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Respondent.

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Docket 73674 Document 2018-16723

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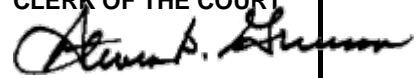
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TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

THE STATE OF NEVADA,)	
)	CASE NO. C295158-1
Plaintiff,)	DEPT NO. XXIII
)	
vs.)	
)	
MELVYN PERRY SPROWSON, JR.,)	TRANSCRIPT OF
)	PROCEEDING
Defendant.)	

BEFORE THE HONORABLE STEFANY MILEY, DISTRICT COURT JUDGE

JURY TRIAL - DAY 2

WEDNESDAY, MARCH 22, 2017

APPEARANCES:

For the State:	JAMES SWEETIN, ESQ. JACQUELINE M. BLUTH, ESQ. Chief Deputy District Attorneys
For the Defendant:	MELVYN PERRY SPROWSON, Pro Se MICHAEL R. YOHAY, ESQ.

RECORDED BY MARIA GARIBAY, COURT RECORDER
TRANSCRIBED BY: KARR Reporting, Inc.

UNCERTIFIED ROUGH DRAFT

1 LAS VEGAS, NEVADA, WEDNESDAY, MARCH 22, 2017, 1:24 P.M.

2 * * * * *

3 (Outside the presence of the prospective jury.)

4 THE RECORDER: We're on the record.

5 THE MARSHAL: One o'clock trial, C295158, Sprowson.

6 And he asked me -- we have the chain of custody thing.

7 MR. SPROWSON: Well, I want to show this to the
8 Judge.

9 THE MARSHAL: Okay.

10 MR. SPROWSON: This is what I was referring to.
11 That's page 2 for the alleged victim's property, but I -- I
12 don't have anything from my property. That's what I was
13 talking about. And it does say property report on it, my
14 mistake, but, you know, I see chain of custody, as well, so
15 that's why I kept saying chain of custody, but this is the
16 actual form that I was actually referring to and needed.

17 I have half of -- I was looking for this because I
18 know I had seen it. I can't remember if it was Ms. Bluth that
19 provided this or Momot when he was my attorney, but I had to
20 do some digging and I actually found just one page. I need
21 the first page -- as you can see, this is two of two -- and I
22 need the -- if there's any property reports with the
23 signatures on them like this for my property and, then, I
24 would be satisfied.

25 MS. BLUTH: So what I told Mr. Sprowson, Your Honor,

1 I -- I actually haven't ever seen that and I asked Mr. Sweetin
2 if he had and he said he hasn't either. So I'm wondering if
3 Mr. Sprowson got that from Mr. Momot, but what I can do is
4 I'll just take a snap shot of it and email it to the
5 detectives and ask them where these forms come from because I
6 don't know. Mr. Sweetin thinks that it comes from maybe the
7 evidence vault because these aren't the property reports that
8 I -- that I'm -- that I'm used to. So we'll just -- I'll just
9 take a picture of it and email it to someone over at CCSD PD
10 and ask them where these come from.

11 THE COURT: Yes, please do that ASAP and then if
12 necessary -- I've never seen one of these either.

13 MR. SPROWSON: Well, it's got marshal --

14 THE COURT: Hold your thought, please, one second,
15 okay? If necessary, we can have someone from CCSD come over
16 and explain these forms because they're not something we
17 ordinarily see in these cases.

18 MS. BLUTH: And the people's names that are on
19 there, they're all coming to testify in this case, so.

20 THE COURT: Okay. Ms. Marshal is?

21 MS. BLUTH: Yes.

22 THE COURT: So, then, maybe what we have to do to
23 answer Mr. Sprowson's questions is do a voir dire of Marshal
24 before putting him before the jury if there's any questions on
25 this form.

1 MR. SPROWSON: And -- and --

2 THE COURT: Because I think it's a legitimate
3 question for him to ask if it's page 2 of 2 where page 1 is or
4 why isn't this in the --

5 MR. SPROWSON: At least, and if there's --

6 THE COURT: Hold on.

7 MR. SPROWSON: I'm sorry.

8 THE COURT: We can only do one person.

9 MR. SPROWSON: Sorry. You're right.

10 THE COURT: I'm assuming this wasn't in the
11 discovery packet.

12 MS. BLUTH: I've never seen that before so I don't
13 -- I think Mr. Momot must have given it to him.

14 THE COURT: So we would need to, at least, make some
15 kind of record if it's not in the discovery packet why it's
16 out there, what it is, whatever need be, you know, before you
17 call him anyway. We just have him kind of a little bit early,
18 voir dire him, and then, you know, have him come in and
19 testify.

20 MS. BLUTH: I guess -- and whatever Your Honor --

21 MR. SPROWSON: [Inaudible.]

22 MS. BLUTH: -- wants to do, it's totally fine with
23 me. I just don't understand, like, why we do a separate
24 process. Isn't that more for cross-examination or --

25 THE COURT: You know, it probably is better to do

1 actually before we even have him kind of testify, that way Mr.
2 Sprowson -- I mean, what if there is a page 1? That way, you
3 know, Mr. Sprowson would be entitled to see it, you'd be
4 entitled to see it.

5 MS. BLUTH: Okay. May I have it back --

6 THE COURT: Just because of all the issues that have
7 been raised by Mr. Sprowson, I just want to make sure that we
8 make a good record.

9 MS. BLUTH: Yes, Your Honor.

10 THE COURT: Okay.

11 MS. BLUTH: I'll take a snapshot of it.

12 THE COURT: So, Mr. Sprowson, I'm sorry. I cut you
13 off a couple times, it's only because --

14 MR. SPROWSON: I know, I understand. I'm sorry. I
15 have a bad habit of doing that myself, so.

16 THE COURT: So we're going to try to get to the
17 bottom. Ms. Bluth is going to get on it today and have
18 someone while we're in trial look into this and we're going to
19 try to figure out if there is a page 1.

20 MR. SPROWSON: And --

21 THE COURT: And, secondarily, once these are
22 generated, what happens to them because Ms. Bluth -- they're
23 not in the discovery that was provided to the State and
24 they're not in the discovery the State provided to you and
25 your former attorneys, okay?

1 MR. SPROWSON: All right. Just my only concern is
2 because this is a property report and it does say, chain of
3 custody? This is what -- what I was really referring to, you
4 know, without going into all that again. You know, it just
5 establishes the chain of custody, so if I -- the issue that I
6 have and I do need it early as possible is because if I need
7 to prepare and challenge anything before questioning, you know
8 what I'm saying, because obviously I can't just off the cuff
9 have questions. I need to be able to look at it --

10 THE COURT: [Inaudible] so --

11 MR. SPROWSON: -- you know what I'm saying?

12 MS. BLUTH: So one thing for clarity is what I do
13 believe and this is when it is -- so, like, the chain of
14 custody that Mr. Sprowson is talking about, which we spoke
15 about yesterday where it could go to DNA, it could go to
16 fingerprints, that's going to be on the outside of those bags.
17 That's not going to be on these forms. So this is going to be
18 how it got -- who it is that impounded it and how it got into
19 the evidence vault.

20 What he's looking for is the actual chain of custody
21 log that's outside of the bag which will be here when the
22 evidence gets here, but I will be -- I will talk to the
23 detectives or the sergeant about -- about these forms and make
24 sure that I have it all squared away.

25 THE COURT: And they're going to want -- he's going

1 to know probably what this -- it says number of items, two,
2 what those are.

3 MS. BLUTH: Okay.

4 THE COURT: Because we don't even know what this
5 goes along with.

6 MR. SPROWSON: I do believe it's the alleged
7 victim's phone and alleged victim's computer because they were
8 seized on 11/1. The only property that was seized on 11/1 at
9 1320, which would be about 1:20 p.m., would be the alleged
10 victim's phone and computer. And, Officer Dean, did you give
11 her the copy --

12 THE COURT: Okay. And, so, with that knowledge, Ms.
13 Bluth can inquire of the detective, and then we can have -- we
14 can have the detective, if necessary, which will probably be
15 necessary, come in and explain it to us.

16 MS. BLUTH: Okay.

17 MR. SPROWSON: All right. If I just have a fair
18 opportunity to be able to prepare so I can have some questions
19 ready, that's all I'd ask for on that.

20 THE COURT: Sure. Of course.

21 MR. SPROWSON: And then -- then the second issue,
22 Your Honor, is yesterday we had an issue with the subpoenas.
23 Before you is a subpoena that I issued with -- from Mr. Franke
24 on Friday. This individual, which is the custodian of
25 records, if you see right here it says, "Las Vegas Justice

1 Court [inaudible] and supervisor and [inaudible] supervisor,
2 criminal division." That's where I'm looking at.

3 If you go down, it's down near the custodian of
4 records on the second page to bring the scan dates for the
5 following search warrants; number two, the name of each
6 Justice Court case file and the actual Justice Court case
7 number. Now, this is the individual that I was prepared to do
8 a voir dire on. The individual that came yesterday was
9 somebody from the legal department, which -- which was
10 helpful, but this is the stuff that I subpoenaed and this is
11 the -- the questions that I had prepared for and, so, that's
12 why I was a little upset yesterday. Please forgive me, but,
13 you know, my preparation was for something else and I --

14 THE COURT: Okay. Speeding it up a bit. Who do you
15 want? The clerk from the Justice Court?

16 MR. SPROWSON: The custodian of records, and just to
17 provide -- because I have three subpoenas that were issued,
18 Mr. Yohay has his copy, to have this information. One
19 subpoena was for the information to be sent directly to Mr.
20 Yohay. One was -- cause we issued three subpoenas. The other
21 one was to be mailed to me and, then, one was for the
22 custodian of records to provide it to the Court so that we
23 could just go over and get all that stuff taken care of. And
24 -- and I have the three copies here.

25 THE COURT: Can you hold that for a second for me?

1 Hey, I don't know. Is Justice Court structured differently in
2 the clerk's office?

3 THE CLERK: I honestly don't know either.

4 THE COURT: Okay. So I'm going to have to have
5 [inaudible] in the clerk's office and maybe we can figure out
6 the appropriate person that would be able to do this or should
7 we just send it down to the Justice Court clerk?

8 THE CLERK: [Inaudible.]

9 THE COURT: Mr. Sprowson?

10 MR. SPROWSON: Yes, ma'am.

11 THE COURT: If there's no objection -- okay, and I
12 don't want to be called as a witness -- the only thing we're
13 going to do is there's a subpoena and, obviously, they're not
14 responding to the subpoena -- well, what's the date?

15 MR. SPROWSON: Friday.

16 THE COURT: They did not appear for the subpoena.
17 We've got to kind of -- I've got to do a little bit of --
18 okay. We're District Court and they're Justice Court, and
19 even though we're in the same building and everything else, we
20 are totally separate, okay? They have a separate clerk's
21 department. We have a separate clerk's department. And I'm
22 not sure whether or not they're structured the same, so we're
23 going -- we're going to try to look into who we need to give
24 this to so they can send someone up to -- with the requested
25 information.

1 MR. SPROWSON: If I may - if I may point out, on the
2 top here --

3 THE COURT: Hold on one second. Hold that thought.

4 THE CLERK: Is this Las Vegas Justice Court or
5 Henderson?

6 MS. BLUTH: Las Vegas.

7 THE COURT: Las Vegas.

8 MS. BLUTH: Las Vegas.

9 THE CLERK: Okay. I just wanted to make sure.

10 MR. SPROWSON: Well, on the top of the subpoena, if
11 I may point out to the Court, it says "Las Vegas Justice
12 Court, attention, Joanne Patterson, supervisor, and/or any
13 [inaudible] supervisor of the criminal division records, Las
14 Vegas Justice Court."

15 THE COURT: Should we just contact -- send it back
16 down to Joanne what's-her-face and ask her and set a date and
17 ask them to come up to designate whoever's the custodian of
18 records for this item? Do you know that lady? Is she -- she
19 the clerk?

20 THE CLERK: I have no idea.

21 MR. SPROWSON: According to my investigator, she's a
22 supervisor at Justice Court.

23 THE COURT: Send it down there and just set a date
24 for them to come up with the requested item. I don't want to
25 get too involved because I don't want people to think that I

1 had --

2 MR. SPROWSON: Your Honor, also, if I may request,
3 if I can have that as an exhibit for the Court just so that I
4 have it on the record, you know, just for my own protection
5 and, like I said, I would like to do a voir dire examination
6 of this individual. I think it's absolutely material to my
7 case before any evidence is introduced so I have an
8 opportunity, you know, to have a fair trial before --

9 THE COURT: [Inaudible.] We just need someone to
10 come up because, obviously, they did not comply with the
11 subpoena. I don't know if they would provide the documents,
12 but they did send someone for the [inaudible] deposition.
13 Let's just send it down to that person because I don't want to
14 get too involved in it.

15 (Pause in proceedings.)

16 MS. BLUTH: What do you mean? Like --

17 THE COURT: He had -- he does have a subpoena
18 request [inaudible] and -- and we're totally separate
19 entities. I think --

20 MS. BLUTH: Sure.

21 THE COURT: -- she just needs -- you need to just go
22 to the attention of the person that Mr. Sprowson identified on
23 the subpoena. But, again, I can't get too much involved in
24 these because I don't ever want to end up as a witness in this
25 case, so --

1 MS. BLUTH: Would Carmen be able to just call down
2 there? Is that not okay?

3 THE COURT: I don't want -- I can't have my staff
4 involved. Yeah --

5 MR. SPROWSON: Your Honor, there was a name given to
6 me by Mr. Franke, an Anna Vasquez is I believe the custodian
7 of records. I have other paperwork in my paperwork in regards
8 to custodian of records of other items that we requested.

9 THE COURT: What if we [inaudible] order and his
10 investigator took that minute order saying there's a hearing
11 scheduled for this time, the custodian of records that would
12 have the information relative to that subpoena needs to appear
13 on that date and time in Department 23 with the requested
14 items, and then -- and then we just give that minute order to
15 Mr. Sprowson and his investigator can deal with getting it to
16 the appropriate person. That way none of my staff gets
17 personally involved in anything, okay?

18 MR. SPROWSON: Right, and I just wanted to establish
19 that I did -- did issue a subpoena. And the other thing, too
20 -- yeah, we can do that with Mr. Franke. I just have to -- I
21 can't get ahold of him because the way the system is in the
22 jail, he -- he won't pick up from the -- I'd have -- Mr. Yohay
23 could contact him for me?

24 THE COURT: Mr. Yohay, could you contact Mr. Franke
25 and ask him to come up some time this afternoon?

1 MR. YOHAY: I will. I'll email him right now,
2 Judge.

3 THE COURT: Pat, could you, at some point
4 [inaudible] quick minute order?

5 MR. SPROWSON: Thank you, Your Honor. I really
6 appreciate that.

7 THE COURT: Okay. Don't talk for a second, Mr.
8 Sprowson. We start 9:30 tomorrow? Let's say at 9:15
9 tomorrow. May I see the subpoena, please? The Court orders
10 that the -- the custodian of records for the Las Vegas Justice
11 Court Criminal Division records appear in Department 23 with
12 the items set forth in the criminal subpoena dated March 17th,
13 2017.

14 MS. BLUTH: Judge, before you put down a time and
15 whenever you're done talking with Kathy, I have a question
16 about starting tomorrow time-wise.

17 THE COURT: I'm just trying to figure out how to do
18 this -- how to do this. [Inaudible] this order and that way
19 you can attach this as an exhibit. Appear with the custodian
20 of records [inaudible] to appear at whatever time in
21 Department 23 with items requested and the criminal subpoena
22 dated March 17th, 2017, attached as an exhibit hereto. And
23 that way the -- the subpoena will indicate the items they're
24 supposed to bring. And, then, Sprowson's investigator, I
25 don't want to get involved in this, Sprowson's investigator,

1 if he wants to take that down to the Justice Court, he can do
2 that, but we need to get him over. Mike, are you -- are you
3 calling him?

4 MR. YOHAY: I'm emailing him right now and then I'll
5 step out and call him.

6 THE COURT: Okay. So my only involvement in this is
7 just issuing the order and making the time available in court.
8 My staff has no other involvement in this, okay?

