 MR. PIKE: I did. We've gone over almost every day --

25 THE DEFENDANT: I haven't heard any offer.

1 THE COURT: Mr. Jones.

2 THE DEFENDANT: I apologize.

3 THE COURT: You don't just interrupt.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Mr. Pike, so you've spoken with Mr. Jones in the detention  
6 center about the offer, correct?

7 MR. PIKE: That's correct. We did have a written plea agreement. I actually  
8 provided him a copy of that, went over that with him a couple of weeks ago. We  
9 were able to secure an additional consideration by the State in reference to that. So  
10 we've done that.

11 THE COURT: Okay. And then -- the reason I'm asking, the only reason I'm  
12 interested one way or the other is because I'm trying to set up trials and figure out  
13 what's likely to go. This would be in the number-one position.

14 What are -- I mean, do you feel like it's probable that the negotiation will  
15 be accepted, or do you think it's unlikely the negotiation will be accepted?

16 MR. PIKE: Your Honor, I'm hopeful because it would be in his best interests, I  
17 believe, but he -- he has had some misunderstandings, and we've had difficulties as  
18 the Court has seen. We wanted --

19 THE COURT: Right, and --

20 MR. PIKE: So it comes down to -- the question -- if this goes to trial and if  
21 he's --

22 THE COURT: -- feel like there's some -- just to clarify -- I feel like there's  
23 some distrust on the part of Mr. Jones toward his attorneys, meaning you and Mr.  
24 Cano.

25 MR. PIKE: That's correct, Your Honor. And so we've been consistently



1 meeting with him, going over all possible defenses, and because of the recent  
2 Supreme Court case involving ineffective assistance of counsel claims, as far as  
3 plea negotiation, now we have to make a record in reference to where we're at with  
4 the plea negotiations. And Mr. Jones is facing an open-murder charge. If he's  
5 convicted of First Degree Murder, he under -- with the use of a deadly weapon, he  
6 has to do at least 21 years before he's eligible to even get out.

7 THE COURT: Right.

8 MR. PIKE: The terms of negotiation --

9 THE DEFENDANT: I thought I was convicted of First Degree Murder, Your  
10 Honor -- not convicted, charged with First Degree Murder.

11 THE COURT: Well, it's open murder. That includes First Degree Murder, it  
12 includes Second --

13 THE DEFENDANT: I put in NRS 200, dash, 030, dash, 1, that's First Degree  
14 Murder.

15 THE COURT: All right. Mr. Jones, first of all, like I told you last time, Mr.  
16 Cano and Mr. Pike are very experienced attorneys. Murder cases are pretty much  
17 all they do. So if they tell you something, if I were you, I would be inclined to trust  
18 their representations rather than your own reading or your chitchat with other  
19 inmates in the law library or whatever the case may be in terms of why you think you  
20 understand things better than Mr. Cano and Mr. Pike understand things.

21 So don't interrupt me again. Don't interrupt Mr. Pike again, and when  
22 Ms. Christensen speaks, don't interrupt her again. I'm not speaking to you at this  
23 point. I'm speaking to your attorneys.

24 So, Mr. Pike, you feel that the State has made a favorable negotiation;  
25 is that correct?

1 MR. PIKE: Favorable offer of negotiation, that is correct.

2 THE COURT: And what is the offer?

3 MR. PIKE: The offer at this time is to reduce it down to a voluntary with the  
4 use of a deadly weapon. It would be a stipulated sentence. It would be a  
5 conditional plea, Alford, based upon the sentence of 2 and a half to 7 and a half,  
6 plus a consecutive 2 and a half to 7 and a half, and that would resolve all possible  
7 potential other charges. It gets rid of the potential of a habitual criminal charge. It  
8 gets rid of potential ex-felon in possession of a firearm. That resolves every case  
9 that he has. He has no other holds that would take him out of state or anything in  
10 reference to that.

11 THE COURT: All right. Ms. Keenan, is that a correct statement of the offer  
12 that's been made by the State in this case?

13 MS. CHRISTENSEN: Yes, Your Honor.

14 THE COURT: All right. If this offer is not accepted, how long do you  
15 anticipate this matter taking if it were to proceed to trial, just in the guilt phase?

16 MR. PIKE: If it was to go to trial, I don't believe there are any out-of-state  
17 witnesses, it would take four days for the guilt phase. If there's a penalty phase to  
18 go, I would anticipate that maybe a day.

19 THE COURT: A day, okay. All right. Here's what we're going to do. We're  
20 going to set the calendar call over for tomorrow morning at 9:30 in this department  
21 to see where we are with negotiations.

22 MR. PIKE: Thank you, Your Honor.

23 THE COURT: Thank you.

24 THE DEFENDANT: Has this been continued, Your Honor or --

25 THE COURT: What?

1 THE DEFENDANT: Does this mean this --

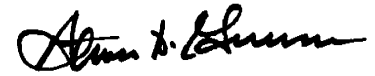
2 THE COURT: That means we're coming back tomorrow. Mr. Pike and/or  
3 your father and/or Mr. Cano will be speaking with you today in the detention center,  
4 and that's all we have for today.

5 Thank you.

6 -oOo-

7 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video  
8 proceedings in the above-entitled case.

9   
10 JANIE L. OLSEN  
11 Recorder/Transcriber  
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25



CLERK OF THE COURT

TRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

JASON JONES,

Defendant.

CASE NO. C285488-1  
DEPT. XXI

BEFORE THE HONORABLE VALERIE ADAIR, DISTRICT COURT JUDGE

FRIDAY, JANUARY 18, 2013

RECORDER'S TRANSCRIPT OF HEARING RE:  
CALENDAR CALL

APPEARANCES:

FOR THE STATE:

NELL E. CHRISTENSEN, ESQ.  
CHRISTOPHER P. PANDELIS, ESQ.  
Chief Deputy District Attorneys

FOR THE DEFENDANT:

DAVID M. SCHIECK, ESQ.  
Deputy Special Public Defender  
CHARLES A. CANO, ESQ.  
Deputy Special Public Defender

RECORDED BY: JANIE L. OLSEN, COURT RECORDER/TRANSCRIBER

1 LAS VEGAS, CLARK COUNTY, NV., FRI., JAN. 18, 2013

2  
3 THE COURT: We'll start off with State versus Jason Jones. Mr. Jones is  
4 present in custody. This is the continued time for calendar call.

5 Where are we?

6 MR. CANO: Yes, we continued it because Mr. Jones' father wanted an  
7 opportunity to discuss with him the negotiations that seemed to be very favorable on  
8 his behalf last night. He did have an opportunity to go see him last night at CCDC  
9 and discuss it. After discussing that with Mr. Jones this morning, he is still rejecting  
10 the offer that was made.

11 THE COURT: All right. And then my understanding is both sides are  
12 prepared to proceed to trial; is that correct?

13 MR. CANO: Yes.

14 MS. CHRISTENSEN: That's my understanding as well, Your Honor.

15 THE COURT: All right. We'll go ahead and set this matter to begin Monday  
16 morning -- I'm sorry, Tuesday, Monday being a holiday --

17 Thank you, Mr. Schieck.

18 We would have worked that out eventually.

19 MR. SCHIECK: Mr. Pike actually called out sick today, but it's something that  
20 we believe is just a temporary thing. He'll be available on Tuesday. It's not the flu  
21 to my understanding.

22 THE COURT: Okay. Let's hope not.

23 MR. CANO: If there's some change of status, we'll make sure we notify the  
24 Court.

25 THE COURT: Right. We have a morning calendar on Tuesday so we should

1 be done by 10:30. It's not that long a calendar.

2 So we'll begin this trial Monday at 10:30.

3 MR. CANO: Tuesday.

4 THE COURT: I'm sorry, Tuesday at 10:30.

5 MS. CHRISTENSEN: And, Your Honor, just so we know for setting up  
6 witnesses, what time will we typically start for Wednesday, Thursday, Friday?

7 THE COURT: Okay. Wednesday we'll probably start really close to 9:30.  
8 Thursday probably sometime 10:30 or 11 at the latest. And Friday we have a full  
9 day so we can start at 9.

10 MS. CHRISTENSEN: And on Tuesday, because it's probably picking a jury,  
11 would you suggest that we have no witnesses set up or one witness?

12 THE COURT: My belief is we probably will finish picking the jury very late in  
13 the afternoon. So it would be fine if you don't have any witnesses available. If we  
14 have to end at 4 o'clock, that won't be a problem. I don't believe we'll get done in  
15 time with the late start and everything to call witnesses. So that would be fine; I  
16 wouldn't have a problem with that.

17 MS. CHRISTENSEN: All right. Thank you, Your Honor.

18 THE COURT: All right. We'll see you back here Tuesday at 10:30.

19 THE DEFENDANT: Your Honor, I'm going to request my transcripts from this  
20 courtroom from the first day I stepped in your courtroom.

21 THE COURT: Well, at this point in time, you have attorneys, and if your  
22 attorneys think --

23 THE DEFENDANT: I've requested that --

24 THE COURT: Excuse me. -- they need the transcripts, they'll request the  
25 transcripts. Probably most of them have already been done.

1 Mr. Cano, if there's any transcripts you feel that you need of the  
2 hearings, then you can request those. After your trial depending on what happens,  
3 then all of the transcripts -- at this point in time I don't see a need unless Mr. Cano  
4 sees a need to have our court recorder go through and prepare transcripts of each  
5 and every hearing.

6 THE DEFENDANT: Well, Your Honor, this is to, you know, to give me  
7 adequate, you know, details of my case to see if there is any due process violations.  
8 I don't need --

9 THE COURT: Okay. Well, sir --

10 THE DEFENDANT: -- to get my attorney to look over --

11 THE COURT: Sir. Sir.

12 THE DEFENDANT: -- I would like to look over --

13 THE MARSHAL: When the Judge is talking be quiet.

14 THE COURT: Sir, you're still represented by counsel. So since you're  
15 represented by counsel, counsel is the one who requests transcripts and makes  
16 sure everything is available that they need to prepare for your trial. If you are  
17 convicted, post-trial, then other transcripts can be made available to you.

18 So, Mr. Cano, if there's anything else you need -- I don't believe there  
19 is -- just let Ms. Olsen know, and she'll make sure to get that done.

20 MR. CANO: I will, Your Honor.

21 THE COURT: Thank you. Tuesday at 10:30.

22 MR. CANO: Thank you.

23 THE DEFENDANT: Counsel and I aren't even, you know, they're not --

24 THE COURT: Mr. Jones, there's nothing --

25 THE DEFENDANT: -- we're not seeing eye to eye.

1 THE COURT: Mr. Jones, we've already gone over this. There's nothing else  
2 to discuss at this point in time. I've already clearly explained to you what your  
3 options are, and you're going forward with counsel, Mr. Cano, hopefully Mr. Pike.  
4 Their boss, Mr. Schieck is here this morning, and while you're represented by  
5 counsel, you know, they're the ones that make the decisions and --

6 THE DEFENDANT: I tried to dismiss counsel.

7 THE COURT: -- like that.

8 Mr. Jones, there's nothing else for us to discuss. I'm not going to order  
9 the court recorder to prepare a bunch of transcripts that have no relevance  
10 whatsoever to the matter to be presented to the jury and what the lawyers need to  
11 go forward with the trial. What you and I discuss at these various status checks and  
12 whatnot has nothing to do with what's going to be presented to the jury. So that's it.

13 We'll see you back here Tuesday at 10:30.

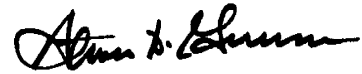
14 MS. CHRISTENSEN: Thank you, Your Honor.

15 -oOo-

16 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video  
17 proceedings in the above-entitled case.

18   
19 JANIE L. OLSEN  
Recorder/Transcriber





CLERK OF THE COURT

ETRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA,

Plaintiff,

vs.

JASON JONES,

Defendants.

CASE NO. C285488-1  
DEPT NO. XXI

**TRANSCRIPT OF  
PROCEEDING**

BEFORE THE HONORABLE VALERIE P. ADAIR, DISTRICT COURT JUDGE

**JURY TRIAL - DAY 1**

TUESDAY, JANUARY 22, 2013

APPEARANCES:

For the State:

CHRISTOPHER P. PANDELIS, ESQ.  
Chief Deputy District Attorney  
NELL CHRISTENSEN, ESQ.  
Deputy District Attorney

For the Defendant:

CHARLES A. CANO, ESQ.  
Deputy Special Public Defender  
RANDALL H. PIKE, ESQ.  
Asst Special Public Defender

RECORDED BY JANIE OLSEN COURT RECORDER  
TRANSCRIBED BY: KARR Reporting, Inc.

1       **LAS VEGAS, NEVADA, TUESDAY, JANUARY 22, 2013, 11:12 A.M.**

2                   \* \* \* \* \*

3               (In the presence of the prospective jury panel.)

4               THE COURT: Court is now in session. This is time  
5 for Case No. C285488, Plaintiff State of Nevada vs. Jason  
6 Jones, defendant. Let the record reflect the presence of the  
7 State through the deputy district attorneys, Nell Christensen  
8 and Chris Pandelis, the presence of the defendant, Mr. Jones,  
9 along with his attorneys, Charles Cano and Randy Pike, the  
10 officers of the court, and the ladies and gentlemen of the  
11 prospective jury panel.

12              Good morning, ladies and gentlemen. You are in  
13 Department 21 at the Eighth Judicial District Court for the  
14 State of Nevada. My name is Valerie Adair, and I am the  
15 presiding judge. You have been summoned here today to serve  
16 as jurors in a criminal jury trial.

17              In a moment, counsel for the State will introduce  
18 themselves to you. They will tell you briefly the nature of  
19 the State's case, and they will give you the names of any  
20 witnesses which may be called. Please listen very carefully  
21 to the names of the witnesses as they are given to you.

22              Mr. Pandelis, Ms. Christensen.

23              MS. CHRISTENSEN: Thank you, Your Honor.

24              Ladies and gentlemen, my name is Nell Christensen,  
25 and my co-counsel, Christopher Pandelis. We're deputy

1 district attorneys here at Clark County DA's Office, and we're  
2 handling this case, State of Nevada vs. Jason Jones, the  
3 defendant in this case.

4 The charge is murder with use of a deadly weapon, a  
5 firearm, due to an incident that occurred on June 17, 2012, in  
6 which it's alleged that the defendant shot and killed Jaime  
7 Corona in his apartment at 1416 F Street here in Las Vegas.  
8 That apartment complex is a small complex of about 18  
9 one-bedroom units, and you may hear from some of the other  
10 occupants of that apartment complex in this trial.

11 Their names of some of the people that you might hear  
12 from testifying from this witness stand in the trial are:  
13 Jimmie Brown, Jovonne Butler, Loretta Coleman, William  
14 Coleman, Vincent Herrera, Kazandra Olivas, Robert Sowl  
15 [phonetic], Gabriel Adame [phonetic], and Denise Williams.

16 Excuse me. I'm a little bit sick.

17 There are also some, as you can probably tell,  
18 several police personnel that responded and investigated a  
19 crime like this, and you may hear from some of those people.  
20 I'm going to read a list of names of people that are employed  
21 at Metro, Las Vegas Metropolitan Police Department, who you  
22 may hear from in this case.