9 MR. SPROWSON: I absolutely appreciate that, Your
10 Honor.

11 THE COURT: Okay. And, Ms. Bluth, what were you
12 going to say?

13 MS. BLUTH: So I am concerned about timing-wise
14 because I don't know if we're going to have a jury today. So
15 if we don't have a jury today, my issue is our victim lives --
16 does not live in Las Vegas and so we are flying -- we flew her
17 in, but I am obviously going to have to meet with her before
18 she comes in and testifies. And, so, if we -- if we did get a
19 jury today or if we did get one --

20 THE COURT: Tomorrow morning.

21 MS. BLUTH: -- tomorrow morning, I still am going to
22 need time to meet with her. So I just -- because, I'm sorry,
23 I haven't -- Mr. Sprowson hasn't picked a jury before so I
24 don't know if he's going to be a long time or a little time.
25 I mean, mine tend to be somewhat medium in length. So I'm

1 just trying timing-wise. I didn't want you to set that for,
2 you know, 9:30, and then us not be starting. I just, at
3 least, need to meet with the victim before I put her up on the
4 stand.

5 THE COURT: You still have to do openings and I
6 still have to -- okay. So here's in a nutshell. Okay. So I
7 don't know how long you're going to spend with the jury asking
8 questions, okay? And, then, you guys have to select a jury.
9 I doubt we're going to get a jury today, but we'll try. After
10 that happens, there's about 20 minutes worth of instructions I
11 have to give the jury, okay? They're just basic overview on
12 the trial.

13 At that point, the State's going to get a chance to
14 do their opening, you'll get a chance to do your opening, and
15 then we'll just go right into the State's witnesses. So do
16 you have a feel for how long you'll be with the jury or do you
17 just not know until you start hearing responses?

18 MR. SPROWSON: Your Honor, if I had an experience to
19 base that judgment upon, I'd -- I'd give you an answer, but at
20 this point I kind of have to off-the-cuff. Like I said, I'm
21 representing myself first time. I'm not part of the club.
22 You know, I -- honestly, I couldn't give you an answer.

23 THE COURT: Okay. Why don't we do this?

24 MR. SPROWSON: I'll do the best I can, though, to be
25 -- to be quick.

1 THE COURT: How long do you think you're going to be
2 with the victim? And I'm sure his cross might be kind of
3 lengthy.

4 MS. BLUTH: Oh. Her direct? Gosh, it's so hard to
5 gage. I would say -- I mean, it would be over an hour. I'd
6 want to put it -- what? Hour and a half? Yeah. Jim and I
7 both think that's probably around an hour and a half range.

8 THE COURT: Where's she flying in from?

9 MS. BLUTH: Reno. She's -- she's flown in. She has
10 flown in.

11 THE COURT: She's already here?

12 MS. BLUTH: Yes.

13 THE COURT: Oh. Heck. Why don't we plan for -- I
14 mean, the earliest I could see you doing it would be tomorrow
15 afternoon. And I know she's already here.

16 MS. BLUTH: Right, so she's not available -- she
17 doesn't drive, so it's kind of an issue. So she's not going
18 to be available tonight, so I can meet with her tomorrow, but,
19 you know, I just didn't know -- I don't know. Depending on
20 how far we get today we might not even get -- we could get a
21 jury tomorrow, do opening statements, and then Friday just
22 start, you know.

23 THE COURT: Why don't you -- I don't know. You guys
24 can do whatever you want, but Mr. Sweetin's perfectly capable
25 of handling tomorrow if we deal with this custodian of records

1 issue. I'm sure Mr. Sweetin's more than capable of handling
2 this.

3 MS. BLUTH: Yeah.

4 THE COURT: And, then, you still have that -- the
5 period of time that I have to give my admonishments to the
6 jury. So can you meet with her in the morning?

7 MS. BLUTH: Yeah, I can ask, but, I mean, do you
8 think that's proper for me not to be here during a part of the
9 trial in front of a jury? It's not really --

10 THE COURT: I didn't think about that. I don't
11 know. What do you want to do?

12 MS. BLUTH: My preference would be tomorrow to -- in
13 a perfect world I would say let's say we get this today and
14 we're not close to getting a jury, then, we start maybe like
15 -- tomorrow you guys have evidentiary hearings or no?

16 THE COURT: No.

17 MS. BLUTH: Okay. So tomorrow if we started at, you
18 know, told them to bring their lunches or whatever and we
19 started at, like, 11:00 and went all the way through. If we
20 get to openings, we get a jury and get to openings and
21 instruct, great. Friday we do the whole day full of
22 witnesses. That's -- I mean, it just depends on how far we
23 get today. I don't know if we're going to get that far.

24 THE COURT: And I guess I'm not really sure what
25 your question is. You can put her on either -- the earliest

1 you can put her on, I'm guessing, is probably tomorrow
2 afternoon.

3 MS. BLUTH: Right, but if I'm in here starting at
4 9:30, then, there's no way I can even meet with her. That's
5 the issue.

6 THE COURT: Unless you want to keep her until Friday
7 morning, send her home Friday evening, call someone else --
8 have someone else ready to go Friday -- I'm sorry -- Thursday
9 afternoon.

10 MS. BLUTH: We can try. She's -- she's the whole
11 case, really, you know, so anybody else, I guess, as far as,
12 like, impounding evidence and anybody else at all, she lays
13 the foundation for all of it so there's no one I can call.
14 That's why I'm telling you that's why we're in such a
15 conundrum.

16 THE COURT: How long do you need to talk -- to meet
17 with your witness?

18 MS. BLUTH: To explain the whole process, probably
19 like under two hours.

20 THE COURT: I don't know, Ms. Bluth.

21 MR. SPROWSON: I'm amenable to whatever she's able
22 to do, so. I mean, obviously I'm here, so, I don't have a
23 problem with whatever she needs to do, so.

24 THE COURT: Why don't you just play it by ear?

25 MS. BLUTH: Yeah, let's just see how far we get this

1 afternoon.

2 THE COURT: She's the longest witness and I'm sure
3 -- I don't know how many questions, but I'm sure he's going to
4 have a bit of questions for the -- the victim in this case.

5 MS. BLUTH: Sure. Yeah. And she's good till -- she
6 doesn't have to be -- she's on spring break and she -- her
7 college does not start until Monday, so that part of it will
8 be fine.

9 THE COURT: Okay. So did you have a chance to --

10 THE CLERK: Anna Vasquez is the court compliance
11 supervisor of the Justice Court and, pardon me, Joanne
12 Patterson is the legal officer supervisor at Justice Court.

13 THE COURT: So you want to direct the order -- let's
14 direct the order to those two individuals.

15 THE CLERK: Okay.

16 THE COURT: And, then, are you -- did you send the
17 body of it to Carmen and she can put it in order form?

18 THE CLERK: Not yet. I was waiting till we --

19 THE COURT: Okay. So can we do it at 9:15 tomorrow?

20 MS. BLUTH: Yeah.

21 MR. SPROWSON: Okay.

22 THE COURT: Okay.

23 THE CLERK: So 9:15.

24 THE COURT: Okay. So, Cathy, while you're handling
25 that, we had two other issues. Did that juror ever show up?

1 THE MARSHAL: Juror 1 did show up, Judge.

2 THE COURT: Is it the one that said she wasn't
3 because she had some problem?

4 THE MARSHAL: That one never showed up.

5 THE COURT: And that is?

6 THE MARSHAL: 777.

7 THE COURT: All right. So the juror that decides
8 she's not going to show up is Juror 777, Jerlynn Wilson. And
9 I don't think she's in this group. She's in the back, isn't
10 she?

11 THE MARSHAL: Yes, Judge.

12 THE COURT: Okay. So, Mr. Sprowson, the State, I
13 was just going to dismiss her at this point.

14 MR. SPROWSON: This is which one?

15 THE MARSHAL: The one I showed you.

16 THE COURT: It's 777, Jerlynn Wilson. She's not
17 even in this box. She's in the back in the audience
18 somewhere.

19 THE MARSHAL: [(Inaudible] email [inaudible].

20 MS. BLUTH: Submitted, Judge.

21 THE COURT: Did you show Mr. Sprowson the email?

22 THE MARSHAL: I did, Judge.

23 THE COURT: Okay. Make this Court exhibit, please,
24 as a reason. Is there anything else we need to address?

25 THE MARSHAL: Yes. Juror 614.

1 THE COURT: Oh, yeah, yeah, yeah. 614, she is in
2 chair No. 4 there. It is Gayle Carlton. I -- according to my
3 staff -- I believe it was Jason, right?

4 THE MARSHAL: Yes, Judge.

5 THE COURT: She is visibly distraught after hearing
6 the nature of the charges and everything else. I'm not sure
7 if she had a personal experience.

8 THE MARSHAL: She told me she had a personal
9 experience, it was domestic-violence related and this is
10 sexual abuse, it's [inaudible] and --

11 THE COURT: Okay. My suggestion would be -- I don't
12 want her to taint the rest of the jury if she gets visibly
13 upset. We can call her in separately and talk to her to see
14 if she can hold it together to get through voir dire.

15 MS. BLUTH: Sounds good.

16 THE COURT: Otherwise, if she sits there and starts
17 crying and everything else, my experience is it kind of tends
18 to taint the rest of the jury when someone has a lot of huge
19 display of emotion.

20 MR. SPROWSON: Honestly, Your Honor, unless they put
21 on a dramatic display, I can't see -- I know what went on in
22 my situation, but if we need to dismiss her --

23 THE COURT: Do you want to just dismiss her? What
24 do you want to do? Is the State agreeable?

25 MS. BLUTH: No, I'd like to talk to her.

1 THE COURT: Okay. So we'll just call her in. You
2 can ask her a few questions, I mean, and that's fine, to see
3 if she can, you know, hold it together, be a juror in this
4 case. So why don't you bring Ms. Carlton in, please?

5 THE MARSHAL: Judge, do you want her to sit up
6 there? She can stand here? How do you want it?

7 THE COURT: She can just stand wherever she's
8 comfortable.

9 THE MARSHAL: Okay.

10 THE COURT: I don't want to make her more
11 uncomfortable.

12 THE MARSHAL: All right.

13 MR. YOHAY: And, Judge, just so you know, I've
14 emailed and then I called and left a message for Franke, the
15 investigator.

16 THE COURT: Please stay on it, Mr. Yohay.

17 MR. YOHAY: I will. I will keep up with it.

18 THE COURT: Or, you have people at your office who
19 could do it, too, don't you?

20 MR. YOHAY: We do have investigators, that is --

21 THE COURT: So if that investigator doesn't come,
22 would there be any objection to the PD's utilizing their
23 investigator to take that order down?

24 MR. SPROWSON: Actually, I would prefer that.

25 MR. YOHAY: If that's your order, Judge, I will make

1 it happen.

2 THE COURT: You'll make it happen, that's my order.

3 MR. SPROWSON: I'm starting to like him more and
4 more.

5 THE COURT: All right.

6 MR. YOHAY: I will, I'll contact our office.

7 (PROSPECTIVE JUROR NO. 614 ENTERED.)

8 THE COURT: Hi, ma'am. Come on in. I don't want
9 you to be uncomfortable. Come on in. Just --

10 THE MARSHAL: Wherever you feel comfortable.

11 THE COURT: Wherever you're comfortable.

12 THE MARSHAL: Okay. That's fine.

13 THE COURT: Hi. All right. Ms. Carlton, hi. And
14 we're not trying to make you feel uncomfortable at all, okay?
15 And I know we talked yesterday. Again, we went through a
16 series of questions and you've heard a little bit about this
17 case. And, again, like I said yesterday, there's nothing --
18 we don't pull people in here to make them uncomfortable or
19 bother them in any way, shape or form, but Jason said you're
20 having some concerns being here today.

21 Can you tell me a little bit what's going on? We're
22 not going to yell at you or anything. I just need to find out
23 what's going on, ma'am.

24 PROSPECTIVE JUROR NO. 614: I'm -- because of my
25 history I was uncomfortable with a couple of things that were

1 said and I -- I started shutting down, but after 30 years of
2 this occurring, that's just what my body does. It's just when
3 I feel threatened, I shut down, and I wasn't able to
4 understand what was going on and I didn't want that to
5 continue.

6 THE COURT: Okay. Can I ask -- you know, we never
7 want anyone to feel threatened or unsafe in any way, shape or
8 form, but can you tell me what happened?

9 PROSPECTIVE JUROR NO. 614: It was a comment.

10 THE COURT: By whom, ma'am?

11 PROSPECTIVE JUROR NO. 614: I'll be -- I'll be okay.
12 I'll just -- I'll just do it and I'll be okay.

13 THE MARSHAL: It's okay.

14 THE COURT: We're not trying to single you out. I
15 just want to find out what's going on.

16 THE MARSHAL: She requests, Judge, to talk to you
17 just at the bench.

18 THE COURT: Does anyone have any objection to me
19 speaking with her?

20 MS. BLUTH: No, Your Honor.

21 MR. SPROWSON: I don't, no.

22 THE COURT: Is that okay, Mr. Sprowson?

23 MR. SPROWSON: I have no problem.

24 THE COURT: Okay. You want to come up here with
25 Jason and kind of tell me what's going on?

1 THE RECORDER: And bench conference, Judge?

2 THE COURT: Does anyone object to it being a bench
3 conference?

4 MS. BLUTH: No, Your Honor.

5 MR. SPROWSON: No, I don't.

6 THE COURT: Mr. Sprowson? No. Okay.

7 (BENCH CONFERENCE NOT TRANSCRIBED.)

8 THE COURT: Okay. So by agreement of both the State
9 and the Defendant, I did just speak with the -- Juror No. 614
10 and it was at a bench conference. It is not recorded. I
11 believe both sides realize that, correct? Speaking with her,
12 she appears to have had -- she experienced obvious physical
13 manifestations of being extremely upset and unable to control
14 her emotions and keep herself together.

15 It is my opinion that based upon the nature of
16 experiences she's had in her prior life that she might be
17 better suited for another jury, a juror -- a jury as another
18 juror. So I think Mr. Sprowson was agreeable to sending her
19 back down to Jury Services and replacing her with someone
20 else. And the State, I am going -- I know that you wanted to
21 have her on, but I think that it's a physical and
22 psychological detriment for her to stay on this jury.

23 MS. BLUTH: That's fine, Judge.

24 THE COURT: Okay. So, Maria, go tell Jase to
25 quietly tell her she can go down to Jury Services. Okay. If

1 there's nothing else, I'd like to get the jury in.

2 (Off-record conference.)

3 THE COURT: Okay. Jase, are we otherwise ready to
4 bring everybody in?

5 THE MARSHAL: We are, Judge. I was just looking for
6 her little coat.

7 MR. YOHAY: Do you have that subpoena? I've got --
8 I [inaudible] get it from my office heading over, pick it up
9 and serve it.

10 THE COURT: As fast as little Carmen can type.

11 MR. YOHAY: Okay. See if she could type faster than
12 I can walk.

13 MR. SPROWSON: If I could have a copy of it?

14 THE COURT: Yeah.

15 (Pause in proceedings.)

16 THE COURT: Okay. I'm ready to bring the jury in,
17 so.

18 MR. YOHAY: And I was also just told to ask if
19 you'll officially order us to do it so we have --

20 THE COURT: The Public Defender's Office is ordered
21 to take that down to the Justice Court. Mr. Sprowson is
22 agreeable to standby counsel doing that, correct?

23 MR. SPROWSON: Yes, I am.

24 THE COURT: All right. Great. I'll be back in,
25 like, 30 seconds or less.

1 (Court recessed at 1:56 p.m. until 1:59 p.m.)

2 (Outside the presence of the prospective jury panel.)

3 THE COURT: Carmen's typing it.

4 (Pause in proceedings.)

5 THE COURT: How are you feeling, Mr. Sprowson? Did
6 you take your Insulin today?

7 MR. SPROWSON: Yeah, everything is much better
8 today. I didn't have the -- the situation happened -- they
9 moved me -- actually, they put -- well, I'm not going to go
10 into detail.

11 THE COURT: Until about 4:45, five o'clock today?

12 MR. SPROWSON: Yeah, I'll be okay. The -- the
13 afternoons are actually better for me because I get my
14 medication early on and so I don't have to -- like, the
15 problem with yesterday is because I was here all morning and
16 that kind of messes up -- because, you know, they have
17 scheduled time --

18 THE COURT: Are you worse in the morning?

19 MR. SPROWSON: Say again?

20 THE COURT: Are you worse in the mornings?

21 MR. SPROWSON: Well, just the scheduling -- it's --
22 it's -- if I was doing it myself, I wouldn't have a problem,
23 but because I'm at CCDC they have scheduled nursing times and
24 so -- and scheduled meal times, so I'm trying to work around
25 that. So when I come to court and I have in the past, it's

1 always been a conflict that I end up skipping one of my doses
2 of Insulin and that's been a problem. That's my only concern
3 I was trying to bring up yesterday because yesterday there was
4 an issue with me getting my medication and sometimes, you
5 know, if you're not on the scheduled time --

6 THE COURT: Okay.

7 MR. SPROWSON: -- you got to get the nurse in.

8 THE COURT: Let me know, okay, because, you know --
9 Jason's out getting the jury, right?

10 THE MARSHAL: I believe so.

11 THE COURT: I don't want to be wasting time, but,
12 yeah, I was thinking about it yesterday. I've noticed the
13 difference in you depending on when you're in court and maybe
14 that's what it would be attributable to. Jason, is the jury
15 ready?

16 THE MARSHAL: We are, Judge.

17 THE COURT: Thank you. So can you bring them in,
18 please? So if you notice something going on, please make sure
19 that you let me know. Mr. Sprowson, did you hear me?

20 MR. SPROWSON: Sorry.

21 THE COURT: You -- like I said, now that I think
22 about it I've kind of noticed the difference in you and maybe
23 it's your Insulin. So if you feel something happening in
24 court, get my attention so we can take a break if you need it,
25 okay?

1 MR. SPROWSON: All right. Thank you. I appreciate
2 that.

3 THE COURT: Thank you.

4 (Pause in proceedings.)

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

6 THE MARSHAL: Court's ready. Jury is present.

7 THE COURT: Welcome back, everybody. All right.
8 Ladies and gentlemen, I just want you to recall that yesterday
9 you guys were sworn in as potential jurors. You're still
10 under oath at this time. Can you please call the additional
11 juror?

12 THE CLERK: Badge No. 756, Randy Jensen for Seat No.
13 4.

14 THE COURT: What's the badge number?

15 THE CLERK: It is 756.

16 THE COURT: All right. Good morning or good
17 afternoon now. Ms. Jensen, right?

18 PROSPECTIVE JUROR NO. 756: Yes.

19 THE COURT: Hi. Okay. We've got to get you up to
20 speed real quick. So I know you've heard these questions. As
21 you heard, there's law enforcement officials who may be called
22 to testify in this case. Would you give more weight or
23 credence to the testimony of a law enforcement official simply
24 because he or she is in law enforcement?

25 PROSPECTIVE JUROR NO. 756: No.

1 THE COURT: I said that really fast.

2 PROSPECTIVE JUROR NO. 756: No.

3 THE COURT: No. All right. And are you in law
4 enforcement?

5 PROSPECTIVE JUROR NO. 756: No.

6 THE COURT: And do you have friends or family that
7 are in law enforcement?

8 PROSPECTIVE JUROR NO. 756: No.

9 THE COURT: And have you ever been the victim of a
10 crime?

11 PROSPECTIVE JUROR NO. 756: No.

12 THE COURT: And have you been accused of committing
13 a crime?

14 PROSPECTIVE JUROR NO. 756: No.

15 THE COURT: And can you follow these instructions?
16 You must follow all instructions of the court on the law even
17 if they differ from your personal conceptions of what you
18 think the law ought to be. Can you follow that instruction,
19 ma'am?

20 PROSPECTIVE JUROR NO. 756: Yes.

21 THE COURT: And can you follow this instruction? A
22 person who is accused of committing a crime is presumed to be
23 innocent in a criminal trial. Can you follow that
24 instruction?

25 PROSPECTIVE JUROR NO. 756: Yes.

1 THE COURT: And can you follow this one? The
2 Defendant does not have to present any evidence in order for
3 you to return a verdict of not guilty. Can you follow that
4 instruction?

5 PROSPECTIVE JUROR NO. 756: Yes.

6 THE COURT: And, lastly, can you follow this
7 instruction? The State has the burden of proving the
8 Defendant guilty beyond a reasonable doubt. Can you follow
9 that instruction?

10 PROSPECTIVE JUROR NO. 756: Yes.

11 THE COURT: All right. Ms. Jensen, are you
12 employed?

13 PROSPECTIVE JUROR NO. 756: Yes.

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

15 PROSPECTIVE JUROR NO. 756: I'm a casino dealer.

16 THE COURT: How long have you done that?

17 PROSPECTIVE JUROR NO. 756: Over 40 years.

18 THE COURT: You've seen a lot of changes in Vegas,
19 haven't you?

20 PROSPECTIVE JUROR NO. 756: Yes.

21 THE COURT: All right. So did you have a career
22 prior to working in the casino?

23 PROSPECTIVE JUROR NO. 756: I was a cocktail
24 waitress at the Holiday Casino when it first opened many years
25 ago. It's Harrah's now.

1 THE COURT: Yeah. All right. Any other jobs?
2 Jason, can you give me more [inaudible], please?

3 THE MARSHAL: Yes.

4 THE COURT: Thank you. All right. And, so,
5 anything else? Any other jobs?

6 PROSPECTIVE JUROR NO. 756: Waitress, food waitress.

7 THE COURT: Are you married?

8 PROSPECTIVE JUROR NO. 756: Yes.

9 THE COURT: Does your husband work?

10 PROSPECTIVE JUROR NO. 756: Yes.

11 THE COURT: What does he do?

12 PROSPECTIVE JUROR NO. 756: He's a vice-president in
13 charge of casino player development at the South Point Casino.

14 THE COURT: Do you have children?

15 PROSPECTIVE JUROR NO. 756: Yes.

16 THE COURT: How many?

17 PROSPECTIVE JUROR NO. 756: Three.

18 THE COURT: How old are they?

19 PROSPECTIVE JUROR NO. 756: Forty-five, 41 and 36.

20 THE COURT: And your 45-year-old, what does that
21 person do for a living?

22 PROSPECTIVE JUROR NO. 756: She is a food waitress
23 and cocktail waitress at the TGIF at the Gold Coast Casino.

24 THE COURT: Gosh, I didn't even know they had those
25 in town anymore. Okay. And the 41-year-old, what does that

1 one do?

2 PROSPECTIVE JUROR NO. 756: She is a casino dealer
3 at the Cosmopolitan Hotel and Casino.

4 THE COURT: And the 36-year-old?

5 PROSPECTIVE JUROR NO. 756: He is a casino dealer at
6 the South Point Hotel.

7 THE COURT: All in the family, right?

8 PROSPECTIVE JUROR NO. 756: Yes.

9 THE COURT: All right. And how long have you been
10 in Clark County, Nevada, ma'am?

11 PROSPECTIVE JUROR NO. 756: Sixty years.

12 THE COURT: Thank you very much. All right. So
13 let's pick up where we left off. I think I left off with Mr.
14 Miller or Ms. Miller. I'm sorry. You certainly don't look
15 like a Mr. Miller, but I was looking down. I apologize. Did
16 I give you -- did I go through the questions with you
17 yesterday? All right. Let's go on. Let's pass the
18 microphone down. We -- there it is -- all the way down to
19 Seat No. 17 -- thank you so much -- which is Julie Langille.
20 Hi, ma'am. How are you? Are you employed?

21 PROSPECTIVE JUROR NO. 692: Yes, I have a limited
22 liability corporation that does entertainment here in town.

23 THE COURT: Okay. So tell me a little bit about it.

24 PROSPECTIVE JUROR NO. 692: Basically, I provide
25 choreographed dancing entertainment for events and event

1 shows.

2 THE COURT: How long have you done that?

3 PROSPECTIVE JUROR NO. 692: Probably ten years.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 692: At least. I also do it
6 myself.

7 THE COURT: Okay. And prior to that job, what did
8 you do?

9 PROSPECTIVE JUROR NO. 692: I've always been a
10 professional dancer/entertainer. So, let's see, I co-produced
11 the Badabing show. I was in the Badabing show. That show was
12 at the Stardust and at the Frontier and at Mandalay Bay. I
13 was in Tony and Tina's wedding at the Rio. I was in -- I -- I
14 worked for Impression Photos as a show girl in their photos,
15 at many different hotels in town, as well.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 692: I was the princess for
18 FAO Schwartz Toy Stores.

19 THE COURT: Okay. A while ago.

20 PROSPECTIVE JUROR NO. 692: Yes. And I was in the
21 original cast of Masquerade Village Show in the Sky at the
22 Rio. I've done cruise ships. I've lived in Japan. I
23 choreographed West Side Story and the Sound of Music there.

24 THE COURT: You've done a lot.

25 PROSPECTIVE JUROR NO. 692: Yeah.

1 THE COURT: Okay. So have you always been in the
2 entertainment industry?

3 PROSPECTIVE JUROR NO. 692: Yes.

4 THE COURT: In some aspect?

5 PROSPECTIVE JUROR NO. 692: Yes.

6 THE COURT: Okay. And does that get us back to the
7 teenage years?

8 PROSPECTIVE JUROR NO. 692: Yes.

9 THE COURT: All right. Are you married?

10 PROSPECTIVE JUROR NO. 692: No.

11 THE COURT: Okay. And do you have children?

12 PROSPECTIVE JUROR NO. 692: No.

13 THE COURT: And how long have you been in Clark
14 County, Nevada?

15 PROSPECTIVE JUROR NO. 692: On and off for 20 years.

16 THE COURT: Thank you very much. You can pass it on
17 down to Roderick Jones. Mr. -- No. 695. Mr. Jones, good
18 afternoon, sir. Are you employed?

19 PROSPECTIVE JUROR NO. 695: Yes, self-employed.

20 THE COURT: Self-employed? What do you do?

21 PROSPECTIVE JUROR NO. 695: Digital cinematography,
22 graphic design, photography, and music production.

23 THE COURT: How long have you done that?

24 PROSPECTIVE JUROR NO. 695: Well, the company, maybe
25 -- maybe about three years, three or four years as far as with

1 the company, but outside of that, since I was, like, 18.

2 THE COURT: Okay. So before you -- this is your
3 company, right?

4 PROSPECTIVE JUROR NO. 695: Uh-huh.

5 THE COURT: Okay. Before you started -- before you
6 started that company, what did you do for a living?

7 PROSPECTIVE JUROR NO. 695: Truck driver and I drove
8 for JB Hunt, and Swift, and Reinhardt Food Services.

9 THE COURT: How long were you driving trucks?

10 PROSPECTIVE JUROR NO. 695: Four years, five years.

11 THE COURT: And before that?

12 PROSPECTIVE JUROR NO. 695: Music production.

13 THE COURT: All right. And any other jobs -- taking
14 you back to your teenage years, have you got --

15 PROSPECTIVE JUROR NO. 695: Well, I started working
16 with my parents when I was 12, so, doing floors, anchor man.

17 THE COURT: All right. So, okay, we've gone back --

18 PROSPECTIVE JUROR NO. 695: So that's about 18, 12
19 to 18.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 695: Yeah, yes.

22 THE COURT: So we've got you back to music
23 production, is that pretty much back to when you were a
24 teenager?

25 PROSPECTIVE JUROR NO. 695: Yeah.

1 THE COURT: All right. And are you married?
2 PROSPECTIVE JUROR NO. 695: Yes.
3 THE COURT: Does your spouse work?
4 PROSPECTIVE JUROR NO. 695: Yes.
5 THE COURT: What does she do?
6 PROSPECTIVE JUROR NO. 695: She's a supervisor at
7 Victoria Secrets.
8 THE COURT: And do you have children?
9 PROSPECTIVE JUROR NO. 695: Yes.
10 THE COURT: How many?
11 PROSPECTIVE JUROR NO. 695: Two.
12 THE COURT: How old?
13 PROSPECTIVE JUROR NO. 695: Fourteen and 8.
14 THE COURT: All right. And the 14 is a girl or a
15 boy?
16 PROSPECTIVE JUROR NO. 695: Girl.
17 THE COURT: All right. And the eight-year-old?
18 PROSPECTIVE JUROR NO. 695: Boy.
19 THE COURT: Boy. All right. And, Mr. Jones, how
20 long have you been in Clark County, Nevada?
21 PROSPECTIVE JUROR NO. 695: About two years.
22 THE COURT: All right. Thank you, Mr. Jones. If
23 you want to pass it down to Ali Marvin, Badge No. 697. Mr.
24 Marvin, are you employed?
25 PROSPECTIVE JUROR NO. 697: Yes.

1 THE COURT: What do you do?
2 PROSPECTIVE JUROR NO. 697: Network technician.
3 THE COURT: I'm sorry.
4 PROSPECTIVE JUROR NO. 697: Network technician.
5 THE COURT: Oh. Network. Okay. How long have you
6 done that?
7 PROSPECTIVE JUROR NO. 697: About ten months.
8 THE COURT: And prior to that job?
9 PROSPECTIVE JUROR NO. 697: I was IT Internet, City
10 of North Las Vegas.
11 THE COURT: And prior to that job?
12 PROSPECTIVE JUROR NO. 697: Did driving for local
13 cab company, that's about five years.
14 THE COURT: Okay. And before that?
15 PROSPECTIVE JUROR NO. 697: IT Assistant Tech in
16 Kuwait. That's about five years.
17 THE COURT: All right. And any other jobs?
18 PROSPECTIVE JUROR NO. 697: No.
19 THE COURT: Are you married?
20 PROSPECTIVE JUROR NO. 697: No.
21 THE COURT: Children?
22 PROSPECTIVE JUROR NO. 697: No.
23 THE COURT: And how long at Clark County, Nevada?
24 PROSPECTIVE JUROR NO. 697: Six years.
25 THE COURT: Thank you so much. If you want to pass

1 it on down to Joshua Hardison, Badge No. 698. Mr. Hardison,
2 sir, are you employed?

3 PROSPECTIVE JUROR NO. 698: No.

4 THE COURT: Are you between jobs? Retired?

5 PROSPECTIVE JUROR NO. 698: Between jobs.

6 THE COURT: All right. When you last worked, what
7 did you do?

8 PROSPECTIVE JUROR NO. 698: Drywall finisher.

9 THE COURT: How long did you do that?

10 PROSPECTIVE JUROR NO. 698: About ten years.

11 THE COURT: And prior to that job?

12 PROSPECTIVE JUROR NO. 698: Just general
13 construction for about three or four years.

14 THE COURT: Sure. Any other jobs?

15 PROSPECTIVE JUROR NO. 698: Yes, before that I was a
16 janitor for, like, eight years.

17 THE COURT: Anything else?

18 PROSPECTIVE JUROR NO. 698: Yeah, right out of high
19 school at Taco Bell for about a year.

20 THE COURT: That is my favorite fast food. All
21 right. Are you married?

22 PROSPECTIVE JUROR NO. 698: No.

23 THE COURT: Do you have children?

24 PROSPECTIVE JUROR NO. 698: No, I do not.

25 THE COURT: And how long have you been in Clark

1 County, Nevada?

2 PROSPECTIVE JUROR NO. 698: Since '79.

3 THE COURT: All right. Thank you, Mr. Hardison. If
4 you want to pass it on down to Dorothy Funston, Badge No. 708.

5 PROSPECTIVE JUROR NO. 675: Excuse, Your Honor.

6 THE COURT: Yes, ma'am.

7 PROSPECTIVE JUROR NO. 675: May I step outside to
8 relieve my dog real quick?

9 THE COURT: Oh. You have a dog? Okay. Sure. Just
10 come right back up, please. Okay? Let's see. We're on
11 Funston. All right. And, ma'am, are you employed?

12 PROSPECTIVE JUROR NO. 708: Yes, I work for Komarek
13 International, it's a wholesale distribution company. Been
14 there for 17 years. Before that, I was a franchisee for
15 7-Eleven for twelve years.

16 THE COURT: Yes, ma'am.

17 PROSPECTIVE JUROR NO. 708: I have a wife. She's a
18 school teacher at the Clark County School District.

19 THE COURT: All right. Children?

20 PROSPECTIVE JUROR NO. 708: Two children.

21 THE COURT: How old?

22 PROSPECTIVE JUROR NO. 708: A six and a
23 nine-year-old.

24 THE COURT: And a six-year-old girl or boy?

25 PROSPECTIVE JUROR NO. 708: Six-year-old is a boy.

1 THE COURT: And the nine?

2 PROSPECTIVE JUROR NO. 708: Nine-year-old's a girl.

3 THE COURT: One of each. How fun. All right. How
4 long have you been in Clark County, Nevada?

5 PROSPECTIVE JUROR NO. 708: Fifty years.

6 THE COURT: Thank you so much. Let's move it on
7 down to Martha Silvasy, No. 709. And, Ms. Silvasy, are you
8 employed?