23 Damon Barringer [phonetic]; Richard Belyeu; Dolph  
24 Boucher; Deborah Brotherson; Tracy Brownlee [phonetic];  
25 Matthew Gillis [phonetic]; Noreen Grialis [phonetic]; Richard

1 Hart, he goes by Tony Hart; Travis Ivie; Brian Jackson; Kirk  
2 Jordan [phonetic]; Brian Kowalski [phonetic]; James Krylo;  
3 Jason Lafreniere [phonetic];

4 Ebony McGhee; Eduardo Herrino [phonetic]; Tate  
5 Sanborn; Pete Shellberg [phonetic]; James Saint [phonetic];  
6 Jeffrey Smith; Steve Tafoya; Kristina Thomas; Brian Walter  
7 [phonetic]; and Amanda Wright. Because there was a death in  
8 this case, a doctor, a coroner medical examiner is also  
9 involved, and that person's name is Dr. Timothy Dutra. Thank  
10 you.

11 THE COURT: All right. Thank you, Ms. Christensen.

12 Ladies and gentlemen, in a moment counsel for the  
13 defense will introduce themselves to you, along with their  
14 client. An accused in a criminal case is never required to  
15 present any evidence or to call any witnesses, however if  
16 there are some witnesses which may be called, they will give  
17 you those names at this time.

18 Mr. Pike, Mr. Cano.

19 MR. CANO: Good morning. My name is Charles Cano,  
20 and myself along with my co-counsel, Randall Pike, will be  
21 defending Shawn [phonetic] Jones. He's pled not guilty to the  
22 charges alleged by the State this morning.

23 Some potential witnesses that we may be calling are  
24 Annaleva Stewart [phonetic], Brittany Henry [phonetic], Tammy  
25 Wells [phonetic], Clifton Stewart [phonetic], Fahim Faquir

1 [phonetic], Dola Faquir [phonetic], and Joseph Perez. Thank  
2 you.

3 THE COURT: Thank you, Mr. Cano.

4 Ladies and gentlemen, in a moment the clerk will call  
5 the roll of the panel of prospective jurors. When your name  
6 is called, please answer present or here. Please be aware  
7 that everything that is said during these proceedings is  
8 recorded.

9 The lady here at the end in the orange sweater is  
10 Ms. Janie Olsen. She is our official court recorder. It is  
11 Ms. Olsen's job to make sure that everything that is said is  
12 recorded and that an accurate transcript is prepared  
13 thereafter. I tell you this because when you are speaking,  
14 please be aware that you are being recorded, and please make  
15 sure that you speak up loudly enough so that we can make sure  
16 that everything you said is taken down.

17 You'll see some black boxes on the bannisters  
18 throughout the courtroom. Those are the microphones.  
19 Obviously if you're seated close to them there shouldn't be a  
20 problem, but if you're seated in one of the back rows, please  
21 be aware of the locations of the microphone so that you can  
22 make sure that you project.

23 The clerk will now call the roll.

24 (Clerk calls roll - all present.)

25 THE COURT: Is there anyone whose name was not

1 called?

2 All right. Ladies and gentlemen, the questioning of  
3 the jury at the beginning of the case is done under oath. If  
4 all of the members of the prospective jury panel will please  
5 rise so that the clerk can administer the oath to you.

6 (Prospective jurors sworn.)

7 THE COURT: Thank you, ladies and gentlemen. Please  
8 be seated.

9 MR. PIKE: Your Honor, before we begin questioning,  
10 may we approach the bench.

11 THE COURT: You may.

12 (Off-record bench conference.)

13 THE COURT: Ladies and gentlemen, we are about to  
14 commence examination of prospective jurors in this case.  
15 During this process you will be asked questions bearing on  
16 your ability to sit as fair and impartial jurors.

17 The Court, the lawyers, the defendant, and everyone  
18 involved in this case are all deeply interested in having this  
19 matter tried by a jury composed of 14 open minded people who  
20 are completely neutral, and who have no bias or prejudice  
21 toward or against either side. In order for us to accomplish  
22 this, it is necessary for me to ask you some questions. The  
23 attorneys will also be given the opportunity to ask you some  
24 questions.

25 Please understand that it is not our desire to pry

1 unnecessarily into your personal lives. Although the  
2 questioning can at times become quite personal, our only  
3 objective is to ascertain whether there is any reason why any  
4 of you cannot sit as completely fair and impartial jurors.

5 It is important that you understand the significance  
6 of full, complete and honest answers to all of the questions  
7 we are about to ask you. I caution you not to try to hide or  
8 withhold anything touching upon your qualifications to serve  
9 as a juror in this matter.

10 I am going to conduct a general examination of all of  
11 you. That's the ladies and gentlemen seated in the jury box,  
12 as well as those of you seated in the audience. Following  
13 that, I'll be conducting a more detailed examination of the  
14 ladies and gentlemen in the box.

15 If you wish to respond to any of the questions I'm  
16 about to ask that are directed at everyone, please raise your  
17 hand. When I call on you, if you're seated in the audience,  
18 please stand. Everyone needs to state their name and their  
19 badge number for the record.

20 All right. Is there anyone who believes they may be  
21 acquainted with either of the deputy district attorneys,  
22 either with Mr. Pandelis or with Ms. Christensen? Does anyone  
23 believe they may know either of the deputy district attorneys?  
24 All right. No one.

25 Does anyone believe they may be acquainted or know of

1 the defendant in this matter, Mr. Jason Jones? No one.

2 Does anyone believe they may know or know of  
3 Mr. Jones's attorneys, either Mr. Randall Pike or Mr. Charles  
4 Cano?

5 Does anyone believe they may know or be acquainted  
6 with any of the witnesses who may be called in this matter?  
7 Any of the witnesses whose names were read either by  
8 Ms. Christensen or by Mr. Cano as potential witnesses who may  
9 be called to testify in this case, does anyone think they may  
10 know or know of any of those people? All right.

11 Does anyone believe they may have read, seen or heard  
12 anything about this case prior to coming into the courtroom  
13 this morning?

14 PROSPECTIVE JUROR NO. 200: I think I've heard about  
15 it in the news.

16 THE COURT: And that, for the record, is Badge  
17 No. 200, Mr. Weathers.

18 PROSPECTIVE JUROR NO. 200: Yes.

19 THE COURT: And don't tell me what you think you may  
20 have read, seen or heard, but where do you think you may  
21 have --

22 PROSPECTIVE JUROR NO. 200: On the news. On the  
23 nightly news.

24 THE COURT: On the night -- the TV news. And is  
25 there a particular channel you watch?



1 PROSPECTIVE JUROR NO. 200: Channel 8.

2 THE COURT: And when do you think you may have seen  
3 something about this case?

4 PROSPECTIVE JUROR NO. 200: I couldn't give you the  
5 exact date, Your Honor, but I heard the name Jaime Garcia.

6 THE COURT: Okay. That, and you said --

7 PROSPECTIVE JUROR NO. 200: And a shooting involved.

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

9 Does anyone else think they may have read, seen or  
10 heard anything about the case? Yes.

11 PROSPECTIVE JUROR NO. 202: I also watch Channel 8,  
12 and I've heard of the name.

13 THE COURT: And that's Badge No. 202, Ms. Allen.

14 PROSPECTIVE JUROR NO. 202: Yes.

15 THE COURT: And what name? What name do you  
16 recognize?

17 PROSPECTIVE JUROR NO. 202: The Garcia boy.

18 THE COURT: Jaime Garcia?

19 PROSPECTIVE JUROR NO. 202: Jaime Garcia.

20 THE COURT: All right. And I think I saw a couple of  
21 hands in the audience. The gentleman in the second row in the  
22 black jacket, sir, your name and badge number, please.

23 PROSPECTIVE JUROR NO. 351: George Benitez. Badge  
24 number is 14-0351.

25 THE COURT: And you are?

1 PROSPECTIVE JUROR NO. 351: George Benitez.

2 THE COURT: All right. And where, what?

3 PROSPECTIVE JUROR NO. 351: Channel 13.

4 THE COURT: All right. And when do you believe you  
5 saw something on the Channel 13 news?

6 PROSPECTIVE JUROR NO. 351: It was around the month  
7 of June. I remember that name also.

8 THE COURT: And I'm sorry. Which name do you  
9 remember?

10 PROSPECTIVE JUROR NO. 351: Jaime Garcia, and the  
11 shooting.

12 THE COURT: The Jaime Garcia name. Okay. Thank you,  
13 sir.

14 And yes, the gentleman in the back.

15 PROSPECTIVE JUROR NO. 373: David Antonovich,  
16 14-0373. Channel 8, the day it happened, or the day after it  
17 happened.

18 THE COURT: Okay. And what is it that you recognize  
19 that you --

20 PROSPECTIVE JUROR NO. 373: What happened, the  
21 shooting, the death of Garcia.

22 THE COURT: Okay. All right. Thank you, sir. Have  
23 a seat.

24 Anyone else?

25 All right. This case is expected, including today,

1 to last four or five days. We should be finishing up Monday  
2 of next week. I understand that that's an inconvenience for  
3 people. Many people of course missing work, they won't be  
4 making their full wages. Obviously we live in a community  
5 where many, many people work in the service industry, the  
6 casino industry, the construction industry, and don't get paid  
7 or don't make their tip income, don't make their full wages if  
8 they're missing work.

9           Unfortunately, I cannot excuse people simply because  
10 they're going to be missing work or maybe having some kind of  
11 hardship in serving as a juror. Having said that, is there  
12 anyone for whom serving through the end of this week, meaning  
13 Friday and possibly Monday of next week, is there anyone for  
14 whom that would constitute an extreme or an undue hardship?

15           All right. We'll begin with the gentleman in  
16 Chair 2, Mr. Weathers. What is your hardship?

17           PROSPECTIVE JUROR NO. 200: I'm the only income that  
18 comes into my family, and if I miss a whole week's work, that  
19 puts me on the brink of losing my home and my car.

20           THE COURT: Okay. Sir, what do you do for a living?

21           PROSPECTIVE JUROR NO. 200: I'm a roofer.

22           THE COURT: Do you have your own business, or do you  
23 work for someone?

24           PROSPECTIVE JUROR NO. 200: No, I work for somebody.  
25 They don't pay me for missing work though. They -- they

1 accommodate me coming to jury duty, but they don't  
2 accommodate -- they don't pay my wage.

3 THE COURT: Right. They have to accommodate you.  
4 Let me ask you this: Do you work new construction, or do you  
5 do roofing repairs, or what do you do?

6 PROSPECTIVE JUROR NO. 200: I do -- we do everything,  
7 leak repairs, roof repairs, new construction.

8 THE COURT: And when you say your family, what does  
9 your family consist of? I mean, are you --

10 PROSPECTIVE JUROR NO. 200: Just my wife and I.

11 THE COURT: Just the two of you?

12 PROSPECTIVE JUROR NO. 200: Yes.

13 THE COURT: And she doesn't work?

14 PROSPECTIVE JUROR NO. 200: No. She's -- she's  
15 medically unable to work.

16 THE COURT: Is she on formal disability, or just --

17 PROSPECTIVE JUROR NO. 200: No. She has never worked  
18 and she's disabled now, so she can't collect disability or  
19 nothing.

20 THE COURT: Okay. And then I don't mean to pry, but  
21 what's her disability?

22 PROSPECTIVE JUROR NO. 200: Her neck. And then  
23 she's -- she had neck surgery, and she's -- can't lift more  
24 than 5 pounds, and she's on several different types of  
25 medication to -- that she -- wouldn't allow her to work.

1 THE COURT: And I saw a couple of other hands. The  
2 lady in the front row, yes.

3 PROSPECTIVE JUROR NO. 309: Rebecca Martinez, and my  
4 number is the 14-0309. And maybe I should not have raised my  
5 hand, but it's a medical issue and I'm not sure if it falls in  
6 this category or not.

7 THE COURT: Okay. Well, that's okay, because  
8 everyone who raises their hand does not get excused,  
9 believe me.

10 PROSPECTIVE JUROR NO. 309: That's fine. Okay.

11 THE COURT: And what is your -- we see more and more  
12 hands going up as people hear what other people say, and  
13 people become encouraged by that. That doesn't mean that  
14 you'll be excused just because you raised your hand.

15 Because again, you know, I wish we had a roomful of  
16 people who are really excited to serve on juries, because  
17 people really do find it very rewarding once they do it.  
18 Unfortunately, it is a difficulty for many people and I  
19 understand that.

20 Yes, ma'am. Your medical issue?

21 PROSPECTIVE JUROR NO. 309: Yes. I've been trying to  
22 see my doctor for about three months. Finally got my result  
23 from my lab work. I have a high enzyme on my -- in my kidney.  
24 So my appointment is tomorrow at 10:10 with Dr. Singson, so.  
25 And then she's getting ready to retire in February

1 [inaudible]. I just got the note yesterday. I've been out  
2 of -- I've been in Texas for the past six days, so I just came  
3 in last night.

4 THE COURT: So you have a doctor's appointment  
5 tomorrow morning --

6 PROSPECTIVE JUROR NO. 309: Yes.

7 THE COURT: -- with Dr. Singson?

8 PROSPECTIVE JUROR NO. 309: At 10:10. But I would  
9 love to serve.

10 THE COURT: But it's not like a medical emergency,  
11 it's just something you've been waiting for?

12 PROSPECTIVE JUROR NO. 309: Yes. Yes, because like I  
13 said, I've been trying to get in. They finally got me in  
14 there and like I said, I've got the results and they say, you  
15 know, I'm -- that they're going to have to run some more tests  
16 on my kidneys. So, you know, that's the only thing that I  
17 have that's coming up, so.

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

19 And I saw another hand. The gentleman with the  
20 glasses in the first row.

21 PROSPECTIVE JUROR NO. 277: Yes, ma'am. Badge  
22 No. 14-0277.

23 THE COURT: Yes.

24 PROSPECTIVE JUROR NO. 277: My name is Rafael  
25 Reynoso.

1 THE COURT: Yes.

2 PROSPECTIVE JUROR NO. 277: My daughter has a mental  
3 disability and we take her to school, my wife and I, every  
4 morning, and we pick her up.

5 THE COURT: Can't your wife --

6 PROSPECTIVE JUROR NO. 277: My wife's an educator for  
7 Clark County.

8 THE COURT: Okay. Does your wife teach at the same  
9 school your daughter attends?

10 PROSPECTIVE JUROR NO. 277: She does not.

11 THE COURT: Okay. Can't your wife drive her to  
12 school and then pick her up from school?

13 PROSPECTIVE JUROR NO. 277: No, ma'am, because she  
14 goes -- she has to be dropped off in front, and my wife's a  
15 school counselor and she has to be at school by 7:30 in the  
16 morning.

17 THE COURT: Okay. So you normally drive your  
18 daughter to school?

19 PROSPECTIVE JUROR NO. 277: Yes, ma'am.

20 THE COURT: How old is your daughter?

21 PROSPECTIVE JUROR NO. 277: She's seven.

22 THE COURT: Okay. And does she go to a regular  
23 school or --

24 PROSPECTIVE JUROR NO. 277: She does.

25 THE COURT: Regular. And then, sir, do you work

1 outside of the home?

2 PROSPECTIVE JUROR NO. 277: I do.

3 THE COURT: What do you do?

4 PROSPECTIVE JUROR NO. 277: I work for Landry's  
5 restaurants.

6 THE COURT: Okay. Are you a waiter?

7 PROSPECTIVE JUROR NO. 277: No, ma'am.

8 THE COURT: What are you, a cook, what?

9 PROSPECTIVE JUROR NO. 277: Assistant general  
10 manager.

11 THE COURT: Okay. And then what shift do you work?

12 PROSPECTIVE JUROR NO. 277: 9:00 to 7:00.

13 THE COURT: 7:00 at night?

14 PROSPECTIVE JUROR NO. 277: Yes, ma'am.

15 THE COURT: So who picks your daughter up?

16 PROSPECTIVE JUROR NO. 277: My wife.

17 THE COURT: Okay. So it's just somebody to drop your  
18 daughter off in the morning?

19 PROSPECTIVE JUROR NO. 277: Yes, ma'am.

20 THE COURT: Okay. And what time does she get to  
21 school?

22 PROSPECTIVE JUROR NO. 277: My wife?

23 THE COURT: No, no. Your daughter.

24 PROSPECTIVE JUROR NO. 277: I drop her off about  
25 8:40, 8:30.



1 THE COURT: Okay. So as long as we start after 9:00,  
2 you shouldn't have a problem getting here, correct?

3 PROSPECTIVE JUROR NO. 277: Should not.

4 THE COURT: Okay. Because we have calendars -- have  
5 a seat, sir. We have calendars normally in the morning on  
6 unrelated matters. So unfortunately, we can't start at 8:30  
7 because we're hearing other things. So that shouldn't be a  
8 problem.

9 Yes. Lady in the red, it looks like, blouse.

10 PROSPECTIVE JUROR NO. 404: My name is Trinity  
11 Chavez, and my badge number is 14-0 -- okay. My badge number  
12 is 14-0404.

13 THE COURT: Yes.

14 PROSPECTIVE JUROR NO. 404: I'm a full-time student  
15 at UNLV, and I'm double-majoring in communication studies and  
16 broadcast journalism. So every day I have to film something,  
17 edit something, produce something, and so if I miss one day of  
18 school I can't make it up. And it is my senior year. I  
19 graduate this semester, so if I -- if that has a negative  
20 effect on my grades, it could affect me graduating.

21 THE COURT: They do have to let you make up the work  
22 if you're serving as a juror. They can't penalize you. And  
23 then what is your, you know, classes or --

24 PROSPECTIVE JUROR NO. 404: I'm taking 15 credits  
25 right now and so, I mean, I go to school from 11:30 in the

1 morning to 10:00 o'clock at night.

2 THE COURT: Okay. Thank you. Have a seat.

3 And then did I see any other hands on that side?

4 Yes, the lady in the middle row in the black.

5 PROSPECTIVE JUROR NO. 344: [Unintelligible.]

6 THE COURT: What's your badge number?

7 PROSPECTIVE JUROR NO. 344: It's 14-0344.

8 THE COURT: And your name?

9 PROSPECTIVE JUROR NO. 344: Maria Rivera.

10 THE COURT: All right. And what's your hardship?

11 PROSPECTIVE JUROR NO. 344: I'm Christian and I  
12 believe that God is the only one who can judge people. And  
13 I'm not in the position to say yes or no, or say guilty or not  
14 guilty.

15 THE COURT: All right. Thank you.

16 PROSPECTIVE JUROR NO. 344: Thank you.

17 THE COURT: Have a seat.

18 And yes, the gentleman in the far back corner. Sir,  
19 just your name and badge number.

20 PROSPECTIVE JUROR NO. 355: My name is Saman  
21 Fathizader, Badge No. 14-0355.

22 THE COURT: Yes.

23 PROSPECTIVE JUROR NO. 355: And I'm a student at  
24 UNLV, and school just started today and I was looking at my  
25 course expectations and I can't really afford to miss

1 anything, because we already have tests like the first week,  
2 so.

3 THE COURT: What are you studying at UNLV? You're a  
4 fresh --

5 PROSPECTIVE JUROR NO. 355: Business management.

6 THE COURT: Okay. And you're a freshman?

7 PROSPECTIVE JUROR NO. 355: This is -- yeah, a  
8 freshman.

9 THE COURT: Okay. And they give you periodic tests  
10 and you're afraid you're going to miss a test?

11 PROSPECTIVE JUROR NO. 355: No. I already looked at  
12 my course expectations and I already have tests the first  
13 week.

14 THE COURT: You haven't learned anything. What are  
15 they testing you on?

16 PROSPECTIVE JUROR NO. 355: No. It's a continuation  
17 class though.

18 THE COURT: Oh, okay. Well, they do have to let you  
19 make up the material if you are serving as a juror. And just  
20 so you know, we've done this before, if we need to call the  
21 dean or send a letter or something like that to your school,  
22 we're happy to do that.

23 PROSPECTIVE JUROR NO. 355: Okay.

24 THE COURT: Thank you, sir.

25 Any other people on that side? And then I saw a

1 couple of hands on this side. The lady in white in the front  
2 row.

3 PROSPECTIVE JUROR NO. 428: My name's Nicole Hansen,  
4 Badge No. 14-0428.

5 THE COURT: Yes.

6 PROSPECTIVE JUROR NO. 428: If it goes on to Monday  
7 it might be an issue, because my husband works nights. He  
8 doesn't get off until 4:30 in the morning. And we have a  
9 daughter who's four years old, so I watch her while he sleeps.

10 THE COURT: Okay. And then why is Monday an issue  
11 and not --

12 PROSPECTIVE JUROR NO. 428: Because he works Sunday  
13 night.

14 THE COURT: Okay. And then --

15 PROSPECTIVE JUROR NO. 428: So he'll be coming home  
16 at 4:30 in the morning Monday morning.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 428: I also have school, but  
19 if you can -- if I can make --

20 THE COURT: Where are you in school?

21 PROSPECTIVE JUROR NO. 428: I'm at CSN.

22 THE COURT: And so normally you would watch your  
23 daughter during the day on Monday?

24 PROSPECTIVE JUROR NO. 428: While my husband sleeps,  
25 correct.

1 THE COURT: Okay. And your daughter is how old?

2 PROSPECTIVE JUROR NO. 428: Four.

3 THE COURT: And then this week who's watching your  
4 daughter?

5 PROSPECTIVE JUROR NO. 428: Right now my mother is.  
6 She lives in Utah and she came down. She's about three hours  
7 away, so she came down [inaudible].

8 THE COURT: Okay. All right. And she can stay  
9 through the week?

10 PROSPECTIVE JUROR NO. 428: She can stay through this  
11 week, correct.

12 THE COURT: What about next week?

13 PROSPECTIVE JUROR NO. 428: She cannot. She leaves  
14 for a trip on Sunday night, so.

15 THE COURT: And what does your husband do?

16 PROSPECTIVE JUROR NO. 428: He works at Timex.

17 THE COURT: Okay. As?

18 PROSPECTIVE JUROR NO. 428: I don't know. He does  
19 something over there. It's metals, metallurgy, metallurgy,  
20 something like that. I don't know the word.

21 THE COURT: At that factory in Henderson?

22 PROSPECTIVE JUROR NO. 428: Yes, in Henderson.

23 THE COURT: And then do you work outside of the home?

24 PROSPECTIVE JUROR NO. 428: No, I don't.

25 THE COURT: Okay. All right. Thank you. Have a

1 seat.

2 And yes, the lady in the black.

3 PROSPECTIVE JUROR NO. 422: Dana Lee, Badge  
4 No. 14-0422.

5 THE COURT: Yes.

6 PROSPECTIVE JUROR NO. 422: And my husband is leaving  
7 for a business trip to New York City. He won't be returning  
8 until Sunday. I am obviously concerned about my kids. We  
9 don't have any family in town to help out. They go to  
10 school 20 minutes away, and not only that, they engage in  
11 very -- a very rigorous activity of after school. So there's  
12 a lot of scheduling and coordination that I really don't have  
13 the support to --

14 THE COURT: Okay. How old are your -- how many  
15 children do you have?

16 PROSPECTIVE JUROR NO. 422: Two.

17 THE COURT: And the ages?

18 PROSPECTIVE JUROR NO. 422: Seventh and sixth grade.  
19 They're in middle school.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 422: At a private school.

22 THE COURT: Okay. And where do they go to school?

23 PROSPECTIVE JUROR NO. 422: [Inaudible.]

24 THE COURT: And then your husband does what?

25 PROSPECTIVE JUROR NO. 422: He is in gaming. He's a

1 [inaudible].

2 THE COURT: Okay. And then do you work outside of  
3 the home at all?

4 PROSPECTIVE JUROR NO. 422: I'm a community activist,  
5 so I do serve on a member of a non-profit boards, and we...

6 THE COURT: Is that paid, or is it more of a  
7 volunteer type of --

8 PROSPECTIVE JUROR NO. 422: No. It's all volunteer.  
9 It's all volunteer.

10 THE COURT: Okay. Thank you. Have a seat.

11 And, yes, ma'am.

12 PROSPECTIVE JUROR NO. 407: My name is Laurie Lee,  
13 Badge No. 14-0407. I have my own business and I'm the only  
14 employee. And it just happens to be -- I do taxes, and this  
15 is a really rough time for me. I have a lot of meetings  
16 scheduled this week and next week.

17 THE COURT: And you're not -- I have to ask this.  
18 You and Dana Lee, who happens to be right next to you, no  
19 relation?

20 PROSPECTIVE JUROR NO. 407: We aren't. Just a  
21 coincidence. I think.

22 THE COURT: Okay. And so you have your own business,  
23 you do tax work. Do you have any other employees, or is it  
24 just you? Just you? You have to answer out loud.

25 PROSPECTIVE JUROR NO. 407: Just only me.

1 THE COURT: Okay. And are you an accountant or...

2 PROSPECTIVE JUROR NO. 407: I'm a CPA.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 407: It's just a bad season.

5 THE COURT: Okay. Well, it's better than April,  
6 right? Okay. So basically you're busy until April 15; is  
7 that -- all right.

8 PROSPECTIVE JUROR NO. 407: Well, who knows this  
9 year. Right.

10 THE COURT: Okay. Have a seat.

11 PROSPECTIVE JUROR NO. 407: Thank you.

12 THE COURT: And yes, the gentleman in the second row.

13 PROSPECTIVE JUROR NO. 444: James Brown, Badge 444.

14 THE COURT: Yes.

15 PROSPECTIVE JUROR NO. 444: I've been out of work for  
16 going on a year now, and I have two job interviews Thursday  
17 and Friday. The interview on Thursday has been already  
18 postponed twice, so it's a reschedule.

19 THE COURT: What do you do for -- or what type of  
20 work are you looking for?

21 PROSPECTIVE JUROR NO. 444: I'm in construction. I'm  
22 a sales -- manufacturer sales rep.

23 THE COURT: What time is your interview on Thursday?

24 PROSPECTIVE JUROR NO. 444: It's 11:00 o'clock  
25 tomorrow afternoon.



1 THE COURT: And then you said you also have an  
2 interview on Friday, did you?

3 PROSPECTIVE JUROR NO. 444: Yes, I do.

4 THE COURT: And what time is your interview on  
5 Friday?

6 PROSPECTIVE JUROR NO. 444: I believe it's 9:00 a.m.  
7 It's a phone interview with an out-of-state company.

8 THE COURT: And the 11:00 a.m. interview, is that  
9 also a phone interview?

10 PROSPECTIVE JUROR NO. 444: That's also a phone  
11 interview with a company out of California.

12 THE COURT: All right. Sir, have a seat.

13 Yes, the lady in the front row, it looks like with  
14 the denim blouse, or blue blouse.

15 PROSPECTIVE JUROR NO. 425: I am Melisa Najarro. My  
16 badge number is 14-0425.

17 THE COURT: Yes.

18 PROSPECTIVE JUROR NO. 425: Well, I am the  
19 breadwinner. My husband is disabled and is not getting the  
20 disability right now. So I'm the only one that's paying any  
21 money right now, and if I stay in here I won't be able to --

22 THE COURT: What do you do for a living?

23 PROSPECTIVE JUROR NO. 425: I'm a transportation  
24 aide, Clark County School District.

25 THE COURT: A transportation agent, what does that

1 mean?

2 PROSPECTIVE JUROR NO. 425: Transportation aide.

3 THE COURT: Oh, a transportation aide. So are you  
4 like an aide on the bus?

5 PROSPECTIVE JUROR NO. 425: Yes.

6 THE COURT: Okay. You're not the bus driver, but you  
7 make sure the kids don't --

8 PROSPECTIVE JUROR NO. 425: The kids are safe.

9 THE COURT: -- don't attack the bus driver and that  
10 kind of thing?

11 PROSPECTIVE JUROR NO. 425: Yes.

12 THE COURT: Okay. And make sure they're not fighting  
13 with each other and picking on other kids and that sort of  
14 thing?

15 PROSPECTIVE JUROR NO. 425: Mm-hmm. And we have  
16 the -- what do you call this, medically challenged kids too,  
17 so I deal with that too.

18 THE COURT: Okay. And then do you -- you said your  
19 husband's disabled and doesn't work. Do you have any  
20 children?

21 PROSPECTIVE JUROR NO. 425: No, ma'am.

22 THE COURT: Now, are you a Clark County employee?

23 PROSPECTIVE JUROR NO. 425: Yes, ma'am.

24 THE COURT: The county -- doesn't the county pay you  
25 whether you're here for jury service or not? The county, I

1 mean, unless you're -- are you a part-time or full-time  
2 employee?

3 PROSPECTIVE JUROR NO. 425: I'm full-time.

4 THE COURT: Okay. They should pay you. In fact,  
5 your jury service fee will go to the county and then you  
6 should be getting your salary. Normally the county, the  
7 state, the government will pay your regular salaried wage.  
8 You have a salaried wage?

9 PROSPECTIVE JUROR NO. 425: Yes, ma'am.

10 THE COURT: Okay. Have a seat.

11 Yes, the lady in the white.

12 PROSPECTIVE JUROR NO. 456: My name is Sarah  
13 Belmonte. My badge number is 14-0456. I have two children at  
14 home. They're staying with their grandmother right now. But  
15 the one's two months and the other's just about three years  
16 old, and I don't work right now.

17 THE COURT: Okay. And that's your mother that's  
18 watching them today?

19 PROSPECTIVE JUROR NO. 456: Mother-in-law.

20 THE COURT: Your mother-in-law. Okay. And so you  
21 don't work outside of the home?

22 PROSPECTIVE JUROR NO. 456: No.

23 THE COURT: And then assuming you're married?

24 PROSPECTIVE JUROR NO. 456: Yes.

25 THE COURT: What does your husband do?

1 PROSPECTIVE JUROR NO. 456: My husband works for  
2 Clark County as a computer programmer.

3 THE COURT: Okay. And then your mother-in-law's able  
4 to watch them today. What about --

5 PROSPECTIVE JUROR NO. 456: She probably could, but  
6 it is hard for her to watch both of them, since we have a very  
7 active three-year-old and the other one is only two months  
8 old.

9 THE COURT: I don't mean to pry, but how old is the  
10 mother-in-law?

11 PROSPECTIVE JUROR NO. 456: I don't know. I never  
12 asked.

13 THE COURT: Like 50's, 60's?

14 PROSPECTIVE JUROR NO. 456: Yeah. I would say 60's  
15 or 70's, yes.

16 THE COURT: Okay. So all right. Have a seat. Yes,  
17 the gentleman next to you there in the glasses.

18 PROSPECTIVE JUROR NO. 461: My name is David  
19 Schueler. My badge number is 14-0461.

20 THE COURT: Yes.

21 PROSPECTIVE JUROR NO. 461: This is just a potential  
22 medical issue. I'm not sure. On January 12th I went to  
23 the -- I was taken to the hospital by an ambulance. I have an  
24 undiagnosed but probable chronic atrial fibrillation.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 461: And I haven't got the  
2 word back from the doc yet. We did a bunch of testing last  
3 week. It's just a potential.

4 THE COURT: Okay. So you don't have an appointment,  
5 but you could be getting a phone call telling you to come in?

6 PROSPECTIVE JUROR NO. 461: Correct.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 461: You know, and I'm not  
9 worried about the appointment. I'm just worried about my  
10 heart not -- chronic A-fib is a potential for stroke. That's  
11 what I was worried about.