9 PROSPECTIVE JUROR NO. 709: Yes.

10 THE COURT: What do you do?

11 PROSPECTIVE JUROR NO. 709: I'm a program manager.

12 THE COURT: For what kind of business?

13 PROSPECTIVE JUROR NO. 709: It's a non-profit
14 organization focused on home ownership sustainability.

15 THE COURT: How long have you done that?

16 PROSPECTIVE JUROR NO. 709: For five years.

17 THE COURT: And prior to that?

18 PROSPECTIVE JUROR NO. 709: Prior to that I was a
19 director of training and sales for a local company here.

20 THE COURT: How long?

21 PROSPECTIVE JUROR NO. 709: Roughly nine months.

22 THE COURT: All right. And prior to that?

23 PROSPECTIVE JUROR NO. 709: Operations, basically a
24 program manager, what I'm doing now focused in call centers
25 and I've been doing that pretty much since I was out of

1 college.

2 THE COURT: All right. Are you married?

3 PROSPECTIVE JUROR NO. 709: Yes, I am.

4 THE COURT: Does your spouse work?

5 PROSPECTIVE JUROR NO. 709: Yes, he does.

6 THE COURT: What does he do?

7 PROSPECTIVE JUROR NO. 709: He is a commodities
8 manager.

9 THE COURT: And you have children?

10 PROSPECTIVE JUROR NO. 709: No, we do not.

11 THE COURT: And how long have you been in Clark
12 County, Nevada?

13 PROSPECTIVE JUROR NO. 709: Since 2004.

14 THE COURT: Thank you so much. Let's move it on
15 down to Eli Alvarado, Badge 714. Did I miss you?

16 PROSPECTIVE JUROR NO. 714: It's okay. Everyone
17 does.

18 THE COURT: Are you Susan?

19 PROSPECTIVE JUROR NO. 717: Uh-huh.

20 THE COURT: You know, you guys are -- you need to
21 switch chairs?

22 PROSPECTIVE JUROR NO. 717: Are we in the wrong
23 seats? I sit here yesterday. I'm sorry.

24 THE COURT: No, I wouldn't miss you. Just didn't
25 look like Eli and Eli didn't look like Susan. Okay. So,

1 Eli --

2 PROSPECTIVE JUROR NO. 714: Yes, ma'am.

3 THE COURT: -- Alvarado, 714. Sir, what do you do
4 for a living?

5 PROSPECTIVE JUROR NO. 714: I'm an HVAC installer
6 for commercial.

7 THE COURT: How long have you done that?

8 PROSPECTIVE JUROR NO. 714: Last seven years.

9 THE COURT: And prior to that?

10 PROSPECTIVE JUROR NO. 714: I was in Idaho for two
11 years and was a cook, McKenzie River Pizza.

12 THE COURT: Okay. And prior to that?

13 PROSPECTIVE JUROR NO. 714: I was here just doing
14 basic construction since high school pretty much.

15 THE COURT: All right. Are you married?

16 PROSPECTIVE JUROR NO. 714: Yes, ma'am.

17 THE COURT: Does your spouse work?

18 PROSPECTIVE JUROR NO. 714: No, she's stay-at-home
19 wife.

20 THE COURT: Stay-at-home wife?

21 PROSPECTIVE JUROR NO. 714: Yes.

22 THE COURT: Do you guys have children?

23 PROSPECTIVE JUROR NO. 714: Yes, ma'am.

24 THE COURT: All right. How many?

25 PROSPECTIVE JUROR NO. 714: I have four. We have

1 three together.

2 THE COURT: Okay. So how old are your kids?

3 PROSPECTIVE JUROR NO. 714: Four, five, seven and
4 twelve.

5 THE COURT: Wow. Busy.

6 PROSPECTIVE JUROR NO. 714: Yes.

7 THE COURT: So the four-year-old's a girl or boy?

8 PROSPECTIVE JUROR NO. 714: Boy.

9 THE COURT: Five-year-old?

10 PROSPECTIVE JUROR NO. 714: Boy.

11 THE COURT: Seven-year-old?

12 PROSPECTIVE JUROR NO. 714: A girl.

13 THE COURT: And twelve-year-old?

14 PROSPECTIVE JUROR NO. 714: Girl.

15 THE COURT: All right. And how long have you been
16 in Clark County, Nevada?

17 PROSPECTIVE JUROR NO. 714: Since '89.

18 THE COURT: Thank you so much.

19 PROSPECTIVE JUROR NO. 714: You're welcome.

20 THE COURT: If you want to pass it on down to Susan
21 Nielson, Badge 717. I would never forget you. All right.
22 Ms. Nielson, are you employed?

23 PROSPECTIVE JUROR NO. 717: Yes.

24 THE COURT: What do you do?

25 PROSPECTIVE JUROR NO. 717: I stutter so it's very

1 hard, okay?

2 THE COURT: I didn't even notice. And I -- and I
3 talk really fast.

4 PROSPECTIVE JUROR NO. 717: Cage cashier.

5 THE COURT: I'm sorry?

6 PROSPECTIVE JUROR NO. 717: Cage cashier.

7 THE COURT: Cage cashier. All I said is I talk very
8 fast.

9 PROSPECTIVE JUROR NO. 717: I've been in gaming
10 since '96 and that's when I moved here.

11 THE COURT: Okay. So have you been in the same
12 position or different positions within the casino?

13 PROSPECTIVE JUROR NO. 717: I started at the bottom
14 slots, booth, on the floor, in the cage.

15 THE COURT: Okay. And then, before 1996, what did
16 you do?

17 PROSPECTIVE JUROR NO. 717: I was in California. I
18 was a mail carrier.

19 THE COURT: With the post office?

20 PROSPECTIVE JUROR NO. 717: No, at the college.

21 THE COURT: Okay. And prior to that job?

22 PROSPECTIVE JUROR NO. 717: VCI -- I was accounts
23 payable at the same company I was a parts clerk.

24 THE COURT: Any other jobs?

25 PROSPECTIVE JUROR NO. 717: My -- I think it was 19

1 -- in a factory.

2 THE COURT: Anything else?

3 PROSPECTIVE JUROR NO. 717: No.

4 THE COURT: All right. And are you married?

5 PROSPECTIVE JUROR NO. 717: No.

6 THE COURT: Children?

7 PROSPECTIVE JUROR NO. 717: No.

8 THE COURT: And how long in Clark County, Nevada?

9 PROSPECTIVE JUROR NO. 717: '96.

10 THE COURT: Thank you very much. All right. Let's
11 pass it all the way down to Virgilio Bernarte. Sir, are you
12 employed?

13 PROSPECTIVE JUROR NO. 720: Yes, ma'am.

14 THE COURT: What do you do?

15 PROSPECTIVE JUROR NO. 720: I'm a clerk [inaudible]
16 Smart Car.

17 THE COURT: I'm sorry.

18 PROSPECTIVE JUROR NO. 720: The company Smart Car.

19 THE COURT: Oh. Smart Card or Car?

20 PROSPECTIVE JUROR NO. 720: Car, ma'am.

21 THE COURT: What do you do there?

22 PROSPECTIVE JUROR NO. 720: I'm clerk [inaudible]
23 and we work in McCarran Airport.

24 THE COURT: Okay. And how long have you been with
25 that company?

1 PROSPECTIVE JUROR NO. 720: Been, like, 16 months
2 now.

3 THE COURT: Okay. And prior to that job?

4 PROSPECTIVE JUROR NO. 720: Before I started, truck
5 driver for a year, and before that I work in HSBC Bank as a
6 machine operator for 14 years.

7 THE COURT: Okay. Prior to the bank job, what did
8 you do?

9 PROSPECTIVE JUROR NO. 720: We were the one do
10 credit card and [inaudible] and statement processing.

11 THE COURT: Any other jobs, sir?

12 PROSPECTIVE JUROR NO. 720: Before and when I came
13 in 1985 I work in New Jersey as a warehouse -- warehouse
14 assistant.

15 THE COURT: All right. Any other jobs, sir?

16 PROSPECTIVE JUROR NO. 720: That's it.

17 THE COURT: Are you married?

18 PROSPECTIVE JUROR NO. 720: Yes, ma'am.

19 THE COURT: Does your spouse work?

20 PROSPECTIVE JUROR NO. 720: She's a nurse,
21 registered nurse.

22 THE COURT: What type of nurse is she?

23 PROSPECTIVE JUROR NO. 720: Excuse me?

24 THE COURT: What type of nurse?

25 PROSPECTIVE JUROR NO. 720: Registered nurse.

1 THE COURT: Does she work, like, in the ER? Does
2 she work in --

3 PROSPECTIVE JUROR NO. 720: She work in right now in
4 acute patient in [inaudible] hospital and AMG Hospital.

5 THE COURT: Okay. And you have children?

6 PROSPECTIVE JUROR NO. 720: Three.

7 THE COURT: How old are they?

8 PROSPECTIVE JUROR NO. 720: Twenty-eight, the
9 eldest; 26 and 21.

10 THE COURT: The 28-year-old a boy or a girl?

11 PROSPECTIVE JUROR NO. 720: A boy.

12 THE COURT: And what does he do for a living?

13 PROSPECTIVE JUROR NO. 720: He's a server in
14 California Pizza.

15 THE COURT: Okay. And the 26-year-old?

16 PROSPECTIVE JUROR NO. 720: Yeah, he's a -- he just
17 graduate. He's a pharmacist now.

18 THE COURT: And that's girl or boy?

19 PROSPECTIVE JUROR NO. 720: A boy, too.

20 THE COURT: And, lastly, the 21-year-old?

21 PROSPECTIVE JUROR NO. 720: Twenty-one years old is
22 a boy and in college.

23 THE COURT: And what is he studying, do you know?

24 PROSPECTIVE JUROR NO. 720: He's getting RN, too,
25 registered nurse.

1 THE COURT: Okay. And how long have you been in
2 Clark County, Nevada?

3 PROSPECTIVE JUROR NO. 720: Eleven years now, ma'am.

4 THE COURT: Thank you so much. Let's pass it on
5 down to Gwendolyn Peete, Badge No. 721. Ms. Peete, are you
6 employed?

7 PROSPECTIVE JUROR NO. 721: No, I've been a
8 homemaker about ten years and then I was working with the
9 Clark County School District.

10 THE COURT: What did you do at the school district?

11 PROSPECTIVE JUROR NO. 721: I was a supply clerk for
12 Vista -- [Inaudible] and Vista High School.

13 THE COURT: How long were you -- were you with the
14 school district?

15 PROSPECTIVE JUROR NO. 721: For two years.

16 THE COURT: And prior to that?

17 PROSPECTIVE JUROR NO. 721: I was in Africa doing
18 mission work for two years, my husband and I.

19 THE COURT: And prior to that?

20 PROSPECTIVE JUROR NO. 721: And I was a computer
21 teacher at a private Christian school in California.

22 THE COURT: And prior to that?

23 PROSPECTIVE JUROR NO. 721: I worked at the postal
24 service as a -- working as a bulk rate business clerk and a
25 window clerk.

1 THE COURT: Any other jobs?

2 PROSPECTIVE JUROR NO. 721: Yes, I work with the
3 City of Long Beach Health Department, which is the -- the
4 program called the Roll Them In, absentee of the fathers in
5 the home.

6 THE COURT: All right. Anything else?

7 PROSPECTIVE JUROR NO. 721: No.

8 THE COURT: And you're married, you said?

9 PROSPECTIVE JUROR NO. 721: Yes.

10 THE COURT: And what does your husband do for a
11 living?

12 PROSPECTIVE JUROR NO. 721: He's into sales.

13 THE COURT: And do you have children?

14 PROSPECTIVE JUROR NO. 721: Yes, I have one
15 daughter.

16 THE COURT: And how old is she?

17 PROSPECTIVE JUROR NO. 721: She's 32.

18 THE COURT: And what does she do for a living?

19 PROSPECTIVE JUROR NO. 721: She's a vice-president
20 for JP Morgan in California.

21 THE COURT: And how long have you been in Clark
22 County, Nevada?

23 PROSPECTIVE JUROR NO. 721: About 13 years.

24 THE COURT: Thank you so much. If you want to pass
25 it on down to Robyn Moore. Hi, Ms. Moore. All right. You're

1 Badge No. 724. Ms. Moore, what do you do for a living?

2 PROSPECTIVE JUROR NO. 724: I'm retired.

3 THE COURT: What did you retire from?

4 PROSPECTIVE JUROR NO. 724: Well, I was an LPN for
5 five years. I worked in internal medicine and dermatology and
6 before that -- you'll have to excuse me. I told the marshal
7 I've got a pretty bad migraine headache. Woke up with it this
8 morning, so I'm --

9 THE COURT: Do you get those often?

10 PROSPECTIVE JUROR NO. 724: I don't. I -- I mean, I
11 used to --

12 THE COURT: I'm not -- and I'm not trying to pry.

13 PROSPECTIVE JUROR NO. 724: Right, I -- I --

14 THE COURT: I'm just trying to get a feel whether
15 it's a daily occurrence or this is just really unfortunate it
16 happened today.

17 PROSPECTIVE JUROR NO. 724: Well, I haven't had one
18 for a few months, but when I wake up with it, I had to drive
19 here so I couldn't take my medicine and so it's pretty well
20 entrenched. I'll have it for two days.

21 THE COURT: So what do you usually do when you get
22 them?

23 PROSPECTIVE JUROR NO. 724: I usually lay down and
24 take Imitrex and if that doesn't work, a half Viranol
25 [phonetic] and, of course, I can't do that here.

1 THE COURT: Okay. Well, let's try to get through
2 this process today, okay? I appreciate you coming. So you --
3 we got where you're working internal medicine and dermatology.
4 What did you do before?

5 PROSPECTIVE JUROR NO. 724: Before that I would say
6 -- okay. I had my own business. I did laser hair removal,
7 electrology. I did that for about 15 years.

8 THE COURT: Yes, ma'am.

9 PROSPECTIVE JUROR NO. 724: Before that I was a
10 flight attendant for Northwest Airlines and Republic Airlines,
11 and I had a real short stint for about a year as a court
12 reporter down in New Orleans.

13 THE COURT: So just one year as a court reporter?

14 PROSPECTIVE JUROR NO. 724: Just one year. I didn't
15 care for the City at all, so I came back -- I'm from
16 Minneapolis. I came back to Minneapolis and was fully
17 intending to pursue another job there and I applied with the
18 airline on a whim and got hired and the rest is history.

19 THE COURT: So when you were a court reporter, did
20 you just do a variety of cases or did you do, like, criminal,
21 civil?

22 PROSPECTIVE JUROR NO. 724: We did -- I did -- I
23 worked for a little firm that did pretrial depositions and it
24 was mostly with car accidents, personal injury.

25 THE COURT: Okay. And did we get all your jobs?

1 PROSPECTIVE JUROR NO. 724: That -- that brings us
2 back, yes.

3 THE COURT: Are you married?

4 PROSPECTIVE JUROR NO. 724: Widow.

5 THE COURT: And your spouse, what did your spouse do
6 for a living?

7 PROSPECTIVE JUROR NO. 724: He was a pilot for
8 Northwest Airlines.

9 THE COURT: Okay. And you have children?

10 PROSPECTIVE JUROR NO. 724: I have one 28-year-old.

11 THE COURT: Twenty-eight?

12 PROSPECTIVE JUROR NO. 724: Girl, yes.

13 THE COURT: And what does she do?

14 PROSPECTIVE JUROR NO. 724: She's self-employed.
15 She's a sign language interpreter.

16 THE COURT: And how long have you been in Clark
17 County, Nevada?

18 PROSPECTIVE JUROR NO. 724: A year and a half.

19 THE COURT: Thank you so much and hopefully you feel
20 better. Andrew Guzik, Badge No. 726. Sir, are you employed?

21 PROSPECTIVE JUROR NO. 726: Yes.

22 THE COURT: What do you do?

23 PROSPECTIVE JUROR NO. 726: I'm a lawyer.

24 THE COURT: You said that earlier and I should
25 remember what you do, but you're civil, right?

1 PROSPECTIVE JUROR NO. 726: Correct.

2 THE COURT: And I don't remember beyond that. I'm
3 sorry. What kind of law do you do primarily?

4 PROSPECTIVE JUROR NO. 726: Insurance defense.

5 THE COURT: And how long have you been practicing,
6 sir?

7 PROSPECTIVE JUROR NO. 726: Seven years.

8 THE COURT: And in those seven years have you always
9 been civil litigation?

10 PROSPECTIVE JUROR NO. 726: No, I've done
11 administrative law. I did client rep before. Social Security
12 Administration for a year.