12 THE COURT: Right.

13 PROSPECTIVE JUROR NO. 461: But we -- it's just a  
14 potential.

15 THE COURT: They don't have you on any kind of  
16 special bedrest or...

17 PROSPECTIVE JUROR NO. 461: No, not for the A-fib.  
18 That's what they're thinking about putting me on. They don't  
19 have it on me now. I do have medication for it, high blood  
20 pressure, hypertension, so. Okay. Just wanted to let you  
21 know.

22 THE COURT: All right. Thank you, sir.  
23 Yes, in the back row.

24 PROSPECTIVE JUROR NO. 480: My name is So Day-Blum.  
25 My badge number, 14-0480. And I got a doctor appointment for

1 tomorrow 1:00 o'clock. And I've been trying to see this  
2 doctor for two months, so finally I got the appointment.

3 THE COURT: Okay. And again, I don't mean to pry,  
4 but what kind of a doctor is it?

5 PROSPECTIVE JUROR NO. 480: I don't know.

6 THE COURT: Like women's doctor or...

7 PROSPECTIVE JUROR NO. 480: Yes, yes.

8 THE COURT: All right. Thank you. Have a seat.

9 Anyone else? Yes, the gentleman in Chair 5.

10 PROSPECTIVE JUROR NO. 208: Yeah, my name is Yancey  
11 Zercher, Badge No. 14-0208.

12 THE COURT: Yes.

13 PROSPECTIVE JUROR NO. 208: I just want to let the  
14 Court know that I'm currently awaiting sentencing for a  
15 criminal matter of my own.

16 THE COURT: Okay. So was that a trial, or you  
17 pled -- and you can sit down, sir, because the microphone's  
18 right in front of you. So was that a trial, or you pled  
19 guilty or what?

20 PROSPECTIVE JUROR NO. 208: Pled.

21 THE COURT: And what's the charge?

22 PROSPECTIVE JUROR NO. 208: Open and gross lewdness.

23 THE COURT: Okay. A gross misdemeanor?

24 PROSPECTIVE JUROR NO. 208: Yes, ma'am.

25 THE COURT: All right. What's your sentencing date?

1 PROSPECTIVE JUROR NO. 208: February 12.

2 THE COURT: All right. And where is that?

3 PROSPECTIVE JUROR NO. 208: Here.

4 THE COURT: I mean in what department, do you know?

5 PROSPECTIVE JUROR NO. 208: I don't know.

6 THE COURT: You don't remember. And do you have any  
7 felony convictions?

8 PROSPECTIVE JUROR NO. 208: No, ma'am.

9 THE COURT: All right. Thank you for letting us know  
10 that.

11 And there was finally a hand there. Yes, ma'am.

12 PROSPECTIVE JUROR NO. 265: My name is Laura Green,  
13 and my number is 14-0265.

14 THE COURT: Yes.

15 PROSPECTIVE JUROR NO. 265: I have a note from my  
16 doctor for a medical condition, that it's difficult for me to  
17 sit for any lengthy period of time. I have degenerative spine  
18 disease and herniated discs and several other spine problems.  
19 However, I want to serve.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 265: So if we have enough  
22 breaks that I can get up, it --

23 THE COURT: What we do with people who have back  
24 problems and other issues where they can't sit for long  
25 periods of time is we can sit you in the back row of the jury

1 box. That way if you need to stand up during the testimony or  
2 something like that, you can just stand and it won't be  
3 disruptive to the other jurors. Would that work for you?

4 PROSPECTIVE JUROR NO. 265: Yes, it would.

5 THE COURT: And then if you need a break or anything  
6 like that, then, you know, we can take a break.

7 PROSPECTIVE JUROR NO. 265: Yeah. That would do it.

8 THE COURT: Okay. Thank you. And if you are  
9 selected, just make sure you let the bailiff know to remind us  
10 to seat you in the back row in case that's not where you  
11 wind up.

12 Okay. Anyone else? Yes.

13 PROSPECTIVE JUROR NO. 333: I have a question. I  
14 don't -- I don't want to do --

15 THE COURT: Ma'am, we need to have your name and  
16 badge.

17 PROSPECTIVE JUROR NO. 333: Mary Jeffers, and it's  
18 14-0333.

19 THE COURT: Yes.

20 PROSPECTIVE JUROR NO. 333: Is it okay if I know one  
21 of the people that are in here?

22 THE COURT: One of the other prospective jurors?

23 PROSPECTIVE JUROR NO. 333: Yes, yes.

24 THE COURT: Well, tell us who you know.

25 PROSPECTIVE JUROR NO. 333: Well, I used to work with



1 his sister for 12 years --

2 THE COURT: And that would be for the record juror  
3 number?

4 PROSPECTIVE JUROR NO. 351: One, four, oh --

5 PROSPECTIVE JUROR NO. 333: I just -- I thought it  
6 was him, but --

7 PROSPECTIVE JUROR NO. 351: It's me.

8 PROSPECTIVE JUROR NO. 333: I worked with his sister  
9 for about 12 years at the Bellagio.

10 PROSPECTIVE JUROR NO. 351: 14-0351.

11 THE COURT: Okay. So you worked with his sister.

12 PROSPECTIVE JUROR NO. 333: Yeah.

13 THE COURT: And through working with his sister you  
14 met him?

15 PROSPECTIVE JUROR NO. 333: Yeah. Yes.

16 THE COURT: And were you and the sister friends?

17 PROSPECTIVE JUROR NO. 333: Yes.

18 THE COURT: Okay. What about the two of you?

19 PROSPECTIVE JUROR NO. 333: Well, I mean, I met  
20 him --

21 PROSPECTIVE JUROR NO. 351: We've known each for a  
22 while.

23 PROSPECTIVE JUROR NO. 333: Well, yeah. No, not like  
24 that.

25 THE COURT: I didn't mean anything inappropriate.

1 PROSPECTIVE JUROR NO. 333: I just wanted -- I didn't  
2 know if that was --

3 THE COURT: And that's a good -- we do need to know  
4 that, so thank you for bringing that to my attention.

5 Does anyone else think they may know any of the other  
6 prospective jurors? All right. Is there anyone who is --  
7 yes, ma'am.

8 PROSPECTIVE JUROR NO. 478: My name is Tiffany  
9 Hadley, and I'm Badge No. 14-0478.

10 THE COURT: Yes.

11 PROSPECTIVE JUROR NO. 478: I don't believe this will  
12 be a problem, but just for the record, my school started today  
13 as well. I'm a trauma nurse for CN.

14 THE COURT: Okay. And you said you're at CSN?

15 PROSPECTIVE JUROR NO. 478: Yes.

16 THE COURT: And you're already a trauma nurse, or  
17 you're studying --

18 PROSPECTIVE JUROR NO. 478: No. I'm training for a  
19 trauma nurse. After this course, they are all online, so it  
20 shouldn't be a problem. But in case I do need makeup work, I  
21 would need a note for that.

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

23 And is there anyone who has previously been convicted  
24 of a felony crime, any of the prospective jurors that have  
25 previously been convicted of a felony crime? All right. No

1 one.

2 Is there anyone in the prospective jury panel who is  
3 not a United States citizen? Anyone who is not a United  
4 States citizen? All right. No one.

5 Ladies and gentlemen, in a moment I'm going to be  
6 conferring with the attorneys in the hallway. From time to  
7 time I may confer with the lawyers either up here at the bench  
8 or in the hallway. When I do, I know that these chairs are  
9 very uncomfortable. If you need to stand up or stretch in  
10 place or anything like that, feel free to do so.

11 I'll see the lawyers in the back. If the lawyers  
12 would exit through the back, that back door.

13 (Pause in proceeding.)

14 THE COURT: Ladies and gentlemen, in a moment we're  
15 going to take a brief recess. Obviously you haven't heard any  
16 evidence in this case, but you have heard discussion as to  
17 what the case is about.

18 During the brief recess, you're not to discuss  
19 anything relating to the case with each other or with anyone  
20 else. Anyone else would include members of your family and  
21 your friends. You may tell them that you are participating in  
22 jury selection for a criminal jury trial, but please do not  
23 discuss anything else relating to this matter.

24 Additionally, you are not to read, watch or listen to  
25 any reports of or commentaries on this case, any person or

1 subject matter relating to the case. You're not to do any  
2 independent research by way of the Internet or any other  
3 medium. You're not to Twitter or Facebook about anything  
4 relating to this case, and please don't form or express an  
5 opinion on the trial.

6 We'll go ahead and take a break until 12:15.  
7 Additionally, court personnel and the attorneys and everyone  
8 other than the uniformed officers are not permitted to  
9 converse with members of the jury. Should you see one of  
10 these people, please don't think that they're being unfriendly  
11 or antisocial. They are simply precluded by the rules of  
12 ethics from speaking directly with you. If you need to  
13 address the Court, meaning me, you would go through our  
14 marshal, Officer Hocks.

15 So if all of you would please rise. Remember where  
16 you're seated, because we'd like you to return to those seats,  
17 and follow the marshal through the double doors. We'll see  
18 you back here at 12:15.

19 (Prospective jurors recessed at 11:59 a.m.)

20 THE COURT: All right. You guys can take -- did we  
21 need to do anything else in terms of -- Officers, you can -- I  
22 guess he needed to use the restroom. Yeah, that's what we  
23 were told.

24 (Defendant escorted from the courtroom.)

25 THE COURT: Did we need to -- we went over everybody,

1 right?

2 MR. PIKE: That's correct, Your Honor. The only one  
3 that I think I need to check on is Juror No. 456, to make sure  
4 that her husband is not the IT technician with [inaudible].

5 THE COURT: All right. I'll ask her that, and if he  
6 is your IT tech, then we'll just excuse her.

7 And basically for the record, in the hallway we  
8 agreed that none of the jurors had excuses that warranted them  
9 being excused outright, but some of the jurors that maybe had  
10 some real hardships and other issues we agreed to move to the  
11 end, so that hopefully we wouldn't get to them; is that  
12 correct, Ms. Christensen?

13 MS. CHRISTENSEN: Yes, Your Honor.

14 THE COURT: Is that correct, Mr. Pike?

15 MR. PIKE: That is correct, Your Honor.

16 THE COURT: All right.

17 MR. PIKE: And we also had a bench conference wherein  
18 I indicated that I was going to make an objection as to the  
19 panel, there being just one identifiable African-American that  
20 was part of the panel. And you indicated that I could make  
21 that objection at this time and I would be timely.

22 THE COURT: All right. Well, I didn't happen to note  
23 how many African-Americans were part of the panel. There were  
24 several people of color, different racial and ethnic groups.  
25 I would note that of course you're not entitled to have a

1 certain panel so long as the group of jurors, prospective  
2 jurors that are summoned for all of the cases are a  
3 cross-section of the community.

4 So while this panel may not be that well-represented  
5 in terms of African-Americans or any other specific group,  
6 again, you're not entitled to have a specific panel, so.

7 MR. PIKE: I understand, Your Honor. And I  
8 understand that to be the law [inaudible].

9 THE COURT: And I understand you have to preserve  
10 your record and your objection and everything.

11 MR. PIKE: Thank you.

12 THE COURT: All right. If you guys need to take a  
13 break, take it, and then we'll go a little bit longer to  
14 lunch.

15 MS. CHRISTENSEN: Thank you. Hey, Your Honor, Chris  
16 just asked me and I was wondering too, the person that -- one  
17 of the people you said would go to the end, Carl Weathers, do  
18 you mean that we just not ask him questions and then later  
19 we'll --

20 THE COURT: No. I just mean I'll say, Mr. Weathers,  
21 you can get up and have a seat in the audience --

22 MR. PANDELIS: And then we'll seat the next one?

23 MS. CHRISTENSEN: We'll re-seat.

24 THE COURT: -- and then we'll just call the next in  
25 order. And --

1 MR. PANDELIS: Okay. So we'll put Laura Green then.

2 THE COURT: -- everybody was hilarious. They all  
3 raised their hands saying they knew Jaime Garcia the victim,  
4 who isn't the victim, and we think he's actually -- right,  
5 Jaime --

6 MR. PANDELIS: The newscaster.

7 MS. CHRISTENSEN: The newscaster.

8 THE COURT: He's the newscaster.

9 MR. PANDELIS: And furthermore, this was a case that  
10 if it got a brief mention like shooting on the west side, I'd  
11 be shocked.

12 THE COURT: I know. It definitely wasn't on the  
13 news. No, they just thought that they -- they're all going to  
14 be so disappointed that no one gets excused.

15 (Court recessed at 12:03 p.m. until 12:15 p.m.)

16 (In the presence of the prospective jurors.)

17 THE COURT: Court is now back in session. The record  
18 should reflect the presence of the State through the deputy  
19 district attorneys, the presence of the defendant and his  
20 counsel, the officers of the court, and the ladies and  
21 gentlemen of the prospective jury panel.

22 At this time, Mr. Weathers, I'm going to ask you to  
23 get up and have a seat in the audience, please, sir. And the  
24 clerk will call the next prospective juror.

25 THE CLERK: Laura Green, Badge No. 265.

1 THE MARSHAL: If you could just take her opening  
2 seat, sir, please.

3 PROSPECTIVE JUROR NO. 200: Yes.

4 THE MARSHAL: Thank you.

5 THE COURT: Ms. Green, come on down. And for right  
6 now for jury selection, we're going to have you sit in Chair  
7 No. 2. And if that gets uncomfortable for you, just let me  
8 know. And then as I said, if you are selected to serve, we'll  
9 put you in the back.

10 All right. It's now afternoon. Good afternoon,  
11 Mr. Buzzard. What do you do for a living, sir?

12 PROSPECTIVE JUROR NO. 198: I work for a slot machine  
13 manufacturer doing the software testing.

14 THE COURT: Okay. How long have you been doing that  
15 kind of work?

16 PROSPECTIVE JUROR NO. 198: I've been doing that  
17 since about '92.

18 THE COURT: All right. And are you married, sir?

19 PROSPECTIVE JUROR NO. 198: Engaged.

20 THE COURT: Do you have any children?

21 PROSPECTIVE JUROR NO. 198: No.

22 THE COURT: How long have you lived here in Clark  
23 County?

24 PROSPECTIVE JUROR NO. 198: Since '92.

25 THE COURT: And where did you move here from?



1 PROSPECTIVE JUROR NO. 198: New Mexico.

2 THE COURT: And Ms. Green, what do you do for a  
3 living?

4 PROSPECTIVE JUROR NO. 265: I'm a retired school  
5 teacher.

6 THE COURT: Did you teach here in Clark County?

7 PROSPECTIVE JUROR NO. 265: Yes.

8 THE COURT: Clark County public school?

9 PROSPECTIVE JUROR NO. 265: Yes.

10 THE COURT: And what grade level did you teach?

11 PROSPECTIVE JUROR NO. 265: I taught first grade  
12 mostly, primary.

13 THE COURT: Are you married?

14 PROSPECTIVE JUROR NO. 265: No, I'm not.

15 THE COURT: Any children?

16 PROSPECTIVE JUROR NO. 265: I care for my two  
17 grandchildren that are special needs.

18 THE COURT: Okay. And what's the special needs?  
19 What kind of disability or what have you --

20 PROSPECTIVE JUROR NO. 265: They have severe learning  
21 disabilities and ADHD.

22 THE COURT: How old are your grandchildren?

23 PROSPECTIVE JUROR NO. 265: Twelve and 18.

24 THE COURT: And then do you just have one child  
25 yourself, or more than that?

1 PROSPECTIVE JUROR NO. 265: I've had three children.

2 THE COURT: Three children. Okay.

3 And let's see. Ms. Allen, what do you do for a  
4 living, ma'am?

5 PROSPECTIVE JUROR NO. 202: I'm a retired physical  
6 education teacher for the school district.

7 THE COURT: Here in Clark County?

8 PROSPECTIVE JUROR NO. 202: Yes.

9 THE COURT: And what grade level did you teach?

10 PROSPECTIVE JUROR NO. 202: Kindergarten through  
11 fifth grade.

12 THE COURT: And are you married, ma'am?

13 PROSPECTIVE JUROR NO. 202: Yes, I am.

14 THE COURT: And what does your husband do?

15 PROSPECTIVE JUROR NO. 202: He's retired.

16 THE COURT: From what type of work?

17 PROSPECTIVE JUROR NO. 202: Construction.

18 THE COURT: Okay. And do you have any children?

19 PROSPECTIVE JUROR NO. 202: Yes. I have a daughter.

20 THE COURT: And grown?

21 PROSPECTIVE JUROR NO. 202: Yes.

22 THE COURT: Any grandchildren?

23 PROSPECTIVE JUROR NO. 202: Yes.

24 THE COURT: Okay. How many and --

25 PROSPECTIVE JUROR NO. 202: A male grandchildren --

1 child.