13 THE COURT: Yes.

14 PROSPECTIVE JUROR NO. 726: And I worked for the
15 State of Tennessee Department of Environment for the Office of
16 General Counsel before I was licensed.

17 THE COURT: Okay. And before becoming a lawyer,
18 what did you do, sir?

19 PROSPECTIVE JUROR NO. 726: That was when I was
20 working for the State of Tennessee.

21 THE COURT: Okay. And before that?

22 PROSPECTIVE JUROR NO. 726: Before that I was law
23 school, so three years of law school. I wasn't working in law
24 school.

25 THE COURT: All right. And did you go from college

1 directly into law school?

2 PROSPECTIVE JUROR NO. 726: No, I took some years
3 off. I worked stage production, audio visual stuff, and
4 before that was undergrad.

5 THE COURT: Okay. And are you married?

6 PROSPECTIVE JUROR NO. 726: Yes.

7 THE COURT: And does your wife work?

8 PROSPECTIVE JUROR NO. 726: She does.

9 THE COURT: What does she do?

10 PROSPECTIVE JUROR NO. 726: She's an executive for
11 Nevada State Bank.

12 THE COURT: And do you have children?

13 PROSPECTIVE JUROR NO. 726: No.

14 THE COURT: And how long have you been in Clark
15 County, Nevada?

16 PROSPECTIVE JUROR NO. 726: Five years.

17 THE COURT: All right. Thank you so much. Let's
18 move it on down to Johnette Adams.

19 PROSPECTIVE JUROR NO. 734: Thank you.

20 THE COURT: How are those head phones working for
21 you?

22 PROSPECTIVE JUROR NO. 734: They are wonderful.

23 THE COURT: They're kind of neat.

24 PROSPECTIVE JUROR NO. 734: Yeah, I want to take
25 them home.

1 THE COURT: You know, it's funny. When my kids were
2 little I used to always take those home because it's never
3 good when they're quiet. All right. Ms. Adams, what do you
4 do for a living?

5 PROSPECTIVE JUROR NO. 734: I'm retired.

6 THE COURT: What did you retire from?

7 PROSPECTIVE JUROR NO. 734: I retired from the
8 Clarion Hotel.

9 THE COURT: Which one?

10 PROSPECTIVE JUROR NO. 734: Clarion.

11 THE COURT: Okay. How long -- what did you do at
12 the Clarion?

13 PROSPECTIVE JUROR NO. 734: I was a PBX operator,
14 and reservations, and also front desk.

15 THE COURT: How long were you there?

16 PROSPECTIVE JUROR NO. 734: I was there 12 years.

17 THE COURT: And before that job?

18 PROSPECTIVE JUROR NO. 734: I was at the North Shore
19 Hotel in Evanston [phonetic].

20 THE COURT: And before that?

21 PROSPECTIVE JUROR NO. 734: I was at the Flamingo
22 Hotel, Versailles Hotel, the -- a bunch of hotels. I had a
23 boss in Chicago and he owned about four hotels, so.

24 THE COURT: So have you always in some way been
25 involved in the hotel industry in some aspect?

1 PROSPECTIVE JUROR NO. 734: Yes.
2 THE COURT: And are you married?
3 PROSPECTIVE JUROR NO. 734: I was. I'm a widow now.
4 THE COURT: I'm sorry. What did your husband do?
5 PROSPECTIVE JUROR NO. 734: He was in the military,
6 retired.
7 THE COURT: And do you have children?
8 PROSPECTIVE JUROR NO. 734: I have one.
9 THE COURT: How old?
10 PROSPECTIVE JUROR NO. 734: Fifty.
11 THE COURT: And boy or girl?
12 PROSPECTIVE JUROR NO. 734: Girl.
13 THE COURT: And what does she do for a living?
14 PROSPECTIVE JUROR NO. 734: She works for the VA.
15 THE COURT: Thank you. And how long have you been
16 in Clark County, Nevada?
17 PROSPECTIVE JUROR NO. 734: Just two years.
18 THE COURT: Thank you so much, Ms. Adams. Do you
19 want to pass it down to Stephen Loew, Badge 735. Mr. Loew,
20 what do you do for a living?
21 PROSPECTIVE JUROR NO. 735: Semi-retired.
22 THE COURT: Semi-retired. That sounds nice.
23 PROSPECTIVE JUROR NO. 735: It is.
24 THE COURT: So what did you retire from?
25 PROSPECTIVE JUROR NO. 735: Technology and business

1 process improvement consulting.

2 THE COURT: Okay. So you're only semi-retired. So
3 what does the non-retired part of you do?

4 PROSPECTIVE JUROR NO. 735: I invest in certain
5 businesses and I have a job area developing true fusion in
6 Southern California.

7 THE COURT: Okay. And before you were semi-retired,
8 let's see, you did technology counseling. Did you have a job
9 before that?

10 PROSPECTIVE JUROR NO. 735: I worked for a family
11 business, accounts payable, receivable, whatever -- back end,
12 back office.

13 THE COURT: How long did you do that?

14 PROSPECTIVE JUROR NO. 735: Couple years, two years.

15 THE COURT: Okay. Anything before that?

16 PROSPECTIVE JUROR NO. 735: Worked for Hertz Car
17 Rental, sold life insurance.

18 THE COURT: Anything else?

19 PROSPECTIVE JUROR NO. 735: No, that will take me
20 back to college.

21 THE COURT: And are you married?

22 PROSPECTIVE JUROR NO. 735: No.

23 THE COURT: Children?

24 PROSPECTIVE JUROR NO. 735: No.

25 THE COURT: And how long in Clark County, Nevada?

1 PROSPECTIVE JUROR NO. 735: Twenty years.

2 THE COURT: Thank you so much. Let's move it on
3 down to Leslie Thomas, which would be right there. Hi, Ms.
4 Thomas.

5 PROSPECTIVE JUROR NO. 740: Hello.

6 THE COURT: Ma'am, are you employed?

7 PROSPECTIVE JUROR NO. 740: I'm not employed.

8 THE COURT: Are you retired?

9 PROSPECTIVE JUROR NO. 740: No, I'm a stay-at-home
10 mom. I've been for 30 years. Before that I worked in -- as a
11 legal clerk in the Salt Lake City Attorney's Office during law
12 school. Before that I worked in Washington, DC, for my
13 senator and the Reagan Administration.

14 THE COURT: Okay. So I may need more details.

15 PROSPECTIVE JUROR NO. 740: Okay.

16 THE COURT: So you were a legal clerk at one point.
17 Did you go to law school?

18 PROSPECTIVE JUROR NO. 740: Yes.

19 THE COURT: Okay. Did you complete it?

20 PROSPECTIVE JUROR NO. 740: Yes.

21 THE COURT: Did you have a practice?

22 PROSPECTIVE JUROR NO. 740: No, I'm inactive member
23 of the Nevada Bar.

24 THE COURT: All right. And when you were a clerk,
25 what kind of cases was it? Was it civil? Criminal?

1 PROSPECTIVE JUROR NO. 740: It was -- I didn't do
2 any cases, I just did research for them, and it was mostly
3 civil.

4 THE COURT: Okay. And, let's see, you worked for
5 the Reagan Administration. What did you do there?

6 PROSPECTIVE JUROR NO. 740: I worked at the Office
7 of the Special Counsel, which was whistle blowers, not -- I
8 was not an attorney. I wasn't involved legally, I was just
9 involved administratively.

10 THE COURT: Okay. And any other jobs?

11 PROSPECTIVE JUROR NO. 740: Secretarial.

12 THE COURT: And are you married?

13 PROSPECTIVE JUROR NO. 740: Yes.

14 THE COURT: What does your husband do?

15 PROSPECTIVE JUROR NO. 740: He's an attorney and a
16 managing partner of a commercial real estate company.

17 THE COURT: A real estate company? Is it here in
18 Las Vegas?

19 PROSPECTIVE JUROR NO. 740: Yes, it is.

20 THE COURT: Okay. Is he an associate of a law firm,
21 as well?

22 PROSPECTIVE JUROR NO. 740: No.

23 THE COURT: Okay. And do you have children?

24 PROSPECTIVE JUROR NO. 740: Five children.

25 THE COURT: How old?

1 PROSPECTIVE JUROR NO. 740: Thirty, 27, 25, 22, 17.

2 THE COURT: And the 30-year-old, boy or girl?

3 PROSPECTIVE JUROR NO. 740: 30-year-old is a girl.

4 She is employed as a freelance make-up artist.

5 THE COURT: And 27?

6 PROSPECTIVE JUROR NO. 740: Twenty-seven is a girl.

7 She's a stay-at-home mom. Twenty-five is a boy, he's a

8 student at the university studying English and computer

9 science.

10 THE COURT: Twenty-two year old?

11 PROSPECTIVE JUROR NO. 740: Twenty-two is a girl,

12 also studying esthetician work. Seventeen-year-old is a girl

13 and she is a senior in Clark County School District.

14 THE COURT: All right. And how long have you been

15 in Clark County, ma'am?

16 PROSPECTIVE JUROR NO. 740: Thirty years.

17 THE COURT: Thank you so much. Pass it to Ms.

18 Natalie Hines, Badge 754. All right. Ms. Hines, you're the

19 last one. Are you employed?

20 PROSPECTIVE JUROR NO. 754: Yes.

21 THE COURT: What do you do?

22 PROSPECTIVE JUROR NO. 754: I work for Quest

23 Diagnostics.

24 THE COURT: What do you do there?

25 PROSPECTIVE JUROR NO. 754: I'm in the referral

1 testing department.

2 THE COURT: Referral testing. What does that --
3 what is that exactly?

4 PROSPECTIVE JUROR NO. 754: Lab work, client
5 services. We process all the specimens that come in.

6 THE COURT: Oh. Okay. How long have you done that?

7 PROSPECTIVE JUROR NO. 754: For almost a year.

8 THE COURT: And prior to that?

9 PROSPECTIVE JUROR NO. 754: I worked for CSL Plasma.

10 THE COURT: What did you do there?

11 PROSPECTIVE JUROR NO. 754: Plasma donation company,
12 medical screener phlebotomist.

13 THE COURT: Okay. And before that?

14 PROSPECTIVE JUROR NO. 754: Retail.

15 THE COURT: And does it take us back to the early
16 years?

17 PROSPECTIVE JUROR NO. 754: Yeah.

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

19 PROSPECTIVE JUROR NO. 754: No.

20 THE COURT: And children?

21 PROSPECTIVE JUROR NO. 754: One.

22 THE COURT: How old?

23 PROSPECTIVE JUROR NO. 754: Four.

24 THE COURT: Boy or girl?

25 PROSPECTIVE JUROR NO. 754: Boy.

1 THE COURT: And how long have you been in Clark
2 County, Nevada?

3 PROSPECTIVE JUROR NO. 754: Ten years.

4 THE COURT: All right. Thank you so much. All
5 right. I'm almost finished with all of you guys. I just -- I
6 think I have one more question I failed to ask you guys. Of
7 my people sitting over here, have any of you ever been a juror
8 before? Okay. A few hands and I heard a few yeses.

9 So what we're going to do, we're going to move from
10 the back forward. So anyone in the back row, have you ever
11 been a juror before? All right. No one. Okay. Moving one
12 row closer to me? I have a few hands. Let's start with Mr.
13 Doyle Bias, 642. Mr. Bias, when were you a juror?

14 PROSPECTIVE JUROR NO. 642: About three years ago.

15 THE COURT: Here in Las Vegas?

16 PROSPECTIVE JUROR NO. 642: Yes.

17 THE COURT: Civil or criminal trial?

18 PROSPECTIVE JUROR NO. 642: Criminal.

19 THE COURT: Criminal. Don't tell me what the
20 verdict was, but was your jury able to reach a verdict?

21 PROSPECTIVE JUROR NO. 642: Yes.

22 THE COURT: And were you the foreperson?

23 PROSPECTIVE JUROR NO. 642: No.

24 THE COURT: All right. And that was a very firm no.
25 All right. I saw some other hands on that row. Yes, ma'am.

1 You are Jacquelyn Howard?

2 PROSPECTIVE JUROR NO. 651: Yes.

3 THE COURT: When were you a juror?

4 PROSPECTIVE JUROR NO. 651: About ten years ago.

5 THE COURT: Here in Clark County?

6 PROSPECTIVE JUROR NO. 651: Yes.

7 THE COURT: Civil or criminal?

8 PROSPECTIVE JUROR NO. 651: Civil.

9 THE COURT: All right. Did your jury reach a
10 verdict?

11 PROSPECTIVE JUROR NO. 651: We did.

12 THE COURT: And were you the foreperson?

13 PROSPECTIVE JUROR NO. 651: I was not.

14 THE COURT: All right. Anyone else on that row
15 who's a juror before? All right. No one. Let's move one row
16 closer to me. Yes, ma'am. You're Dorothy Funston, Badge 708?

17 PROSPECTIVE JUROR NO. 708: Yes.

18 THE COURT: And when were you a juror, ma'am?

19 PROSPECTIVE JUROR NO. 708: About a year ago.

20 THE COURT: Well, you got called again quickly.

21 PROSPECTIVE JUROR NO. 708: Yeah.

22 THE COURT: Was it here in Las Vegas?

23 PROSPECTIVE JUROR NO. 708: Yes, it was.

24 THE COURT: All right. And was it civil or
25 criminal?

1 PROSPECTIVE JUROR NO. 708: Civil.

2 THE COURT: And was the jury able to reach a
3 verdict?

4 PROSPECTIVE JUROR NO. 708: Yes.

5 THE COURT: And were you the foreperson?

6 PROSPECTIVE JUROR NO. 708: Yes.

7 THE COURT: All right. Thank you. Anyone else on
8 Ms. Funston's row? All right. Let's move one row closer to
9 me. Anyone else been a juror before? No one. All right.
10 Did I cover everyone who's been a juror? Let me double check
11 I asked you guys all my questions before I hand you over. All
12 right. At this time I'm going to hand the panel over to the
13 State.

14 MS. BLUTH: Thank you, Judge. Your Honor, would it
15 be okay if I moved the podium or is it kind of stuck in there?

16 THE COURT: Yeah, that's fine.

17 THE MARSHAL: Well, yeah, but no.

18 MS. BLUTH: Yeah, but no.

19 THE MARSHAL: Yes and no.

20 MS. BLUTH: Thank you. Is it okay now?

21 THE RECORDER: Yeah, it's okay, but if you rub the
22 mike or --

23 MS. BLUTH: Do you want me to move it onto the Elmo
24 and I'll keep my voice up so I don't touch it?

25 THE RECORDER: Yes.

1 MS. BLUTH: Okay. Let me know if you can't hear me.

2 Okay. Good afternoon, everyone. So right now is my
3 opportunity to ask those of you in front of me some questions.
4 And just like Her Honor said when we started, none of these
5 questions are meant to, you know, delve into your personal
6 lives or embarrass you. They all have a purpose in deciding
7 who gets to -- who gets to be selected as jurors. And the
8 point of this whole process is both so the defense and the
9 State can have 12 people who can be fair to both sides, okay?

10 So you don't know very much about the case at hand
11 right now. You know a little bit about the charges, and Mr.
12 Sweetin and Mr. Sprowson gave a very brief rendition of the
13 facts, but when those facts were read and when you heard about
14 these charges, was there anybody who kind of had a strong
15 reaction or a gut reaction right away? Okay. If we could
16 just start in the back row.

17 I'm sorry. Do we already have a mike, Your Honor?
18 Is it already in the -- okay. I'll just -- that's all right.
19 I'll just take it all the way to the back. Thank you. And
20 then we'll just start with the back row and then we'll move
21 forward. So whoever raised your hand and, then, if you
22 wouldn't mind just letting us know your last name and your
23 badge number, please? Is it on or did I turn it off? Okay.
24 Did you turn it on?