2 THE COURT: Now, you did mention that you thought  
3 you'd heard something on the news involving the victim, Jaime  
4 Garcia, that sounded familiar to you. The victim is not Jaime  
5 Garcia.

6 And for those of you that Jaime Garcia sounded  
7 familiar to, that's probably because Jaime Garcia is a pitcher  
8 with the St. Louis Cardinals. So some of us may have seen or  
9 heard him, his name in the news, and I know it sounded  
10 familiar. So that wouldn't have been this case.

11 Mr. Uriarte.

12 PROSPECTIVE JUROR NO. 204: Yes, ma'am.

13 THE COURT: What do you do for a living, sir?

14 PROSPECTIVE JUROR NO. 204: I fix -- I'm an autobody  
15 man.

16 THE COURT: Okay. You're a mechanic, or the  
17 autobody?

18 PROSPECTIVE JUROR NO. 204: No, autobody.

19 THE COURT: Autobody. And are you married, sir?

20 PROSPECTIVE JUROR NO. 204: Yes, ma'am.

21 THE COURT: What does your wife do?

22 PROSPECTIVE JUROR NO. 204: She work for Capital One  
23 credit card.

24 THE COURT: Okay. And what does she do for them?

25 PROSPECTIVE JUROR NO. 204: She's collector.

1 THE COURT: Okay. And then do you have any children?

2 PROSPECTIVE JUROR NO. 204: Yes, ma'am.

3 THE COURT: How many and the age range?

4 PROSPECTIVE JUROR NO. 204: I got one, and she's 13  
5 years old.

6 THE COURT: Where are you from originally?

7 PROSPECTIVE JUROR NO. 204: Argentina.

8 THE COURT: Okay. How long have you lived in the  
9 United States?

10 PROSPECTIVE JUROR NO. 204: Twenty-two years now.

11 THE COURT: Okay. And when you first came here from  
12 Argentina, did you come directly to Clark County, Southern  
13 Nevada, or did you live somewhere else?

14 PROSPECTIVE JUROR NO. 204: I came in '90 -- 1992.

15 THE COURT: And where did you come to in the United  
16 States?

17 PROSPECTIVE JUROR NO. 204: I came to California and  
18 then moved to Las Vegas two years later.

19 THE COURT: And then did you learn -- obviously you  
20 learned Spanish in Argentina. Did you learn English at all in  
21 Argentina, or did you have to learn English from --

22 PROSPECTIVE JUROR NO. 204: No. I learned English in  
23 the USA.

24 THE COURT: Okay. When you came here to the USA.  
25 Did you take a class, or did you kind of just pick it up

1 through --

2 PROSPECTIVE JUROR NO. 204: I took class and in my  
3 job, you know, pick it up working for too many years, so  
4 that's where I learned. I can't read very well, but I can  
5 talk and I can speak --

6 THE COURT: That's how I am with Spanish. It's easy  
7 to read because of the roots, but then to speak it is hard.

8 Let's see. Mr. Zercher, what do you do for a living,  
9 sir?

10 PROSPECTIVE JUROR NO. 208: Unemployed right now.

11 THE COURT: What type of work did you do or are you  
12 looking to do?

13 PROSPECTIVE JUROR NO. 208: I did work at a hotel  
14 casino here locally.

15 THE COURT: Doing what?

16 PROSPECTIVE JUROR NO. 208: Valet.

17 THE COURT: All right. And are you married, sir?

18 PROSPECTIVE JUROR NO. 208: Single.

19 THE COURT: Do you have any children?

20 PROSPECTIVE JUROR NO. 208: Nope.

21 THE COURT: Now, the charge that you mentioned  
22 earlier that you're set to be sentenced on, I'm assuming that  
23 would have been prosecuted by the Clark County District  
24 Attorney's Office, correct?

25 PROSPECTIVE JUROR NO. 208: I think so, yeah.

1 THE COURT: Did you negotiate the case, or did it go  
2 to trial or what happened?

3 PROSPECTIVE JUROR NO. 208: It was negotiated.

4 THE COURT: And obviously you had a lawyer. Did you  
5 hire a lawyer, or did you have a lawyer appointed for you?

6 PROSPECTIVE JUROR NO. 208: Hired.

7 THE COURT: You hired your own lawyer. Okay. How  
8 did you go about finding a lawyer?

9 PROSPECTIVE JUROR NO. 208: A card was given to me  
10 through a therapist.

11 THE COURT: Okay. And the police agency that handled  
12 your case, was that Las Vegas Metro, Henderson, North Las --

13 PROSPECTIVE JUROR NO. 208: Metro.

14 THE COURT: Metro. Okay. And you weren't prosecuted  
15 by either of these deputies, correct, Mr. --

16 PROSPECTIVE JUROR NO. 208: I honestly don't know.

17 THE COURT: And they don't look --

18 PROSPECTIVE JUROR NO. 208: I just saw back of the  
19 heads, so I don't...

20 THE COURT: So you were sitting in the audience and  
21 they stood up and talked to the judge?

22 PROSPECTIVE JUROR NO. 208: Yeah. I was just paying  
23 attention to my lawyers though.

24 THE COURT: Any feelings about how you were treated  
25 in the system by the police, the DAS, the -- your own

1 attorneys? Any opinions?

2 PROSPECTIVE JUROR NO. 208: Not really, no.

3 THE COURT: You feel like it was a fair treatment,  
4 not fair?

5 PROSPECTIVE JUROR NO. 208: It was fair.

6 THE COURT: And you said you're not married and you  
7 don't have any children, correct?

8 PROSPECTIVE JUROR NO. 208: Correct.

9 THE COURT: And Mr. Luttner, is it?

10 PROSPECTIVE JUROR NO. 211: It's Lootner [phonetic].

11 THE COURT: Luttner. I'm sorry. What do you do for  
12 a living, sir?

13 PROSPECTIVE JUROR NO. 211: Presently I'm a  
14 house-sitter, dog, cat sitter, you know, stay at places. I  
15 don't have any appointments this week, so it's kind of  
16 convenient.

17 THE COURT: Do you have your own business, or...

18 PROSPECTIVE JUROR NO. 211: No. It's word of mouth.  
19 I just got referred -- referrals but, you know, I don't  
20 advertise. So I just -- it's what I do now. I mean, I --

21 THE COURT: Okay. Just, you know, so you'd work for  
22 somebody and then they tell their friend or whatever --

23 PROSPECTIVE JUROR NO. 211: Yeah. Mm-hmm.

24 THE COURT: -- kind of thing?

25 Okay. Are you married, sir?

1 PROSPECTIVE JUROR NO. 211: No. I don't have kids.

2 THE COURT: All right. Thank you. How long have you  
3 lived here in Clark County?

4 PROSPECTIVE JUROR NO. 211: Over four years. Got  
5 here in '08.

6 THE COURT: Where'd you move here from?

7 PROSPECTIVE JUROR NO. 211: Greensburg, Pennsylvania.

8 THE COURT: What did you do in Pennsylvania?

9 PROSPECTIVE JUROR NO. 211: I worked at a bakery  
10 and -- for a few years, and photo shop, and delivery driver  
11 for about six years, and that was in Ohio. And I just kind of  
12 moved around a little.

13 THE COURT: Okay. Great.

14 Ms. Smith, what do you do for a living?

15 PROSPECTIVE JUROR NO. 217: I work at Starbucks.

16 THE COURT: At where?

17 PROSPECTIVE JUROR NO. 217: Starbucks.

18 THE COURT: Okay. And are you married?

19 PROSPECTIVE JUROR NO. 217: Yes.

20 THE COURT: What does your husband do?

21 PROSPECTIVE JUROR NO. 217: He works at The Mirage.  
22 He's an engineer.

23 THE COURT: And do you have any children?

24 PROSPECTIVE JUROR NO. 217: I have three boys.

25 THE COURT: And what are their ages?



1 PROSPECTIVE JUROR NO. 217: Ten, seven and five  
2 months.

3 THE COURT: Thank you.

4 Mr. Martinez, what do you do for a living, sir?

5 PROSPECTIVE JUROR NO. 220: I'm the logistics  
6 director at [unintelligible] for a wire harness company, and I  
7 just do the shipping, anything on the floor, quotes, manage  
8 other people.

9 THE COURT: How long have you been doing that?

10 PROSPECTIVE JUROR NO. 220: About three years.

11 THE COURT: All right. And what did you do before  
12 that?

13 PROSPECTIVE JUROR NO. 220: Same thing, just  
14 shipping, but somewhere else.

15 THE COURT: Different company?

16 PROSPECTIVE JUROR NO. 220: Yeah.

17 THE COURT: And are you married?

18 PROSPECTIVE JUROR NO. 220: No.

19 THE COURT: Any children?

20 PROSPECTIVE JUROR NO. 220: No.

21 THE COURT: How long have you lived here in Clark  
22 County?

23 PROSPECTIVE JUROR NO. 220: About six or seven years.

24 THE COURT: Where'd you move here from?

25 PROSPECTIVE JUROR NO. 220: California.

1 THE COURT: Where are you from originally,  
2 California?

3 PROSPECTIVE JUROR NO. 220: Yes, from Compton.

4 THE COURT: All right. And Ms. Bernhardt, what do  
5 you do for a living, ma'am?

6 PROSPECTIVE JUROR NO. 221: I work at Bishop Gorman  
7 High School. I'm an administrative assistant.

8 THE COURT: And are you married?

9 PROSPECTIVE JUROR NO. 221: Yes.

10 THE COURT: What does your husband do?

11 PROSPECTIVE JUROR NO. 221: He's an operations  
12 manager for commercial buildings in Summerlin.

13 THE COURT: And do you have any children?

14 PROSPECTIVE JUROR NO. 221: Yes, three.

15 THE COURT: How many?

16 PROSPECTIVE JUROR NO. 221: Three.

17 THE COURT: All still living at home?

18 PROSPECTIVE JUROR NO. 221: No. All graduate of a  
19 college, one in college.

20 THE COURT: And Mr. Langworthy, is it? What do you  
21 do for a living, sir?

22 PROSPECTIVE JUROR NO. 225: Work for MGM Grand.

23 THE COURT: As?

24 PROSPECTIVE JUROR NO. 225: Porter, attendant.

25 THE COURT: Are you married, sir?

1 PROSPECTIVE JUROR NO. 225: Yes, ma'am.

2 THE COURT: What does your wife do?

3 PROSPECTIVE JUROR NO. 225: She is retired.

4 THE COURT: From what type of work?

5 PROSPECTIVE JUROR NO. 225: The casino business.

6 THE COURT: Okay. What did she -- was she also a  
7 porter type job or...

8 PROSPECTIVE JUROR NO. 225: She worked in the  
9 cafeteria.

10 THE COURT: And then do you have any children?

11 PROSPECTIVE JUROR NO. 225: Two from her previous  
12 marriage, and we have two [inaudible].

13 THE COURT: Both grown, out of the house?

14 PROSPECTIVE JUROR NO. 225: Yeah.

15 THE COURT: And Ms. Jusino, is it?

16 PROSPECTIVE JUROR NO. 226: Yes.

17 THE COURT: What do you do for a living?

18 PROSPECTIVE JUROR NO. 226: I'm a private  
19 authorization representative for [inaudible].

20 THE COURT: Okay. And are you married?

21 PROSPECTIVE JUROR NO. 226: No. Divorced.

22 THE COURT: What does your ex-husband do?

23 PROSPECTIVE JUROR NO. 226: He's a cook at Luxor.

24 THE COURT: And then do you have any children?

25 PROSPECTIVE JUROR NO. 226: Yes.

1 THE COURT: How many and what are the ages?

2 PROSPECTIVE JUROR NO. 226: Two, one boy 15, and my  
3 daughter's nine.

4 THE COURT: How long have you lived here in Clark  
5 County?

6 PROSPECTIVE JUROR NO. 226: Fourteen years.

7 THE COURT: And Mr. Pryor, what do you do for a  
8 living, sir?

9 PROSPECTIVE JUROR NO. 240: I'm a vice president for  
10 a large financial corporation.

11 THE COURT: And are you married?

12 PROSPECTIVE JUROR NO. 240: Yes.

13 THE COURT: What does your wife do?

14 PROSPECTIVE JUROR NO. 240: She works harder than me  
15 taking care of our three little girls.

16 THE COURT: Okay. And how old are your girls?

17 PROSPECTIVE JUROR NO. 240: Eight, five and three.

18 THE COURT: All right. And Mr. Pacheco, what do you  
19 do for a living, sir?

20 PROSPECTIVE JUROR NO. 251: I'm a self-employee. I'm  
21 a pool service.

22 THE COURT: So you have your own pool service  
23 company?

24 PROSPECTIVE JUROR NO. 251: Yes.

25 THE COURT: And are you married, sir?

1 PROSPECTIVE JUROR NO. 251: Yes.

2 THE COURT: What does your wife do?

3 PROSPECTIVE JUROR NO. 251: [Inaudible.]

4 THE COURT: A what?

5 PROSPECTIVE JUROR NO. 251: Account receivable.

6 THE COURT: For your company?

7 PROSPECTIVE JUROR NO. 251: No. That's for Nevada  
8 [inaudible].

9 THE COURT: For what? Nevada what?

10 PROSPECTIVE JUROR NO. 251: Nevada Orthopedic Spine  
11 Center.

12 THE COURT: Oh, Nevada Orthopedic.

13 PROSPECTIVE JUROR NO. 251: Yeah.

14 THE COURT: And do you have any children?

15 PROSPECTIVE JUROR NO. 251: Yes.

16 THE COURT: How many and how old are they?

17 PROSPECTIVE JUROR NO. 251: Four; 23, 18, 18. I have  
18 one with my ex-wife. The older one is a step-son.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 251: And a 14-year.

21 THE COURT: All right. And how long have you lived  
22 here in Clark County?

23 PROSPECTIVE JUROR NO. 251: Since 2001.

24 THE COURT: Okay. Where are you from originally?

25 PROSPECTIVE JUROR NO. 251: Mexico.

1 THE COURT: And when you moved here from -- meaning  
2 the United States, from Mexico, where did you move to  
3 originally?

4 PROSPECTIVE JUROR NO. 251: To Los Angeles, San  
5 Fernando Valley.

6 THE COURT: Okay. And did you study English in  
7 Mexico, or did you have to learn it when you got here?

8 PROSPECTIVE JUROR NO. 251: Just learned it here at  
9 work.

10 THE COURT: At work?

11 PROSPECTIVE JUROR NO. 251: Yeah.

12 THE COURT: So you didn't take a class or anything --

13 PROSPECTIVE JUROR NO. 251: No.

14 THE COURT: -- just picked it up?

15 PROSPECTIVE JUROR NO. 251: Yeah.

16 THE COURT: Okay. And Mr. Chapin, what do you do for  
17 a living, sir?

18 PROSPECTIVE JUROR NO. 261: I work at Siena Golf  
19 Club.

20 THE COURT: And what do you do for them?

21 PROSPECTIVE JUROR NO. 261: Player services. I clean  
22 golf clubs, help people out on the course.

23 THE COURT: Okay. And are you married?

24 PROSPECTIVE JUROR NO. 261: No.

25 THE COURT: Any children?

1 PROSPECTIVE JUROR NO. 261: No.

2 THE COURT: All right. How long have you lived here  
3 in Clark County?

4 PROSPECTIVE JUROR NO. 261: I was born here 24 years  
5 ago.

6 THE COURT: Okay. Now, have any of you ever  
7 previously served as a juror before? Any previous jury  
8 service? All right. Yes. Mr. Buzzard, how many times have  
9 you been a juror?

10 PROSPECTIVE JUROR NO. 198: Once.

11 THE COURT: Here in Clark County?

12 PROSPECTIVE JUROR NO. 198: Yes.

13 THE COURT: How long ago was that?

14 PROSPECTIVE JUROR NO. 198: I think it was four or  
15 five years the last time I got called.

16 THE COURT: And do you recall if it was a criminal  
17 case or a civil case?

18 PROSPECTIVE JUROR NO. 198: It was criminal.

19 THE COURT: Okay. And did you actually go back and  
20 deliberate?

21 PROSPECTIVE JUROR NO. 198: Yes.

22 THE COURT: Don't tell us what the verdict was, but  
23 did the jury in that case reach a verdict?

24 PROSPECTIVE JUROR NO. 198: Yes.

25 THE COURT: Were you the foreperson of the jury?

1 PROSPECTIVE JUROR NO. 198: No.

2 THE COURT: And I saw someone else has been a juror.

3 Yes, Mr. Langworthy.

4 PROSPECTIVE JUROR NO. 225: I've been about twice.

5 One was civil, one was like a murder case.

6 THE COURT: Criminal? Okay.

7 PROSPECTIVE JUROR NO. 225: Yes.

8 THE COURT: Here in Clark County both times?

9 PROSPECTIVE JUROR NO. 225: Yes, ma'am.

10 THE COURT: All right. How long ago was the criminal  
11 case?

12 PROSPECTIVE JUROR NO. 225: About three years ago.

13 THE COURT: All right. And the civil case?

14 PROSPECTIVE JUROR NO. 225: About two or three years  
15 ago.

16 THE COURT: Okay. Both in state court?

17 PROSPECTIVE JUROR NO. 225: Yeah.

18 THE COURT: Now, on the criminal case, don't tell us  
19 what the verdict was, but did the jury reach a verdict?

20 PROSPECTIVE JUROR NO. 225: They did.

21 THE COURT: And were you the foreperson?

22 PROSPECTIVE JUROR NO. 225: No.

23 THE COURT: Okay. On the civil case did the jury  
24 reach a verdict?

25 PROSPECTIVE JUROR NO. 225: Yes.



1 THE COURT: And were you the foreperson in that case?

2 PROSPECTIVE JUROR NO. 225: No.

3 THE COURT: Anyone else that's ever been on a jury  
4 before? All right.

5 Have any of you, other than the gentleman we've  
6 already spoken to about the pending sentencing, have any of  
7 you ever been arrested, charged or accused of a crime?

8 PROSPECTIVE JUROR NO. 251: I have a question. I  
9 have a DUI. Is that considered like, you know --

10 THE COURT: Okay. Let's talk about that. You have a  
11 DUI. When is that from?

12 PROSPECTIVE JUROR NO. 251: That's in 2001, in  
13 California.

14 THE COURT: Okay. In California. And were you  
15 actually convicted of something?

16 PROSPECTIVE JUROR NO. 251: No.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 251: Just DUI.

19 THE COURT: Okay. Did you go to court on that?

20 PROSPECTIVE JUROR NO. 251: Yes, I did.

21 THE COURT: Now, was there an accident involved? Was  
22 somebody hurt, or just you got stopped and pulled over?

23 PROSPECTIVE JUROR NO. 251: Yeah, I just got stopped  
24 and pulled over.

25 THE COURT: And did you hire a lawyer, or did you

1 just show up by yourself, or what happened?

2 PROSPECTIVE JUROR NO. 251: Just a public attorney,  
3 you know, they represent me.

4 THE COURT: Okay. And did you -- was the case  
5 negotiated or did you have a trial, or what happened?

6 PROSPECTIVE JUROR NO. 251: I think just, you know,  
7 just went to court and then got dismissed, you know, because I  
8 was guilty, you know, and --

9 THE COURT: So you were guilty but it got dismissed?

10 PROSPECTIVE JUROR NO. 251: Well, you know, they  
11 closed the case that day, you know, it didn't --

12 THE COURT: Did they ask you -- did you like plead  
13 guilty or...

14 PROSPECTIVE JUROR NO. 251: Yeah.

15 THE COURT: Did you have any punishment, like did you  
16 have to pay a fine or go to the classes, or what did you have  
17 to do?

18 PROSPECTIVE JUROR NO. 251: I pay a fine and then I  
19 go to the Alcoholics Anonymous.

20 THE COURT: You go where?

21 PROSPECTIVE JUROR NO. 251: Alcoholics Anonymous  
22 classes.

23 THE COURT: Oh, the Alcoholics Anonymous classes.

24 PROSPECTIVE JUROR NO. 251: Yeah.

25 THE COURT: Did you have to do like a victim impact

1 panel or anything like that, where --

2 PROSPECTIVE JUROR NO. 251: No. I just paid a fine  
3 and --

4 THE COURT: Okay. No community service, nothing?

5 PROSPECTIVE JUROR NO. 251: No.

6 THE COURT: Okay. Where was this in California?

7 PROSPECTIVE JUROR NO. 251: North Hollywood ,  
8 California.

9 THE COURT: North Hollywood. Okay. And the officers  
10 that arrested you, were they like LAPD or --

11 PROSPECTIVE JUROR NO. 251: It was a highway patrol.

12 THE COURT: Oh, it was the highway patrol. Okay.  
13 Any feelings about how you were treated by the patrol  
14 officers?

15 PROSPECTIVE JUROR NO. 251: They treat me good.

16 THE COURT: What about the system in general, do you  
17 feel like it was fair or unfair?

18 PROSPECTIVE JUROR NO. 251: It was fair.

19 THE COURT: And what about the lawyer that was  
20 appointed to represent you, do you feel like he did a good  
21 job, not a good job, paid attention to you? Any feelings at  
22 all about your own lawyer?

23 PROSPECTIVE JUROR NO. 251: I was going to say, you  
24 know, like, you know, I didn't talk that much. You know, they  
25 just represent the case and that was it, you know. I pled

1 guilty and there was nothing to discuss about it really.

2 THE COURT: All right. Anyone else that's been  
3 arrested or charged or accused of a crime?

4 All right. Let me expand this question and ask if  
5 anyone have anyone you're close to, like a spouse, a  
6 significant other, or a member of your family that's been  
7 arrested, charged or accused of a crime? Yes, ma'am.

8 PROSPECTIVE JUROR NO. 226: My mom.

9 THE COURT: Okay. Tell me about that.

10 PROSPECTIVE JUROR NO. 226: I don't know too much  
11 about it. All I know is that she's been arrested for a couple  
12 of things.

13 THE COURT: Was that here in Clark County?

14 PROSPECTIVE JUROR NO. 226: Yes.

15 THE COURT: Okay. Recently, or is this like in  
16 the --

17 PROSPECTIVE JUROR NO. 226: Recently.

18 THE COURT: What kind of things? Like drugs,  
19 misdemeanor type --

20 PROSPECTIVE JUROR NO. 226: No. It was nothing about  
21 drugs. I don't know if it's still pending or not, but I think  
22 it was fraud.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 226: And I mean, I don't talk  
25 too much about, you know, to her about it, but...

1 THE COURT: How did you learn that your mother had  
2 been arrested? Did she call you and tell you or --

3 PROSPECTIVE JUROR NO. 226: Yes. She called me.

4 THE COURT: Okay. And fraud, do you know if it  
5 involved checks or credit cards or something at her workplace?

6 PROSPECTIVE JUROR NO. 226: As I recall, what she  
7 told me is State of Nevada welfare and Social Security checks.

8 THE COURT: So it sounds like maybe something about  
9 receiving benefits that she --

10 PROSPECTIVE JUROR NO. 226: Yes.

11 THE COURT: -- shouldn't have been receiving, maybe  
12 more than --

13 PROSPECTIVE JUROR NO. 226: That's what she told me,  
14 but I don't know if there was anything else besides that.

15 THE COURT: Okay. And do you know where your mom's  
16 case is in the system, or no?

17 PROSPECTIVE JUROR NO. 226: State.

18 THE COURT: Has she gone to trial or pled guilty, or  
19 do you know anything about that?

20 PROSPECTIVE JUROR NO. 226: All I know is that she's  
21 on probation right now.

22 THE COURT: She's on probation right now. Okay. Did  
23 you ever go to court with your mother or anything like that?

24 PROSPECTIVE JUROR NO. 226: I just came to court just  
25 to bring her in, but other than that, no, not --

1 THE COURT: Did you like sit in the courtroom and  
2 watch what was going on?

3 PROSPECTIVE JUROR NO. 226: Yes. Mm-hmm.

4 THE COURT: And was that when your mom was sentenced,  
5 or what was happening that day?

6 PROSPECTIVE JUROR NO. 226: It was. I don't remember  
7 what it was, but it wasn't sentencing. It was just like a  
8 hearing.

9 THE COURT: Okay. Okay. Have you formed any  
10 opinions as to how your mother was treated in the system?

11 PROSPECTIVE JUROR NO. 226: I only went once, so I  
12 don't know.

13 THE COURT: Okay. Anyone else that has someone close  
14 to them? All right. Yes, ma'am.

15 PROSPECTIVE JUROR NO. 217: My husband was arrested  
16 for reckless driving. I didn't go to court. It was many  
17 years ago. I don't know the details. I just got a call from  
18 his parents saying that he was in jail for reckless driving.

19 THE COURT: And he was your husband at the time?

20 PROSPECTIVE JUROR NO. 217: Joey.

21 THE COURT: Okay. And how -- was that here in Clark  
22 County?

23 PROSPECTIVE JUROR NO. 217: I think so, yeah.

24 THE COURT: Okay. How many years ago about was that?

25 PROSPECTIVE JUROR NO. 217: I would say anywhere from

1 eight to ten.

2 THE COURT: Okay. But you never went to court or  
3 anything?

4 PROSPECTIVE JUROR NO. 217: No.

5 THE COURT: Do you know what happened with that  
6 arrest?

7 PROSPECTIVE JUROR NO. 217: He was excessively  
8 speeding.

9 THE COURT: Okay. Was he -- did he plead guilty?

10 PROSPECTIVE JUROR NO. 217: I think he pled guilty  
11 and I believe he did jail time.

12 THE COURT: Okay. Anyone else that -- yes,  
13 Ms. Green.

14 PROSPECTIVE JUROR NO. 265: Yes. My daughter.

15 THE COURT: Here in Clark County?

16 PROSPECTIVE JUROR NO. 265: Yes.

17 THE COURT: And tell me about that.

18 PROSPECTIVE JUROR NO. 265: Unfortunately, she got  
19 involved with some drugs and she lost -- her children were  
20 taken away from her, sent to Child Haven, and it was a long  
21 process. And there was one point she lost custody of one of  
22 her children and she lost it. And out in the parking lot she  
23 had an incident with one of the deputies or something and they  
24 were kind of wrestling it out, and she was arrested for  
25 assaulting the deputy.

1 THE COURT: Okay. And that was she was attending a  
2 family court hearing and then got into it with one of the  
3 marshals or the deputies --

4 PROSPECTIVE JUROR NO. 265: Yeah, out in the parking  
5 lot.

6 THE COURT: Out in the parking lot.

7 PROSPECTIVE JUROR NO. 265: When she found out that  
8 she lost custody of her son, she just lost it.

9 THE COURT: And that was related to drug use?

10 PROSPECTIVE JUROR NO. 265: [No audible response.]

11 THE COURT: Okay. Did you -- and then she gets  
12 charged for getting into the scuffle with the deputy?

13 PROSPECTIVE JUROR NO. 265: Mm-hmm. Yeah. She's  
14 clean and sober now. She got two of her children back.

15 THE COURT: Okay. Did you ever go to court, either  
16 the family court, the termination of parental rights  
17 proceedings, or the criminal case with your daughter?

18 PROSPECTIVE JUROR NO. 265: Yes, I did.

19 THE COURT: Okay. Have you formed any opinions as to  
20 how your daughter was treated in the system, either by law  
21 enforcement or the lawyers, her own lawyers, the judge,  
22 anything?

23 PROSPECTIVE JUROR NO. 265: Well, yes and no.  
24 Children protective services, I have very strong opinions  
25 against them. But they -- they didn't treat her fairly at



1 all.

2 THE COURT: CPS didn't?

3 PROSPECTIVE JUROR NO. 265: Yeah.

4 THE COURT: Okay. And just how were they unfair?

5 PROSPECTIVE JUROR NO. 265: Well, it's a very  
6 complicated case. Two of the -- three of the -- ah. Two of  
7 the children, when she -- the children were in custody and  
8 they wanted to send them out to the family. So we divided  
9 up -- she had four, and we divided up the children amongst the  
10 family and I took one. It is a set of triplets in there.

11 I took one of the triplets. My son took one of the  
12 triplets and the oldest child, and the last triplet went into  
13 foster care. He's Down Syndrome, and that's the one that she  
14 lost the custody of. And I don't even know how to explain it.

15 THE COURT: Yeah. Do you feel like CPS could have  
16 done more to try to reunify the family, or do you --

17 PROSPECTIVE JUROR NO. 265: Yeah. They made an  
18 agreement with my son that we didn't know about for a long,  
19 long time that if he would adopt the child in foster care, the  
20 one with Down Syndrome, they would guarantee him custody of  
21 the third triplet and make sure that he got to keep her.

22 THE COURT: Mm-hmm.

23 PROSPECTIVE JUROR NO. 265: And they followed through  
24 with that, and we've been fighting with the court system for  
25 the last four years trying to get her back.

1 THE COURT: So it sounds like you and your daughter  
2 are sort of at odds with your son.

3 PROSPECTIVE JUROR NO. 265: Yeah. My son will not  
4 speak to me. He physically attacked me and I wound up having  
5 him arrested for it. Because he was beating the kids, but  
6 Child Services didn't seem to care about that and gave him two  
7 of the kids anyway.

8 THE COURT: So he now has one of the -- he has --

9 PROSPECTIVE JUROR NO. 265: He has two of the  
10 triplets.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 265: And my daughter, who  
13 lives with me, has the third triplet and the oldest boy.

14 THE COURT: Okay. And you feel like, I guess, CPS  
15 didn't handle the situation appropriately?

16 PROSPECTIVE JUROR NO. 265: Not at all. Not at all.  
17 They did everything behind our back and just made it  
18 impossible for us to get the other one back that she didn't  
19 lose custody of.