25 PROSPECTIVE JUROR NO. 607: There? There.

1 MS. BLUTH: Ms. Rafferty.

2 PROSPECTIVE JUROR NO. 607: Ms. Rafferty.

3 MS. BLUTH: 607?

4 PROSPECTIVE JUROR NO. 607: 607, yes.

5 MS. BLUTH: Go ahead.

6 PROSPECTIVE JUROR NO. 607: Yes, it's just a gut
7 reaction primarily because of my daughters and my
8 granddaughters and everything like that, just --

9 MS. BLUTH: Sure.

10 PROSPECTIVE JUROR NO. 607: -- that [inaudible]
11 response, that's all.

12 MS. BLUTH: And I think that -- so it's almost like
13 -- and I'm going to use kind of a factual scenario outside of
14 this case. But when there is, you know, like a horrific
15 murder case or something like that, of course, you have a gut
16 reaction and -- and I don't think anybody really enjoys
17 listening to those types of cases, but there's a difference,
18 you know, having a gut reaction and already thinking thoughts
19 in your mind.

20 And -- and, then, on the opposite of that is, you
21 know, having a gut reaction, but realizing that you haven't
22 heard anything yet and that you have to listen to what's
23 presented to you within these four walls and be able to base
24 your opinion on that information. Where are you kind of at in
25 that spectrum?

1 PROSPECTIVE JUROR NO. 607: I've basically thought
2 the same process. The gut reaction is there, but yet it's not
3 fair if I don't hear both sides, and there's always both
4 sides, so.

5 MS. BLUTH: In our criminal justice system, the
6 State -- so Mr. Sweetin and I, we've been assigned this case
7 and we have to prove to the jury that the Defendant has
8 committed these crimes beyond what's -- beyond what's referred
9 to as a reasonable doubt. And, so, if we don't do that and we
10 don't prove our case to you beyond a reasonable doubt, you
11 would have to come in here and tell us we didn't do our job
12 and then we didn't do that.

13 PROSPECTIVE JUROR NO. 607: Uh-huh.

14 MS. BLUTH: Is that something you're able to do if
15 we weren't able to prove to you that these things happened
16 beyond a reasonable doubt?

17 PROSPECTIVE JUROR NO. 607: Yes, yes.

18 MS. BLUTH: So it's just the fact that, you know,
19 you love your -- your children and your grandchildren?

20 PROSPECTIVE JUROR NO. 607: Right, right.

21 MS. BLUTH: Okay. Is there anything else that we
22 should know in regards to that?

23 PROSPECTIVE JUROR NO. 607: No, that's just it.

24 MS. BLUTH: Thank you for your honesty. Thank you
25 so much. And I think, Mr. Lentz, you did not raise your hand,

1 correct?

2 PROSPECTIVE JUROR NO. 612: [Inaudible.]

3 MS. BLUTH: Okay. What it Ms. Jensen?

4 PROSPECTIVE JUROR NO. 756: Yes.

5 MS. BLUTH: 756?

6 PROSPECTIVE JUROR NO. 756: Yes.

7 MS. BLUTH: Go ahead, ma'am.

8 PROSPECTIVE JUROR NO. 756: I feel the same as this
9 lady. I have granddaughters and I have a great-granddaughter.

10 MS. BLUTH: Yeah.

11 PROSPECTIVE JUROR NO. 756: And I had the initial
12 reaction.

13 MS. BLUTH: And you were -- you came into that seat
14 today, correct?

15 PROSPECTIVE JUROR NO. 756: Yes.

16 MS. BLUTH: And, so, had you ever seen anything
17 about this in the media or on -- on the news, the newspaper,
18 anything like that?

19 PROSPECTIVE JUROR NO. 756: I believe I saw
20 initially on TV, but didn't pay very close attention to it.

21 MS. BLUTH: Okay. So you don't have any facts in
22 your mind that --

23 PROSPECTIVE JUROR NO. 756: No.

24 MS. BLUTH: -- would cloud your judgment?

25 PROSPECTIVE JUROR NO. 756: No.

1 MS. BLUTH: Okay. And like I was speaking about
2 with Ms. Rafferty just a moment ago, of course, no one wants
3 to hear about things that have to do with a child or some
4 pictures or things like that. No one thinks that that's fun,
5 but there's a difference between not being able to do it and,
6 you know, feeling that this is -- you know, it can be hard,
7 but it's something that you can do. Where are you at in that
8 spectrum?

9 PROSPECTIVE JUROR NO. 756: I believe I can -- I can
10 do it.

11 MS. BLUTH: Let me ask you this. You heard what I
12 was saying to Ms. Rafferty about, you know, the State has to
13 prove to you that these things have happened beyond what's
14 referred to as a reasonable doubt.

15 PROSPECTIVE JUROR NO. 756: Right.

16 MS. BLUTH: And at the end of the trial Her Honor
17 will list -- she will read a list of jury instructions that
18 you will know what that term means --

19 PROSPECTIVE JUROR NO. 756: Right.

20 MS. BLUTH: -- a reasonable doubt. And, so, after
21 you have heard from all the witnesses, you've seen all the
22 evidence, would you be able to base your opinion on what you
23 heard from the witnesses and the evidence that we provided to
24 you?

25 PROSPECTIVE JUROR NO. 756: Yes.

1 MS. BLUTH: If I didn't do my job and Mr. Sweetin
2 didn't do his job and we weren't able to prove his case to
3 you, could you come in here and tell us you didn't do your
4 job, I'm sorry, it's a not guilty?

5 PROSPECTIVE JUROR NO. 756: Yes, I could.

6 MS. BLUTH: Okay. Thank you so much. Was there
7 anyone else that raised their hand in the back row? Okay.
8 And, then, in that second to back row I saw some hands. Okay.
9 So would you pass it up to, let's see, is it Ms. Cisneros,
10 right?

11 PROSPECTIVE JUROR NO. 646: Yes.

12 MS. BLUTH: Okay.

13 PROSPECTIVE JUROR NO. 646: I just had the initial
14 reaction because I am a teacher and I have a lot of students
15 that go into high school and that age and it just kind of
16 makes me feel sad and being pregnant with a little girl,
17 hormones, everything like that. So I had that initial thing,
18 but because my husband is a lawyer --

19 MS. BLUTH: Right.

20 PROSPECTIVE JUROR NO. 646: -- you know, you have to
21 see both sides and make sure that everybody is -- yeah.

22 MS. BLUTH: So when I wrote down about you being a
23 choir teacher, but I didn't write down what grades. What --
24 what is it?

25 PROSPECTIVE JUROR NO. 646: So I have middle school

1 students.

2 MS. BLUTH: Okay.

3 PROSPECTIVE JUROR NO. 646: But that may go into
4 high school, and then the school that I feed into, we still
5 perform, so I still see them and, so, now all of my students
6 that I had, you know, three years ago are now, you know,
7 sophomores and juniors, and they're around that age level and
8 you just -- your mind starts to wonder.

9 MS. BLUTH: Yeah, that age level that you're talking
10 about, you know, freshman, sophomore, junior, do you -- you
11 know, what's your thought -- you always hear people say, like,
12 ugh, teenagers, you know? Do you have those thoughts or do
13 you think teenagers, they have a mind of their own?

14 PROSPECTIVE JUROR NO. 646: I have a lot of students
15 that come back and the stuff that I hear and it's -- it's kind
16 of scary. You know, they -- choir's primarily girls. There's
17 not as many boys that tend to sing. So I feel like, you know,
18 seeing girls from sixth, seventh and eighth, and then they
19 come back to visit me, I definitely do think that they grow up
20 and they do have a mind of their own, but I think, you know,
21 for the most part they can get sidetracked.

22 MS. BLUTH: Since you're a teacher, do you hold
23 yourself or other teachers, do you think you hold yourself to
24 a higher standard in regards to the treatment of children than
25 you would someone that's not a teacher?

1 PROSPECTIVE JUROR NO. 646: Not necessarily, but I
2 definitely know that I would want them to be able to look at
3 me as a good figure, if that -- does that answer?

4 MS. BLUTH: Okay. I think we -- we hear the term
5 "mandatory reporters" so much now that you hear it on the news
6 and it -- what is that in your mind when you -- when you hear
7 that term?

8 PROSPECTIVE JUROR NO. 646: What was the term?
9 Sorry.

10 MS. BLUTH: Mandatory reporter. Like, as a teacher
11 are you a mandatory reporter?

12 PROSPECTIVE JUROR NO. 646: If they come to me and
13 they are in harm, absolutely.

14 MS. BLUTH: Now, is that just your students or any
15 child?

16 PROSPECTIVE JUROR NO. 646: Any child that comes to
17 me. I see over 240 students a day and I have other students
18 that know me that will come up, or, if I see a kid that's
19 crying or whatever, I will definitely take that next step to
20 make sure that I do the right thing so that I don't have a bad
21 conscience.

22 MS. BLUTH: Okay.

23 PROSPECTIVE JUROR NO. 646: But, yeah.

24 MS. BLUTH: So you said, you know, you spoke to your
25 husband, you understand the importance or the responsibility,

1 and after speaking to him that you -- you felt okay with it?

2 PROSPECTIVE JUROR NO. 646: Uh-huh.

3 MS. BLUTH: Okay. And that's a yes, right?

4 PROSPECTIVE JUROR NO. 646: Yes. Oh. Sorry, yes.

5 MS. BLUTH: That's okay. [Inaudible] will yell at
6 us if I don't say that. Okay. And then, Ms. Howard, did you
7 have your hand up? You didn't, but Mr. Sturtze did.

8 PROSPECTIVE JUROR NO. 673: Yes.

9 MS. BLUTH: Talk to me about that.

10 PROSPECTIVE JUROR NO. 673: It's Sturtze, 6 --

11 MS. BLUTH: Oh. Sturtze. I apologize. Can't read
12 my own writing.

13 PROSPECTIVE JUROR NO. 673: 673.

14 MS. BLUTH: Yes.

15 PROSPECTIVE JUROR NO. 673: So yesterday when we
16 were read the charges, as soon as the charges were read, goose
17 bumps all over the body. It was just -- just a total drain as
18 soon as that was announced that this situation even occurred,
19 you know. So my stand on it is I honestly, me personally, I
20 can't take myself -- can't put myself in the middle in a let's
21 go both ways kind of situation.

22 MS. BLUTH: Sure. Let me ask you this. I know you
23 didn't raise your hand like Judge asked have you ever been
24 accused of a crime, I know you didn't raise your hand. But
25 let's pretend like you had raised your hand, that you were

1 accused of something, you know, that you didn't do. Would
2 you, as a United States citizen, you would want a fair trial?

3 PROSPECTIVE JUROR NO. 673: Exactly, yes, I would
4 want a fair trial. I would look upon -- look at my peers and
5 I will find the people that were going to give me that fair
6 trial. I can't -- I can't do that.

7 MS. BLUTH: There's nothing -- there's -- just
8 simply because of the reading of the charges?

9 PROSPECTIVE JUROR NO. 673: Just -- I mean, just
10 this -- this is occurring because of those kind of charges,
11 that's not something I even look upon and just kind of look
12 away and let's -- let's see the evidence kind of -- no.

13 MS. BLUTH: So simply because he sits there --

14 PROSPECTIVE JUROR NO. 673: No, it's not -- it's not
15 even him himself. I have no idea who he is.

16 MS. BLUTH: Okay.

17 PROSPECTIVE JUROR NO. 673: Just the situation.

18 MS. BLUTH: Okay. The situation.

19 PROSPECTIVE JUROR NO. 673: The situation, this
20 situation should not occur. I just -- I can't -- I can't bat
21 a -- bat [inaudible] let's hear it all out.

22 MS. BLUTH: Too -- too difficult?

23 PROSPECTIVE JUROR NO. 673: Yeah, it's too much.

24 MS. BLUTH: Okay. All right. Well, thank you for
25 your honesty. I appreciate it. Was there someone else in the

1 second row? Okay. In the third row were there any hands?

2 Let's see. Where are we? Ms. Silvasy?

3 PROSPECTIVE JUROR NO. 709: Silvasy.

4 MS. BLUTH: Silvasy. Yeah. And that's 709?

5 PROSPECTIVE JUROR NO. 709: Yes, 709, Martha
6 Silvasy. You know, as I mentioned yesterday I was exposed to
7 the media coverage when this brought about a while ago and I
8 do, also, just hearing the charges and hearing the Defendant's
9 overview, it was definitely, I would say, heavy and definitely
10 concerning to me as to whether or not I can be, you know,
11 basically true to the -- to the system.

12 MS. BLUTH: Okay. So let's start with the media
13 exposure first. You said that you -- you didn't remember
14 specific facts, but you remember, you know, like, reading it
15 or either listening to it and kind of having some type of
16 reaction, is that fair?

17 PROSPECTIVE JUROR NO. 709: Yes.

18 MS. BLUTH: Okay. Now, in regards to the media, the
19 media's always difficult, one, because I never know exactly
20 what it was that potential jurors saw, but the media often
21 gets it wrong, so wrong so many times.

22 PROSPECTIVE JUROR NO. 709: I -- I understand.

23 MS. BLUTH: And, so, you know, knowing that in
24 regards to just the media aspect of it.

25 PROSPECTIVE JUROR NO. 709: Yes.

1 MS. BLUTH: The part that you heard that you don't
2 even really remember, can that -- can you consider -- can you
3 not focus on that and be able to focus on what you hear?

4 PROSPECTIVE JUROR NO. 709: I can.

5 MS. BLUTH: But it now -- so let's move it onto the
6 -- in regards to just the charges.

7 PROSPECTIVE JUROR NO. 709: Right.

8 MS. BLUTH: So something about the charges bothered
9 you when you heard it?

10 PROSPECTIVE JUROR NO. 709: Well, I'm a female. I
11 have nieces, nephews. I'm a godmother, you know, so I
12 definitely understand the -- you know, that's a horrible thing
13 to happen to a child.

14 MS. BLUTH: Absolutely. And I think probably
15 everybody in this room would agree that that's a horrific and
16 horrible thing to happen to a child.

17 PROSPECTIVE JUROR NO. 709: Yes.

18 MS. BLUTH: But that doesn't alleviate me having to
19 do my job.

20 PROSPECTIVE JUROR NO. 709: Correct.

21 MS. BLUTH: So if I failed at my job and Mr. Sweetin
22 failed at his job and we weren't able to prove to you that
23 this happened --

24 PROSPECTIVE JUROR NO. 709: If I had doubt
25 pertaining, yeah, I would voice that.

1 MS. BLUTH: Yeah. And, so, if you had doubt, you
2 know, if I didn't prove these things to you beyond a
3 reasonable doubt, you would raise those concerns?

4 PROSPECTIVE JUROR NO. 709: Yes.

5 MS. BLUTH: Thank you so much for your honesty. Was
6 there another hand? Okay. And, then, the fourth row? Yeah,
7 would you mind passing it forward, please? I'm sorry. No,
8 I'm counting. That's okay.

9 PROSPECTIVE JUROR NO. 724: Well, as I said earlier,
10 I have a bad migraine --

11 THE COURT: Okay. Hold on a second. Robyn Moore,
12 right?

13 PROSPECTIVE JUROR NO. 724: Yes, I'm sorry.

14 THE COURT: 724.

15 PROSPECTIVE JUROR NO. 724: 724. I don't know that
16 I can be unbiased in this either because of some personal
17 experience.

18 MS. BLUTH: Okay.

19 PROSPECTIVE JUROR NO. 724: And I don't really want
20 to go into great detail on it.

21 MS. BLUTH: Okay. And, so, we won't go into great
22 detail about it, but just a few outside factors, if I can.
23 How long ago is this issue you don't want to talk about?

24 PROSPECTIVE JUROR NO. 724: I was a young adult,
25 probably 18.

1 MS. BLUTH: Okay. And was that ever reported?

2 PROSPECTIVE JUROR NO. 724: No, but, then, you slid
3 things under the rug and went to a therapist ten years later.

4 MS. BLUTH: So, I mean, you've been hearing the
5 questions that I've been asking the other jurors in regards to
6 -- I think that there's at the end of this case -- not I
7 think. I know. I know that there's a jury instruction that
8 talks about, you know, you -- you bring in, you know, your
9 common sense and -- and things like that and you're allowed to
10 use your common sense and some type of life experiences in
11 rendering an opinion. So you do have to have the capacity to
12 leave those types of things that you're talking about outside
13 so that it won't tamper with your ability to be fair. Are you
14 saying -- could -- would you -- if you were selected as a
15 juror, would you be able to listen to the witnesses'
16 testimony?

17 PROSPECTIVE JUROR NO. 724: Would I be able to
18 listen to it?

19 MS. BLUTH: And evaluate it.

20 PROSPECTIVE JUROR NO. 724: Yes.

21 MS. BLUTH: For instance, let's say, you know, the
22 victim in this case -- I'll use her initials, JT -- you know,
23 if JT came in here and you listened to her and you -- you
24 know, you had some serious doubts about some of the things
25 that she was saying, would you -- do you think you would

1 automatically be, like, well, I believe her because of what I
2 went through or would you be able to evaluate her?

3 PROSPECTIVE JUROR NO. 724: That's a tough question.
4 It's -- I think I am pretty biased.

5 MS. BLUTH: Against Mr. Sprowson?

6 PROSPECTIVE JUROR NO. 724: Uh-huh.

7 MS. BLUTH: And -- is that a yes?

8 PROSPECTIVE JUROR NO. 724: Yes.

9 MS. BLUTH: And that's not something that you can
10 put aside in order to evaluate the case?

11 PROSPECTIVE JUROR NO. 724: I -- you know, I
12 consider myself usually a pretty fair person, but in this
13 instance --

14 MS. BLUTH: Sure.

15 PROSPECTIVE JUROR NO. 724: -- it's not -- it's
16 obviously causing me to be sick and --

17 MS. BLUTH: Let me ask you if the -- the last
18 question I want to ask is putting it the other way. If I --
19 if we didn't prove to you these things beyond a reasonable
20 doubt, would you still find him guilty even though we didn't
21 do our job?

22 PROSPECTIVE JUROR NO. 724: No.

23 MS. BLUTH: Okay.

24 PROSPECTIVE JUROR NO. 724: If you didn't do your
25 job? No.

1 MS. BLUTH: Okay. All right. Thank you so much.
2 And was there another hand in your row? Oh. There was.
3 Okay. Thank you. Would you mind passing that to Ms. Peete?
4 And that's 721.

5 PROSPECTIVE JUROR NO. 721: Yes. Yes, I just had a
6 -- a chill and ugly feeling and -- towards -- when I first
7 came in I saw the lawyers, I thought both was lawyers, and
8 then I was saying to myself, well, he don't look like a
9 lawyer, something not right with him. That's just appearance.
10 So I -- then when they -- when they said statement, then, my
11 stomach dropped. So I don't know if I could be fair with the
12 -- with him. I toss and turn with this and I told myself,
13 well, I need to hear the case before anything to see the
14 facts, so.

15 MS. BLUTH: Right.

16 PROSPECTIVE JUROR NO. 721: So, but, that's --

17 MS. BLUTH: And that's the thing --

18 PROSPECTIVE JUROR NO. 721: -- just a eerie feeling
19 I have.

20 MS. BLUTH: Sure. And, so, this is a common thing
21 when we pick jurors. Mr. Sweetin and I have worked on a unit
22 called the Special Victims Unit for a long time and longer
23 than -- and, so, every jury, you know, that we pick voices
24 these concerns because no one wants to hear these types of
25 cases, right? No one wants to hear about these things because

1 it's hard and it's sad, but, unfortunately, it's a reality.

2 And, you know, Mr. Sprowson deserves a jury that
3 will be fair and -- and victims and the State of Nevada
4 deserve a jury that can be fair. I mean, both sides deserve a
5 jury to be fair. And, so, when you walk in here it's okay to
6 have those feelings and it's okay to be honest about having
7 those feelings; but what you said is I just have to wait and
8 see what I hear, you know, and what I see.

9 And if that's something that you're able to do, if
10 you're able to say, these charges really bother me, but I need
11 -- I need to hear from witnesses, I need to see pictures, see
12 evidence, and I can base my opinion on that, then, that's
13 okay. That's what you're supposed to do. If -- if -- if we
14 didn't do our job and you didn't believe our witnesses and you
15 didn't think the pictures were relevant or something like
16 that, would you still find Mr. Sprowson guilty simply because
17 you wanted to believe the victim?

18 PROSPECTIVE JUROR NO. 721: No, but, number one, I
19 don't know if I even want to see those pictures because the --
20 the nauseousness I probably would feel, but -- but I wouldn't
21 -- I would try to be [inaudible] to be right is right and
22 wrong is wrong.

23 MS. BLUTH: Okay. That makes sense to me. Thank
24 you. [Inaudible] the front have -- yes. Ms. Thomas, 740?

25 PROSPECTIVE JUROR NO. 740: Yes.

1 MS. BLUTH: Do I have that right?

2 PROSPECTIVE JUROR NO. 740: Right.

3 MS. BLUTH: Would you mind taking the mike?

4 PROSPECTIVE JUROR NO. 740: Just the feeling as a
5 mom I hope that's not true.

6 MS. BLUTH: And like I was just talking about with
7 Ms. Peete, I think that that's normal, right?

8 PROSPECTIVE JUROR NO. 740: Right.

9 MS. BLUTH: It's when it -- it happens and you say
10 there's no way I can be fair to both sides, that's when it's a
11 problem.

12 PROSPECTIVE JUROR NO. 740: Yeah.

13 MS. BLUTH: But that doesn't seem to be what you are
14 describing?

15 PROSPECTIVE JUROR NO. 740: No, not -- not a
16 problem.

17 MS. BLUTH: Thank you so much. Okay. So my next
18 question is -- it's going to be kind of two parts. So if you
19 watch the legal-type shows like CSI, NCIS, those type of
20 shows, raise your hand. Okay. Now, keep your hands raised.
21 But, now, if you watch those shows and you think that they're
22 reality or that they're pretty realistic, then, keep your hand
23 up. Okay. You have, like, half hands up and half hands down.
24 You're tricking me.

25 PROSPECTIVE JUROR NO. 717: Mine's up. Mine's up.

1 MS. BLUTH: You're up. Okay.

2 PROSPECTIVE JUROR NO. 717: I'm embarrassed.

3 MS. BLUTH: No, you don't have to be embarrassed.

4 That's --

5 PROSPECTIVE JUROR NO. 717: Law and Order every
6 night I watch it.

7 MS. BLUTH: All right. Let's talk about it. Ms.
8 Nielson, 717. Would you mind passing it back to her?

9 PROSPECTIVE JUROR NO. 717: Oh, man.

10 MS. BLUTH: I know, and I heard you say to Mr.
11 Alvarado earlier that you hate talking and you didn't want to
12 do this, so. I think it's on.

13 PROSPECTIVE JUROR NO. 717: Well, I stutter so it
14 sucks, you know, and that's -- you know, I got other things
15 going on, too, but go ahead.

16 MS. BLUTH: So what do you watch?

17 PROSPECTIVE JUROR NO. 717: I watch CSI, NCIS. I go
18 to sleep with LA Law -- I mean, Law and Order. I'm on
19 graveyard, so.

20 MS. BLUTH: That's okay.

21 PROSPECTIVE JUROR NO. 717: I have to concentrate,
22 you know what I mean?

23 MS. BLUTH: Uh-huh. What -- do you like those --
24 what about those shows interest you? You like the crime-type
25 shows.

1 PROSPECTIVE JUROR NO. 717: I like the
2 investigation. I want it to be, you know, I should have been
3 an investigator.

4 MS. BLUTH: Okay.

5 PROSPECTIVE JUROR NO. 717: You know?

6 MS. BLUTH: Now, but I said and I asked if you keep
7 your hand up --

8 PROSPECTIVE JUROR NO. 717: There's some things -- I
9 have to turn it sometimes because sometimes it's too much, you
10 know? And I must, you know, since I'm saying -- I didn't
11 appreciate coming in here -- no one said he was defending
12 himself. And I'll be honest, I went home, you know, and I
13 said that wasn't right. You guys got introduced as the
14 lawyers and I didn't know who he was. I'm looking at him,
15 too, going, well, he's not dressed like an attorney. No one
16 said he is -- now the shows I watch, they always say, you
17 know, so-and-so, defending himself, right.

18 MS. BLUTH: Yeah.

19 PROSPECTIVE JUROR NO. 717: And if I have to be
20 honest because I'm -- it kind of hit me the wrong way, the --
21 you know, things that had --

22 MS. BLUTH: Charge?

23 PROSPECTIVE JUROR NO. 717: Yeah, I don't agree with
24 it. I don't -- true, I don't know if it's true or false.

25 MS. BLUTH: Okay.

1 PROSPECTIVE JUROR NO. 717: But it's bothered me all
2 night and all day, you know. I didn't want to come back. I
3 don't want -- but, I mean, you know, and I'm tired of hearing
4 it's your duty. I understand that. I've been here before,
5 but it's -- you know, it's driving me nuts hearing, you know,
6 I know it's my duty, I know that, but that's kind of -- it's
7 rubbed me the wrong way.

8 MS. BLUTH: So my question --

9 PROSPECTIVE JUROR NO. 717: Everything has rubbed me
10 the wrong way. I have other things going on. I didn't get
11 excused and I'm not concentrating, but I have to deal with it.

12 MS. BLUTH: Right.

13 PROSPECTIVE JUROR NO. 717: So I'm here.

14 MS. BLUTH: So my question was in regards to the
15 shows, what about them you felt was real, the real aspect of
16 it, like, CSI, NCIS?

17 PROSPECTIVE JUROR NO. 717: Like the investigating
18 of the whole situation.

19 MS. BLUTH: What about the, like, the scientific
20 evidence?

21 PROSPECTIVE JUROR NO. 717: Well, yeah, of course.
22 Oh, yeah. I like that kind of stuff, you know.

23 MS. BLUTH: Yeah, do you think it's realistic, what
24 you see on CSI, do you think --

25 PROSPECTIVE JUROR NO. 717: I know it's not, but it

1 seems to me it is sometimes.

2 MS. BLUTH: Okay. I guess, what the concern is
3 before it's CSI, you know, there wasn't what we would refer as
4 the CSI effect where people think you can -- you know, if I
5 touch this ten years ago you can fingerprint it and --

6 PROSPECTIVE JUROR NO. 717: Oh, yeah. Well, yeah.

7 MS. BLUTH: -- my prints are still useable.

8 PROSPECTIVE JUROR NO. 717: I'm old, so I know the
9 old school shows, yeah.

10 MS. BLUTH: All right. So that doesn't have to be a
11 concern with you?

12 PROSPECTIVE JUROR NO. 717: No.

13 MS. BLUTH: Okay.

14 PROSPECTIVE JUROR NO. 717: No. My problem will be
15 seeing pictures, probably -- well, I know it will be, and just
16 hearing stuff, but, you know, that's what I feel right now.

17 MS. BLUTH: Okay. Well, I appreciate your honesty.
18 Now two jurors have talked about the fact that Mr. Sprowson
19 represents himself and in our country you have that right, you
20 have that opportunity to -- just one second. I promise I'll
21 go right to you.

22 PROSPECTIVE JUROR NO. 717: Yeah, because I --

23 MS. BLUTH: And, so, I'm going to ask Ms. Nielson
24 some more questions, and then I'm going to open it up to the
25 crowd. He -- he has the right to represent himself. And, so,

1 if someone has issue with that or -- or takes issue with it,
2 I'm going to ask you to raise your hand, but I would like to
3 finish with Ms. Nielson, 717. Go ahead.

4 PROSPECTIVE JUROR NO. 717: You took that wrong.
5 What I am saying is nobody said he's defending himself. I
6 don't care. You know what? Hey -- now I'm getting heated.
7 But he wants to defend himself, I don't care, but no one said
8 he was defending himself.

9 MS. BLUTH: Who did you want to tell you that?

10 PROSPECTIVE JUROR NO. 717: Whoever said this is
11 so-and-so and so-and-so, they are the DA, whatever, you know,
12 and then normally they would say -- I guess I'm watching the
13 wrong shows. They always say that so-and-so is defending
14 themself. I could care less if he is. More power to him, but
15 I didn't know that.

16 MS. BLUTH: Okay. And, so, now you do, but you're
17 okay with it?

18 PROSPECTIVE JUROR NO. 717: It might sound stupid --
19 see, and I'm going way off on a tangent now. See, I didn't
20 want to go here. I could care less, but just let me know.

21 MS. BLUTH: Okay.

22 THE COURT: Okay. So, you know --

23 PROSPECTIVE JUROR NO. 717: I had no clue. I'm
24 sorry. Yeah, I'm done.

25 THE COURT: -- and I think that maybe the prosecutor

1 is getting a little bit of the frustration.

2 PROSPECTIVE JUROR NO. 717: Here, I'm done.

3 THE COURT: And the responsibility would be on the
4 Court, but, again, as Ms. Bluth indicated, an individual does
5 have a right to introduce themselves. Hold on a second. And
6 that is the reason why I asked the attorneys to stand up and
7 introduce themselves and I asked Mr. Sprowson to stand up and
8 introduce himself. And, you know, I don't know if you've been
9 selected, I don't think you've been selected as a juror
10 before. It's a little -- it's a lot different than TV, so --

11 PROSPECTIVE JUROR NO. 717: I never have been,
12 but --

13 THE COURT: And I understand, you know, what we see
14 on TV is meant to be --

15 PROSPECTIVE JUROR NO. 717: You did not say --

16 THE COURT: -- one hour --

17 PROSPECTIVE JUROR NO. 717: -- he was defending
18 himself. I didn't know who he was.

19 THE COURT: The only thing I need to ask of you,
20 though, is I hear your frustration and --

21 PROSPECTIVE JUROR NO. 717: I'm frustrated, yeah.

22 THE COURT: -- I think your frustration is more
23 properly directed at the Court, but I think what Ms. Bluth is
24 getting at is you are frustrated and your frustration perhaps
25 is directed at the Court, but we need to make sure that you

1 don't hold that frustration against the State --

2 PROSPECTIVE JUROR NO. 717: No, I'm not.

3 THE COURT: -- or the Defendant.

4 PROSPECTIVE JUROR NO. 717: You're not understanding
5 what I'm saying.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 717: That's why my stuttering
8 gets in the way because you guys don't -- I got to walk out
9 for a little bit, okay?

10 THE COURT: I mean, I can't have you leave. If you
11 want just to move on and then come back to you, that's fine.

12 PROSPECTIVE JUROR NO. 717: Move on. I'm done
13 speaking. I am done. I am done. I need a little bit of a
14 break. Is it all right if I walk out?

15 THE COURT: I can't have you leave, ma'am. I need
16 for you to stay here, please. All right. If you want to move
17 on to perhaps another juror?

18 PROSPECTIVE JUROR NO. 717: Somebody else, please.

19 MS. BLUTH: Sure.

20 PROSPECTIVE JUROR NO. 717: I'm done speaking.

21 MS. BLUTH: Okay. Got it. I thought I did see
22 another hand in regards to the -- Mr. Sprowson representing
23 himself. Was there a hand? Oh, yeah.

24 PROSPECTIVE JUROR NO. 675: I thought I saw -- I'm
25 sorry. Breanna Garrison.

1 MS. BLUTH: 675.

2 PROSPECTIVE JUROR NO. 675: 675.

3 MS. BLUTH: Thank you.

4 PROSPECTIVE JUROR NO. 675: What I think I kind of
5 felt like her confusion, too, yesterday. Like, yesterday we
6 were, you know, told who Judge Miley was, who the recorder
7 was, who the clerk was, and we went through each of you guys
8 as attorneys. We even went through the bailiff, but nobody
9 really had him stand up --

10 PROSPECTIVE JUROR NO. 717: Bingo.

11 PROSPECTIVE JUROR NO. 675: -- and announce who he
12 was and even I was kind of confused. Like, is he a lawyer?
13 Is he the defendant? Just to add to that. I don't have an
14 issue with it, but I think that is something she was trying to
15 -- I had the same confusion yesterday.

16 PROSPECTIVE JUROR NO. 717: Thank you.

17 MS. BLUTH: Yeah, and that's okay. And we apologize
18 if there was confusion, but the real question is: Does
19 anybody have an issue with it? Does anybody have thoughts one
20 way or the other? Showing no response, Your Honor. Thank
21 you. Okay.