20 THE COURT: Now, what about the police's involvement  
21 in all of this, was that kind of tangential, or do you feel  
22 like the police had any role in any of that?

23 PROSPECTIVE JUROR NO. 265: It was very little  
24 involvement with the police except for that one incident in  
25 the parking lot the day she lost custody. And I feel if I'd

1 lost custody of one of my children, I probably would have lost  
2 it too.

3 THE COURT: And what happened with that case  
4 involving the deputy in the parking lot?

5 PROSPECTIVE JUROR NO. 265: It was -- I don't know  
6 how to say it. It was negotiated down.

7 THE COURT: Negotiated. Okay.

8 PROSPECTIVE JUROR NO. 265: Yeah.

9 THE COURT: And what did she have to do, community  
10 service or a fine?

11 PROSPECTIVE JUROR NO. 265: Community service and she  
12 was in a mental health center for awhile.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 265: And community service.  
15 And like I said, she's been clean and sober now for several --  
16 many years and, you know, everything in that area has  
17 straightened out, but we're still trying to get the child  
18 back.

19 THE COURT: Still battling this family custody issue.  
20 Okay.

21 PROSPECTIVE JUROR NO. 265: Yeah.

22 THE COURT: Anyone else have anyone -- yes, ma'am.

23 PROSPECTIVE JUROR NO. 221: My oldest son, DUI almost  
24 three years ago.

25 THE COURT: Was that a misdemeanor DUI, or a felony?

1 Was there an accident? Was anybody hurt or --

2 PROSPECTIVE JUROR NO. 221: No.

3 THE COURT: Okay. And was that here in Clark County?

4 PROSPECTIVE JUROR NO. 221: Yes.

5 THE COURT: Did you go to court with your son or  
6 anything like that?

7 PROSPECTIVE JUROR NO. 221: No. My husband did.

8 THE COURT: Okay. Any -- have you formed any  
9 opinions as to how your son was treated in the system?

10 PROSPECTIVE JUROR NO. 221: [No audible response.]

11 THE COURT: And that was no, for the record?

12 PROSPECTIVE JUROR NO. 221: No. Sorry.

13 THE COURT: That's okay. Anyone else? Yes, sir.  
14 Mr. Langworthy.

15 PROSPECTIVE JUROR NO. 225: Yeah. My step-son, the  
16 youngest one, he was caught stealing. I believe it was  
17 alcohol. I showed up to court with my wife because she was  
18 very distraught and thought maybe I'd be of moral support.  
19 And I'm an evangelist myself, so I figured maybe I could maybe  
20 console her, offer up advice. I believe the court treated him  
21 very fairly.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 225: He's out and he's been  
24 doing good ever since.

25 THE COURT: Do you know if it was a misdemeanor

1 arrest? Was it -- or was it a felony based on the value of  
2 the alcohol?

3 PROSPECTIVE JUROR NO. 225: I'm not really sure. I  
4 was just there for support, so I --

5 THE COURT: Did he have a lawyer, or just represent  
6 himself, or...

7 PROSPECTIVE JUROR NO. 225: I believe he had a  
8 lawyer.

9 THE COURT: Appointed for him?

10 PROSPECTIVE JUROR NO. 225: I believe.

11 THE COURT: And was the matter resolved or did it go  
12 to trial?

13 PROSPECTIVE JUROR NO. 225: I believe it was  
14 resolved.

15 THE COURT: Any -- have you formed any opinions as to  
16 how your step-son was treated in the system?

17 PROSPECTIVE JUROR NO. 225: No, ma'am. I believe  
18 that it was fair, quite fair.

19 THE COURT: Okay. All right. Anyone else that has  
20 someone close to them?

21 All right. Have any of you ever been the victim of a  
22 crime? None of you. Okay. Yes, Ms. Green.

23 PROSPECTIVE JUROR NO. 265: The only one is when my  
24 son actually battered me and threw me down on the ground.

25 THE COURT: And you reported that to law enforcement?

1 PROSPECTIVE JUROR NO. 265: Yeah. I called the  
2 police.

3 THE COURT: What was the police agency? Was it Las  
4 Vegas Metro?

5 PROSPECTIVE JUROR NO. 265: Metro.

6 THE COURT: Metro. And did they arrest your son?

7 PROSPECTIVE JUROR NO. 265: Yes.

8 THE COURT: Were you ever subpoenaed to come to court  
9 and testify in that case?

10 PROSPECTIVE JUROR NO. 265: No. He was released the  
11 next day and went home to Colorado, and that was actually the  
12 end of it.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 265: They never pursued it.

15 THE COURT: They never filed charges or anything?

16 PROSPECTIVE JUROR NO. 265: No.

17 THE COURT: Was that within the City of Las Vegas?  
18 Do you know if that was the Las Vegas City Attorney's Office  
19 or the Clark County District Attorney's Office? Do you know?

20 PROSPECTIVE JUROR NO. 265: I don't know.

21 THE COURT: Were you living in the city at the time,  
22 or...

23 PROSPECTIVE JUROR NO. 265: It was like Serene and  
24 Eastern, in that area. I guess that's Clark County.

25 THE COURT: Did you ever contact the police to follow

1 up and find out what was going on?

2 PROSPECTIVE JUROR NO. 265: Yeah, I did. I tried to  
3 get them to proceed with the case and do something with it,  
4 and they just never kept -- they didn't respond to me.

5 THE COURT: So they never returned your calls or  
6 anything like that?

7 PROSPECTIVE JUROR NO. 265: No. One time I actually  
8 got through to somebody and they said send us more  
9 documentation, and I sent them a whole file of documents and  
10 just nothing ever happened with it. It just went away.

11 THE COURT: Okay. And how do you feel about that?

12 PROSPECTIVE JUROR NO. 265: I'm upset about that.

13 THE COURT: Did you try to go up the chain of command  
14 or anything like that at Metro?

15 PROSPECTIVE JUROR NO. 265: Like I said, we've been  
16 trying for four years to resolve that whole family issue, and  
17 it's really all in family court and --

18 THE COURT: Has anyone else --

19 PROSPECTIVE JUROR NO. 265: -- haven't been able  
20 to --

21 THE COURT: I'm sorry. I didn't mean to cut you off.

22 PROSPECTIVE JUROR NO. 265: Yeah. Sorry.

23 THE COURT: Has anyone else been the victim of a  
24 crime? No one. Yes, sir.

25 PROSPECTIVE JUROR NO. 211: Well, back in the '80s I

1 had a motorcycle stolen. It was like brand new. I didn't  
2 have full coverage insurance, so I had to take the loss. And  
3 it got burglarized out of a shed it was locked in. And a  
4 couple years after that the house where I was living -- this  
5 is both in Pennsylvania, it got broken into when I was  
6 visiting relatives in Ohio, and they never found anything  
7 about that either.

8 THE COURT: Okay. So you reported both incidents to  
9 law enforcement, correct?

10 PROSPECTIVE JUROR NO. 211: Yes.

11 THE COURT: But no one was ever apprehended as far as  
12 you know?

13 PROSPECTIVE JUROR NO. 211: No. And I just had my  
14 suspicions, but I can't go on that.

15 THE COURT: Did you think it was somebody you knew or  
16 a neighbor or something like that?

17 PROSPECTIVE JUROR NO. 211: Yes.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 211: Certain people.

20 THE COURT: Now, for the break-in, did the police  
21 come out, did they take fingerprints, photographs, did they do  
22 anything, or what happened?

23 PROSPECTIVE JUROR NO. 211: They kind of like walked  
24 through and saw the scene, didn't really take fingerprints or  
25 anything.



1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 211: So I mean, they asked me  
3 what I thought had happened. It was like during a weekend  
4 when I was away in Ohio. And as for the motorcycle, that just  
5 happened early one morning, the shed was wide open and the  
6 lock was busted off. And I had like -- I think I had like 600  
7 miles on the bike, so it was like new, you know.

8 THE COURT: And it was never found, never located?

9 PROSPECTIVE JUROR NO. 211: No. I should have had,  
10 you know, better insurance.

11 THE COURT: Hindsight.

12 PROSPECTIVE JUROR NO. 211: Yeah.

13 THE COURT: Anyone else? Yes, Ms. Green.

14 PROSPECTIVE JUROR NO. 265: Yeah. Seems that I've  
15 got it all here. I -- for 22 years I've lived next door to  
16 the neighbors from hell, and over the years I've had things  
17 stolen from my home. I had all of my ornaments stolen off the  
18 front of my property, about 20 of them. I had statues and  
19 fountains. Somebody stole them all.

20 And I know the kid next door did it. Last year he --  
21 he accosted my granddaughter, who's now 12. She was 11 at the  
22 time. And he was arrested and charged with child -- I'm not  
23 exactly sure how they phrased it.

24 THE COURT: Was it a sexual type thing, or was it  
25 just more like a physical battery, a fight type thing?

1 PROSPECTIVE JUROR NO. 265: He grabbed her in a very  
2 suggestive way. He's in his late 20s and she was 11 --

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 265: -- and terrified her and  
5 had his hands all over her. Matter of fact, he's in jail  
6 right now for that and he's due to be released in a month or  
7 two, and my granddaughter's terrified that he's going to come  
8 home.

9 THE COURT: Okay. Did your granddaughter have to  
10 testify against him in connection with that incident?

11 PROSPECTIVE JUROR NO. 265: No. It never went to  
12 trial.

13 THE COURT: And then these other incidents with the  
14 ornaments being stolen and other things, did you report all of  
15 that to Metro?

16 PROSPECTIVE JUROR NO. 265: Yeah.

17 THE COURT: And what was the response?

18 PROSPECTIVE JUROR NO. 265: Just police reports and  
19 they couldn't do anything about it. I had no proof he did it.  
20 But I mean, he's climbed over my wall and slept on my  
21 trampoline at night when his parents threw him out, you know.  
22 He's been arrested several -- many times. Spends a lot of  
23 time in jail and --

24 THE COURT: And how do you feel about Metro's  
25 response to this situation?

1 PROSPECTIVE JUROR NO. 265: Oh, they respond. They  
2 know him well. And whenever I call they respond and they go,  
3 oh, yeah, we get Nick again, yeah, we'll get him. They go out  
4 looking for him.

5 THE COURT: So you feel like their response is  
6 appropriate, or...

7 PROSPECTIVE JUROR NO. 265: Yeah. They've really,  
8 you know, been very helpful trying to keep him away from us.  
9 But like I said, he's getting out of jail in another month or  
10 two, so I don't know what's going to happen then.

11 THE COURT: Okay. Anyone else? Yes, sir.

12 PROSPECTIVE JUROR NO. 240: I had a car stolen...

13 THE COURT: Okay. Was that here in Clark County?

14 PROSPECTIVE JUROR NO. 240: No. It was up in  
15 Portland, Oregon.

16 THE COURT: Did you report that to the police?

17 PROSPECTIVE JUROR NO. 240: Yeah.

18 (Pause in proceeding.)

19 THE COURT: And sir, how long ago was that?

20 PROSPECTIVE JUROR NO. 240: About ten years.

21 THE COURT: Was anyone ever apprehended in connection  
22 with the theft of your car?

23 PROSPECTIVE JUROR NO. 240: You know, I don't know.  
24 It got stolen twice. The first time I reported it. And it  
25 actually got stolen from the shop it was getting repaired at,

1 so the police called me that time. So they had -- I think  
2 they assumed they knew who it was the second time, but I  
3 wasn't involved in anything after that, so.

4 THE COURT: And your car was never recovered?

5 PROSPECTIVE JUROR NO. 240: No, it was recovered both  
6 times.

7 THE COURT: Oh, it was. But you don't know if the  
8 perpetrator was ever arrested?

9 PROSPECTIVE JUROR NO. 240: Don't know for sure.  
10 Based on the little bit I was told, I think the second time  
11 they were.

12 THE COURT: But you never got a subpoena and told to  
13 come to court, nothing like that?

14 PROSPECTIVE JUROR NO. 240: No.

15 THE COURT: All right. Anyone else?

16 Do any of you have anyone that you're close with, a  
17 member of your family, a very close friend, spouse,  
18 significant other that's been the victim of a serious crime?  
19 All right.

20 Do any of you have any family members or anyone  
21 you're close to that works or has worked in law enforcement?  
22 Yes, Mr. Langworthy.

23 PROSPECTIVE JUROR NO. 225: Yeah. I have a  
24 brother-in-law, I guess he is. His name is Hank Clackum  
25 [phonetic]. Him and his wife work for the enforcement.

1 THE COURT: Where do they work?

2 PROSPECTIVE JUROR NO. 225: I believe he works at  
3 like a prison.

4 THE COURT: Here in town, or I mean, here in Nevada?

5 PROSPECTIVE JUROR NO. 225: Yeah, in Nevada  
6 somewhere.

7 THE COURT: And the wife, is she also a prison --

8 PROSPECTIVE JUROR NO. 225: I believe so.

9 THE COURT: And this is your brother-in-law how?  
10 Your sister's wife's brother?

11 PROSPECTIVE JUROR NO. 225: My mom married one of the  
12 Clackums.

13 THE COURT: Okay. Do you know if he's a prison  
14 guard?

15 PROSPECTIVE JUROR NO. 225: I believe he is.

16 THE COURT: He doesn't talk to you about work or  
17 anything like that?

18 PROSPECTIVE JUROR NO. 225: No. I don't get to see  
19 him all that often.

20 THE COURT: Okay. Yes, sir. Mr. Buzzard.

21 PROSPECTIVE JUROR NO. 198: My fiance's former  
22 husband was in prisons, and he worked for Taxicab Authority.  
23 He was actually a bailiff for a while, so.

24 THE COURT: And did you -- this is your fiance's  
25 former husband?

1 PROSPECTIVE JUROR NO. 198: [No audible response.]

2 THE COURT: Is that yes, for the record?

3 PROSPECTIVE JUROR NO. 198: Yes. Sorry.

4 THE COURT: And did you know him at all? Were you  
5 friend --

6 PROSPECTIVE JUROR NO. 198: Very well.

7 THE COURT: So you were friendly with both of them  
8 and --

9 PROSPECTIVE JUROR NO. 198: Yes.

10 THE COURT: And you said he was a bailiff for a  
11 while?

12 PROSPECTIVE JUROR NO. 198: Yes.

13 THE COURT: Do you know where he worked as a bailiff?

14 PROSPECTIVE JUROR NO. 198: I don't remember which  
15 court he was in.

16 THE COURT: And then he's with the Taxicab Authority  
17 now?

18 PROSPECTIVE JUROR NO. 198: He was.

19 THE COURT: He was. And what's he doing now?

20 PROSPECTIVE JUROR NO. 198: He passed away.

21 THE COURT: Okay. How long ago did he work as a  
22 bailiff?

23 PROSPECTIVE JUROR NO. 198: Probably about eight  
24 years ago.

25 THE COURT: Do you know if it was district court or

1 muni court, justice court?

2 PROSPECTIVE JUROR NO. 198: I don't remember for  
3 sure.

4 THE COURT: You don't know. Okay. Did he talk to  
5 you about work very often or...

6 PROSPECTIVE JUROR NO. 198: Not very, but I mean, he  
7 tried to keep that out of it, the situation.

8 THE COURT: Anyone else? Yes, ma'am.

9 PROSPECTIVE JUROR NO. 221: At the school, retired  
10 Metro officer, retired marshal, and the wife of the former  
11 sheriff works there.

12 THE COURT: Oh, okay. With you at school?

13 PROSPECTIVE JUROR NO. 221: Yes.

14 THE COURT: Okay. And then you said you have a  
15 retired police officer --

16 PROSPECTIVE JUROR NO. 221: Yes.

17 THE COURT: -- as well as a retired marshal, or he's  
18 both?

19 PROSPECTIVE JUROR NO. 221: No. And also a retired  
20 marshal.

21 THE COURT: A marshal from the city, do you know?

22 PROSPECTIVE JUROR NO. 221: Actually, he's from  
23 California and is retired and moved here.

24 THE COURT: Okay. And what do they do at the school?

25 PROSPECTIVE JUROR NO. 221: Security.

1 THE COURT: Are you like social friends with any of  
2 these people?

3 PROSPECTIVE JUROR NO. 221: Not social. I do talk to  
4 them at work, yes.

5 THE COURT: Okay. And the retired police officer, do  
6 you know what agency he was with? Do you know if it was Metro  
7 or...

8 PROSPECTIVE JUROR NO. 221: He was Metro, and he was  
9 high up.

10 THE COURT: What's his name?

11 PROSPECTIVE JUROR NO. 221: Wayne Petersen  
12 [phonetic].

13 THE COURT: Okay. And now he's involved in security  
14 at your school?

15 PROSPECTIVE JUROR NO. 221: He's -- I'm sorry. Did  
16 you say volunteer?

17 THE COURT: No. I said involved.

18 PROSPECTIVE JUROR NO. 221: Yes, yes. Yes.

19 THE COURT: All right. Anyone else? Yes, ma'am.

20 PROSPECTIVE JUROR NO. 202: I have a brother that was  
21 an Oakland police official.

22 THE COURT: Okay. Is he retired now?

23 PROSPECTIVE JUROR NO. 202: He's passed away.

24 THE COURT: I'm sorry. And Oakland, California?

25 PROSPECTIVE JUROR NO. 202: Oakland.



1 THE COURT: And was that with the Oakland Police  
2 Department?

3 PROSPECTIVE JUROR NO. 202: Yes, Oakland Police  
4 Department.

5 THE COURT: Do you know if he ever worked as a  
6 detective in his career? Was he in uniform the whole time, do  
7 you know?

8 PROSPECTIVE JUROR NO. 202: He was in uniform the  
9 whole time.

10 THE COURT: All right. Anyone else that has -- yes,  
11 sir.

12 PROSPECTIVE JUROR NO. 240: I've got a cousin who is  
13 state patrol up in Washington. And then an uncle, or my  
14 wife's uncle that retired from the prison system up in Alaska.

15 THE COURT: Okay. Was he a prison guard or --

16 PROSPECTIVE JUROR NO. 240: Yeah.

17 THE COURT: -- administration in the prison system?

18 PROSPECTIVE JUROR NO. 240: He was a guard of some  
19 sort.

20 THE COURT: He was a guard.

21 Okay. And then anyone else? I saw one other hand go  
22 up. No.

23 All right. Ladies and gentlemen, that concludes my  
24 questions. It might be a good time for us to take our lunch  
25 break, it being five minutes of 1:00, and then the attorneys,

1 after our lunch break, will have an opportunity to question  
2 you. We're going to go ahead and take a lunch break  
3 until 2:00 o'clock.

4 Before we break for lunch, I must again remind you  
5 that you're not to discuss the case or anything relating to  
6 the case with each other or with anyone else. You're not to  
7 read, watch or listen to any reports of or commentaries on  
8 this case, any person or subject matter relating to the case.  
9 Don't do any independent research by way of the Internet or  
10 any other medium. And please don't form or express an opinion  
11 on the case.

12 Once again, if you'd all please remember where you  
13 are seated, and follow the marshal through the double doors.  
14 Any questions about where we reconvene after lunch, please  
15 address the marshal in the hallway.

16 (Prospective jurors recessed at 12:57 p.m.)

17 THE COURT: All right. We'll see you back at 2:00.  
18 You guys can leave your stuff if you want to.

19 (Court recessed at 12:58 p.m. until 2:01 p.m.)

20 (Outside the presence of the prospective jurors.)

21 MR. CANO: Your Honor, this is Cameron. He's an  
22 extern at our office.

23 THE COURT: Oh, okay.

24 MR. CANO: He'll be sitting back here behind us.

25 THE COURT: That's fine.

1 MR. CANO: All right. Thanks.

2 (Prospective jurors reconvene at 2:02 p.m.)

3 THE COURT: Court is now back in session. The record  
4 should reflect the presence of the State, the defendant and  
5 his counsel, the officers of the court, and the ladies and  
6 gentlemen of the prospective jury panel. And the State may  
7 follow up with any questions. And we're missing one.

8 All right. Ms. Green. State, why don't we get  
9 started with the questions that you have for the other  
10 panelists, and then when Ms. Green gets back, you can follow  
11 up with any questions you may have from Ms. Green.

12 MR. PANDELIS: Certainly, Your Honor.

13 Good afternoon, ladies and gentlemen. As you heard,  
14 my name is Chris Pandelis. I along with Ms. Christensen will  
15 be prosecuting this case this week. And in addition to what  
16 Judge Adair asked you, I just have some follow-up questions  
17 for all of you.

18 Some of them are going to be addressed to you as a  
19 group as a whole, and if you have a response to any of the  
20 questions, just raise your hand, let me know, and I'll let  
21 each of you answer in order in which I see your hands. And  
22 some of them may be directed to you more specifically as  
23 follow-up questions.

24 One of those follow-up questions I'd like to ask  
25 Mr. Zercher, Badge No. 208. You mentioned a case that you

1 pled guilty to a gross misdemeanor, you're awaiting  
2 sentencing.

3 PROSPECTIVE JUROR NO. 208: Yes, sir.

4 MR. PANDELIS: And Judge Adair asked you who was  
5 prosecuting you, and you weren't certain whether or not it was  
6 the Clark County District Attorney's Office.

7 PROSPECTIVE JUROR NO. 208: It's locally, that's all  
8 I know. I don't know if you were there or I don't know if she  
9 was there. It was somebody from the DA's office.

10 MR. PANDELIS: I understand. But it is your  
11 understanding it was somebody from the Clark County District  
12 Attorney's Office?

13 PROSPECTIVE JUROR NO. 208: Yes.

14 MR. PANDELIS: Now, as you indicated it, you're not  
15 sure who it was though, from the Clark County District  
16 Attorney's Office?

17 PROSPECTIVE JUROR NO. 208: No.

18 MR. PANDELIS: Because you were -- had a case where  
19 the Clark County District Attorney's Office was prosecuting  
20 you, can Ms. Christensen and I count on you to be fair if you  
21 were selected as a juror, or do you see this as an opportunity  
22 to in essence get even or get back at the prosecutors?

23 PROSPECTIVE JUROR NO. 208: No. I can be fair.

24 MR. PANDELIS: Pardon?

25 PROSPECTIVE JUROR NO. 208: I said, No, I can be

1 fair.

2 MR. PANDELIS: And likewise, you said you had no  
3 animosity towards the police in that case?

4 PROSPECTIVE JUROR NO. 208: Not at all.

5 MR. PANDELIS: And you recently pled guilty in that  
6 case. When were you arrested in that case?

7 PROSPECTIVE JUROR NO. 208: I'm not sure of the exact  
8 date, but it was the month of August.

9 MR. PANDELIS: Of 2012?

10 PROSPECTIVE JUROR NO. 208: Yes.

11 MR. PANDELIS: Prior to that, any other arrests or  
12 contact with police officers?

13 PROSPECTIVE JUROR NO. 208: Yeah. Yeah, that's my  
14 second arrest. There was an arrest three years ago.

15 MR. PANDELIS: As a result -- without going into any  
16 of the facts, as a result of that case did you plead guilty,  
17 were charges dismissed?

18 PROSPECTIVE JUROR NO. 208: Pled guilty.

19 MR. PANDELIS: And were you sentenced?

20 PROSPECTIVE JUROR NO. 208: I was sentenced to three  
21 years probation --

22 MR. PANDELIS: And then eventually --

23 PROSPECTIVE JUROR NO. 208: -- and honorably  
24 discharged.

25 MR. PANDELIS: Thank you.

1           Now, just generally, ladies and gentlemen, Judge  
2 Adair asked you -- in following up with the question I just  
3 asked of this gentleman, Judge Adair asked you whether or not  
4 any of you had been charged with crimes, accused of crimes,  
5 convicted of crimes.

6           But I would just ask if there's just been any other  
7 contact that you've had with law enforcement, whether you've  
8 seen them on the streets or just any other type of contact  
9 that gives you a negative taste towards law enforcement? And  
10 I see no hands.

11           So everybody here has a positive opinion of law --  
12 not necessarily a positive opinion, but would you hold it  
13 against a police officer if a police officer came in here and  
14 testified simply because they're a police officer; is that  
15 correct?

16           Likewise, and Judge Adair went into this briefly,  
17 some of us have had more interaction with the court system and  
18 are more familiar with the court system than others. Some of  
19 us are frustrated by the way it works, some of us think it's  
20 slow, some of us don't think it's fair.

21           But because all of us, all of the attorneys in here,  
22 the judge, the court personnel are part of the court system,  
23 is there anybody here that has such a bad taste in their mouth  
24 towards the court system that they don't think they can be  
25 fair and impartial as jurors in this case?

1           So everybody agrees there's no feelings towards the  
2 court system that would prevent them from serving? And that's  
3 a yes from everybody.

4           Does anybody here have any friends or family members  
5 who are attorneys? And the gentleman in the top row, you are  
6 Mr. Pryor?

7           PROSPECTIVE JUROR NO. 240: Yes.

8           MR. PANDELIS: And Badge No. 240?

9           PROSPECTIVE JUROR NO. 240: Yes.

10          MR. PANDELIS: You raised your hand?

11          PROSPECTIVE JUROR NO. 240: Yeah. I've got a brother  
12 who's a corporate tax attorney.

13          MR. PANDELIS: Is that here locally?

14          PROSPECTIVE JUROR NO. 240: No. Chicago.

15          MR. PANDELIS: All right. Do you talk to him about  
16 his cases?

17          PROSPECTIVE JUROR NO. 240: Rarely. I mean, most of  
18 them aren't very interesting. They're all tax stuff, so.

19          MR. PANDELIS: I can understand corporate tax might  
20 not be the most interesting thing to talk about.

21          Anybody else have any friends or close family  
22 members -- Mrs. Green.

23          PROSPECTIVE JUROR NO. 265: My ex-husband is an  
24 attorney.

25          MR. PANDELIS: Is that here locally or somewhere

1 else?

2 PROSPECTIVE JUROR NO. 265: California.

3 MR. PANDELIS: What type of law did he practice?

4 PROSPECTIVE JUROR NO. 265: Contract law. Now he's  
5 retired and he teaches contract law.

6 MR. PANDELIS: At a law school or a university?

7 PROSPECTIVE JUROR NO. 265: Yeah.

8 MR. PANDELIS: All right. Back when you were married  
9 and he was practicing, did you talk to him about his cases?

10 PROSPECTIVE JUROR NO. 265: No --

11 MR. PANDELIS: Similar to Mr. Pryor, not that  
12 interested in talking about contract law?

13 PROSPECTIVE JUROR NO. 265: It was just -- he wrote  
14 contracts and stuff, and very boring.

15 MR. PANDELIS: Okay. Anybody else in the box,  
16 friends or family members or close acquaintances who are  
17 employed as attorneys?

18 Now, as members of -- if you're selected as a juror,  
19 one of your responsibilities at the conclusion of the trial is  
20 going to be to determine the guilt or innocence of Mr. Jones  
21 in this case. Is there anybody here who would have any  
22 reservations about sitting in judgment of another person?

23 And I'd remind you earlier in the day we heard from  
24 somebody in this courtroom who mentioned that their religious  
25 beliefs would prevent them from sitting in judgment of a



1 person. Is there anybody here who feels that they can't sit  
2 in judgment?

3 PROSPECTIVE JUROR NO. 208: I have to raise my hand  
4 for that.

5 MR. PANDELIS: All right. Mr. Zercher, Badge  
6 No. 208, correct?

7 PROSPECTIVE JUROR NO. 208: Correct.

8 MR. PANDELIS: Why'd you raise your hand?

9 PROSPECTIVE JUROR NO. 208: I just don't feel like  
10 it's my job to judge other people.

11 MR. PANDELIS: What do you mean it's not your job?

12 PROSPECTIVE JUROR NO. 208: I mean exactly what I  
13 said. I mean, who am I to judge this gentleman over here?

14 MR. PANDELIS: Now, do you understand if you're  
15 selected as a juror, you're going to -- the State is going to  
16 present the evidence. And again, the defendant has no burden  
17 in this case to present any evidence, but it's the State,  
18 Ms. Christensen and I, it's our burden to present the evidence  
19 and based on that evidence, it's going to be your job to reach  
20 a verdict. Do you understand that?

21 PROSPECTIVE JUROR NO. 208: I completely understand.

22 MR. PANDELIS: Is that something that you feel that  
23 you cannot do?

24 PROSPECTIVE JUROR NO. 208: Not that I cannot do it.  
25 It's more or less I just don't want to do it, to be completely

1 honest.

2 MR. PANDELIS: Well, there's lots of things we don't  
3 want to do. I'll be completely honest with you. I didn't  
4 want to wake -- after a three-day weekend --

5 PROSPECTIVE JUROR NO. 208: I'm just being honest  
6 with you.

7 MR. PANDELIS: -- I didn't want to wake up and come  
8 to work today. But I know you don't want to, but is it  
9 something that you feel you could do?

10 PROSPECTIVE JUROR NO. 208: Yeah.

11 MR. PANDELIS: How do you plan on putting those  
12 feelings aside?

13 PROSPECTIVE JUROR NO. 208: I mean, if you guys want  
14 me to be here, I got to be here and I'll just deal with it.

15 MR. PANDELIS: But earlier you said, Who am I to  
16 judge. If you get back there, are you -- if you're selected  
17 as a juror and you're asked to sit in judgment --

18 PROSPECTIVE JUROR NO. 208: I don't ever do anything  
19 out of animosity, if that's what you're insinuating.

20 MR. PANDELIS: No, I'm not going there. But I just  
21 wanted to make sure that you can fulfill your role as a juror  
22 if you're selected. Are you going to be able to do that and  
23 sit in judgment?

24 PROSPECTIVE JUROR NO. 208: In my opinion, yes, but  
25 it's more or less your opinion, isn't it?

1 MR. PANDELIS: Well, it's in my opinion, is there  
2 anything that I should be concerned about?

3 PROSPECTIVE JUROR NO. 208: No.

4 MR. PANDELIS: Anybody else who would have any  
5 reservations about sitting in judgment of another person? I'm  
6 seeing no other hands.

7 Is there anybody here who owns a firearm? All right.  
8 Several hands, so I'm just going to go in order. Badge  
9 No. 198, Mr. Buzzard.

10 PROSPECTIVE JUROR NO. 198: Yes.

11 MR. PANDELIS: And I'm just going to ask generally.  
12 You own firearms?

13 PROSPECTIVE JUROR NO. 198: Yes.

14 MR. PANDELIS: You're familiar with firearms?

15 PROSPECTIVE JUROR NO. 198: Very.

16 MR. PANDELIS: Okay. And you understand how firearms  
17 work?

18 PROSPECTIVE JUROR NO. 198: I fix them, among other  
19 things.

20 MR. PANDELIS: And you understand that different  
21 types of firearms function in different ways?

22 PROSPECTIVE JUROR NO. 198: Yes.

23 MR. PANDELIS: Okay. And the next hand I saw -- and  
24 again, ladies and gentlemen, I just want to go in order from  
25 front row to back row. And Mr. Uriarte, Badge No. 204.