22 Another question I'd like to ask, and we heard from
23 a few jurors, is there anyone who hasn't already stated who
24 had military service or who did military service? Showing no
25 hands for the record, Your Honor.

1 THE COURT: Okay.

2 MS. BLUTH: I want to talk a little bit about our
3 criminal justice system. Some people think -- think it works.
4 Some people think that it doesn't work and that there are
5 flaws. Raise your hand if you think that there are flaws
6 within the system or that the system, in general, doesn't
7 work? Everybody thinks -- okay. All right. Let's start with
8 Mr. Loew, please. 735. Where's the mike? Would you mind
9 passing it? Thank you.

10 PROSPECTIVE JUROR NO. 735: Yeah.

11 MS. BLUTH: Go ahead.

12 PROSPECTIVE JUROR NO. 735: Well, I mean, I just
13 think there are cases where people end up guilty who aren't,
14 or, even post prosecution even if they're found guilty and not
15 necessarily the handling of the sentencing necessarily always
16 been fair for everyone. It's not always equal.

17 MS. BLUTH: What do you mean by the sentencing part
18 of it?

19 PROSPECTIVE JUROR NO. 735: Well, I just think that,
20 you know, certain people get a -- you know, it doesn't feel
21 like every -- every crime has a consistent sentence.

22 MS. BLUTH: Okay. So some -- two people commit the
23 same crime.

24 PROSPECTIVE JUROR NO. 735: Yes.

25 MS. BLUTH: And, then, they don't receive similar

1 sentences?

2 PROSPECTIVE JUROR NO. 735: Yes.

3 MS. BLUTH: Do you think that there's a certain
4 group of people, a certain section of people that are --

5 PROSPECTIVE JUROR NO. 735: Statistics will tell you
6 there is.

7 MS. BLUTH: Okay.

8 PROSPECTIVE JUROR NO. 735: I mean, I read and watch
9 the news, so, yeah.

10 MS. BLUTH: Yeah. Okay. Do you think that that's
11 the level of our city? Nationwide?

12 PROSPECTIVE JUROR NO. 735: Nationwide.

13 MS. BLUTH: Okay. So in -- let's talk about you
14 think that there are people that -- basically, the first prong
15 is what you were talking about, you said people are wrongly
16 convicted.

17 PROSPECTIVE JUROR NO. 735: Sure.

18 MS. BLUTH: Do you think that there are people who
19 are guilty who are found innocent?

20 PROSPECTIVE JUROR NO. 735: Yes, but I don't --
21 you're not found innocent, you're found guilty or not guilty.

22 MS. BLUTH: Okay. Right, but, so, is there somebody
23 who --

24 PROSPECTIVE JUROR NO. 735: I don't have a personal
25 case of it, but, I mean, I think there are -- there's

1 situations where, you know, I mean, people are found not
2 guilty, technicalities or failure of burden of proof, but I
3 don't think -- it happens, I mean.

4 MS. BLUTH: Yeah.

5 PROSPECTIVE JUROR NO. 735: It's, you know, your job
6 to provide the proof.

7 MS. BLUTH: Sure. And specifically in the flaws,
8 are those the two main flaws? Do you think that there's other
9 flaws or are those ones you think about if that's what comes
10 to your mind?

11 PROSPECTIVE JUROR NO. 735: Just sitting here it's
12 inefficient, but, beyond that, no. There's not a flaw --
13 that's not a system flaw about the trial. It's just --

14 MS. BLUTH: Right.

15 PROSPECTIVE JUROR NO. 735: -- the inefficiency of
16 getting there.

17 MS. BLUTH: Yeah. Well, actually, they're -- my
18 last trial they took nine days to get a jury, so this is going
19 real well, I promise.

20 PROSPECTIVE JUROR NO. 735: Okay.

21 MS. BLUTH: Yeah. So in regards to the situation,
22 the DUI, do you feel like you were treated properly by law
23 enforcement?

24 PROSPECTIVE JUROR NO. 735: Yeah.

25 MS. BLUTH: And do you feel like you were treated

1 properly by the court system?

2 PROSPECTIVE JUROR NO. 735: Yeah.

3 MS. BLUTH: Were you prosecuted in this courthouse
4 or was it a different one?

5 PROSPECTIVE JUROR NO. 735: No, this courthouse.

6 MS. BLUTH: Okay. So it was -- were you -- I guess
7 what I'm trying to understand is were you prosecuted by the
8 District Attorney's Office or the City Attorney's Office, do
9 you know?

10 PROSPECTIVE JUROR NO. 735: District Attorney's
11 Office.

12 MS. BLUTH: Okay.

13 PROSPECTIVE JUROR NO. 735: It was settled. I never
14 saw a court. I mean --

15 MS. BLUTH: Oh, you never even --

16 PROSPECTIVE JUROR NO. 735: -- just a -- just a
17 plea. Just at the end. I didn't have a trial.

18 MS. BLUTH: Got it. And, so, that would obviously
19 -- we don't do those kind of crimes, but, obviously, would be
20 our office.

21 PROSPECTIVE JUROR NO. 735: Right.

22 MS. BLUTH: Is there anything about that that
23 bothers you?

24 PROSPECTIVE JUROR NO. 735: Never want to get
25 caught, but, no, I mean, the process was fair. That part of

1 the process was fair.

2 MS. BLUTH: Okay. All right. Perfect. Thank you.

3 And then, was it Mr. Guzik? Did you raise your hand?

4 PROSPECTIVE JUROR NO. 726: I did.

5 MS. BLUTH: Okay. That would be 726. Go ahead.

6 PROSPECTIVE JUROR NO. 726: Yeah, what was the
7 question? The criminal justice system is flawed?

8 MS. BLUTH: Yeah.

9 PROSPECTIVE JUROR NO. 726: I -- I do think it's
10 flawed, but I think -- I do think it's the best system that we
11 have, but, obviously, it's imperfect, so that's why I raised
12 my hand.

13 MS. BLUTH: What do you see as the flaws, the
14 imperfections?

15 PROSPECTIVE JUROR NO. 726: You know, it's -- it's
16 not a fool-proof system. So sometimes the results are
17 incorrect and I think with my peer, my jury was speaking of
18 was the most publicized would be cases of wrongly convicted
19 murder is probably, you know, things like the Innocence
20 Project, things like this.

21 MS. BLUTH: Do you follow the Innocence Project?

22 PROSPECTIVE JUROR NO. 726: Not regularly. You
23 know, just it's more of an academic critique, I would suppose.
24 I'm not involved with them in any way, so.

25 MS. BLUTH: Okay. So Mr. Loew was talking about

1 very specific things, that some people are wrongly convicted,
2 and that he feels like statistics shows certain sect of people
3 -- I don't know -- serve longer sentences or, you know, are
4 arrested at a higher rate. Which of those are you agreeing
5 with or what do you see as the specific flaws?

6 PROSPECTIVE JUROR NO. 726: I don't -- I'm not sure
7 I understand the question. It's kind of broad.

8 MS. BLUTH: Just tell me what you think are the
9 flaws.

10 PROSPECTIVE JUROR NO. 726: Well, broadly, like I
11 said, the results are not a hundred percent accurate and most
12 glaringly with people who have been wrongly convicted of
13 murder, I think.

14 MS. BLUTH: Like, when you say that, do you have
15 names in your mind?

16 PROSPECTIVE JUROR NO. 726: No.

17 MS. BLUTH: Are you talking about, like, a national
18 trial that was covered?

19 PROSPECTIVE JUROR NO. 726: No, I'm talking about,
20 you know, reverse convictions from people who are -- I guess,
21 this is specifically death row inmates who are later released.
22 That's what the Innocence Project works with, so. This is
23 just off the top of my head, you know. But the question was
24 do you think the justice system has flaws? Yes, I do.

25 MS. BLUTH: Right.

1 PROSPECTIVE JUROR NO. 726: I also want to insert
2 the caveat I do think it's the best system that we have to
3 resolve conflict, so.

4 MS. BLUTH: Okay. Thank you.

5 PROSPECTIVE JUROR NO. 726: Okay.

6 MS. BLUTH: I thought I saw one more hand in your
7 row. Is there a --

8 PROSPECTIVE JUROR NO. 724: It was me.

9 MS. BLUTH: Ms. Moore? It's Ms. Moore, right?

10 PROSPECTIVE JUROR NO. 724: Yeah. I -- I think it's
11 -- also like he just said, it's -- it works the best we can
12 that -- you know, the commuting of sentences -- I mean -- I
13 don't know. I'm just reading things in the news, too, and you
14 hear about someone gets early release for murder, things such
15 of that nature, I just totally don't agree with that.

16 MS. BLUTH: So you think the penalties in some
17 situations should be harsher?

18 PROSPECTIVE JUROR NO. 724: Yes, and definitely not
19 commuted down.

20 MS. BLUTH: Understood. And I forgot to ask you
21 this earlier because you were saying -- I didn't know the
22 proper terminology because your home was burglarized during
23 the building process, right?

24 PROSPECTIVE JUROR NO. 724: Correct, a lot of the
25 construction -- yes, a lot of the -- the things in the

1 construction -- for the construction of the home were stolen.

2 MS. BLUTH: Okay. Now, I know that you said no one
3 was caught. Did you -- did you actually call the police?

4 PROSPECTIVE JUROR NO. 724: No, we were notified.
5 The builder caught it early the next morning and they called
6 the police, and then we all met over at the property.

7 MS. BLUTH: But by that time there -- there wasn't
8 anything more you could do?

9 PROSPECTIVE JUROR NO. 724: Yeah, all that was left
10 was tire tracks and we took the report and the police
11 canvassed the area for the next few weeks. And to rub salt
12 into the wound, something else was stolen about a week later,
13 so, it didn't work.

14 MS. BLUTH: From the -- from the --

15 PROSPECTIVE JUROR NO. 724: From the building site,
16 yes.

17 MS. BLUTH: Okay. Were there any other answers to
18 the question about the criminal justice system that I missed?
19 Showing no response. Okay.

20 My next question is in regards to testimony of
21 victims. When the victim comes in here and testifies, do you
22 expect all child victims to testify a certain way? For
23 instance, you know, everybody should cry. Or, everybody
24 should be somber. Does anybody have -- Ms. Howard, you're
25 shaking your head. So can you talk to me about that a little

1 bit?

2 PROSPECTIVE JUROR NO. 651: Yes, I -- I don't
3 believe that -- I don't believe that victims should have any
4 specific way about them. I -- I will look at what they say
5 and their demeanor and -- and, hopefully, not judge by what
6 their demeanor is, so.

7 MS. BLUTH: And you -- you are also a teacher?

8 PROSPECTIVE JUROR NO. 651: Yes.

9 MS. BLUTH: And, so, do you think that, just like
10 adults, people react differently, especially in front of
11 groups of people all staring at them?

12 PROSPECTIVE JUROR NO. 651: Yes.

13 MS. BLUTH: Some people, if they're nervous, may
14 have a weird giggle?

15 PROSPECTIVE JUROR NO. 651: Yes.

16 MS. BLUTH: Children have weird giggles when they
17 get nervous?

18 PROSPECTIVE JUROR NO. 651: Yes.

19 MS. BLUTH: Do you see those types of mannerisms in,
20 like, in the children you have taught how they react to
21 certain situations?

22 PROSPECTIVE JUROR NO. 651: They definitely have
23 different reactions. Some -- some will definitely giggle or
24 -- or stammer or get red or things like that, so.

25 MS. BLUTH: Would you agree that, you know, most

1 adults feel uncomfortable speaking in front of a large group
2 of people like this?

3 PROSPECTIVE JUROR NO. 651: Absolutely.

4 MS. BLUTH: Do you think that that it's easier or
5 more difficult for a child?

6 PROSPECTIVE JUROR NO. 651: Once again, I believe it
7 depends upon the child. For some children, they are a little
8 bit more precocious than others, but I think in this
9 situation, in front of a courtroom, I think it would be very
10 difficult.

11 MS. BLUTH: And, Ms. Jensen, 756, I see you shaking
12 your head a lot. Would you -- thank you, Ms. Howard. What do
13 you think about that?

14 PROSPECTIVE JUROR NO. 756: Every one of my
15 grandchildren is different when they have done something they
16 shouldn't do or they -- they have done something they should
17 do, all -- all of them are different. You never know exactly
18 what to expect. Or, I'm always very surprised how they come
19 across with any of their -- the things they need to explain.
20 Could be crying, laughing, all different emotions across the
21 board.

22 MS. BLUTH: Okay.

23 PROSPECTIVE JUROR NO. 756: So you can't ever -- you
24 can't ever judge them by -- by that, yeah.

25 MS. BLUTH: Does anybody else have any thoughts on

1 that question in regards to, like, expecting a witness to
2 testify a certain way? Showing no response, Your Honor.

3 Out of any of you, were any of you a difficult
4 teenager for your parents? There's no way you were all
5 perfect. Yeah. All right. Pass it down -- is it Mr. Ulery,
6 is that how you pronounce it?

7 PROSPECTIVE JUROR NO. 627: Yes.

8 MS. BLUTH: Okay. Mr. Ulery, 627. You were
9 difficult?

10 PROSPECTIVE JUROR NO. 627: Yeah, just, but, I mean,
11 it was -- it was foolishness of youth, so.

12 MS. BLUTH: How -- the whole time you were a
13 teenager or for, like, a couple years?

14 PROSPECTIVE JUROR NO. 627: No, just for a couple
15 years.

16 MS. BLUTH: And how were you difficult? Like, just
17 not listening? Not following the rules?

18 PROSPECTIVE JUROR NO. 627: Both of those.

19 MS. BLUTH: Did you get in trouble as a kid?

20 PROSPECTIVE JUROR NO. 627: Before that, no. No, I
21 just, I mean, during that period it was just two or three
22 years there was just weird, but, before that, no, I was a
23 pretty good kid.

24 MS. BLUTH: Do you think that just -- you just got
25 older and were kind of like I'm an adult, even though you're

1 not an adult, right, but you're, like, I'm older now, I can
2 take care of myself? Or, do you think you started hanging out
3 with the wrong kids? Like, what do you think influenced you?

4 PROSPECTIVE JUROR NO. 627: Yeah, hanging out with
5 the wrong kids because I didn't really have, I guess, stable,
6 strong parenting, so, yeah.

7 MS. BLUTH: Looking back now -- because you are a
8 parent, right?

9 PROSPECTIVE JUROR NO. 627: Yes.

10 MS. BLUTH: So looking back now, are you -- do you
11 look back at your 16-year-old self and think I thought I knew
12 so much and I knew nothing? Like, is it kind of one of those
13 types of things?

14 PROSPECTIVE JUROR NO. 627: Of course. Of course.

15 MS. BLUTH: Yeah.

16 PROSPECTIVE JUROR NO. 627: I think every kid thinks
17 that.

18 MS. BLUTH: You think you -- I mean, when you're --
19 like, 16, 17, I imagine is a hard age to parent a child
20 because they're so close to kind of being an adult, but their
21 minds aren't really like an adult. Is that fair?

22 PROSPECTIVE JUROR NO. 627: Well, I guess. I
23 haven't got there with my son yet, but, yeah, I'm sure it was
24 really difficult for my parents, so.

25 MS. BLUTH: I wanted to ask you, also, yesterday you

1 talked about you -- and I was a little confused. Were you
2 prosecuted for spanking a child, like, all the way through the
3 prosecution?

4 PROSPECTIVE JUROR NO. 627: Yes, I was -- I was
5 convicted.

6 MS. BLUTH: And, so, but that was in 2006. So was
7 that your child?

8 PROSPECTIVE JUROR NO. 627: Oh, no. That was -- my
9 son wasn't even born then, so.

10 MS. BLUTH: Okay. That's what I didn't understand.

11 PROSPECTIVE JUROR NO. 627: That -- that -- he's my
12 nephew now. My wife was -- yeah, he was going to be adopted
13 by my wife.

14 MS. BLUTH: Okay. So was he adopted by your wife?

15 PROSPECTIVE JUROR NO. 627: No.

16 MS. BLUTH: Okay. All right. So you guys were just
17 taking care of him?

18 PROSPECTIVE JUROR NO. 627: Yeah, she was going to
19 adopt him.

20 MS. BLUTH: Okay. And, so, you disciplined him?

21 PROSPECTIVE JUROR NO. 627: Yes.

22 MS. BLUTH: And then, but, so, how -- how did the
23 police even get involved in that situation?

24 PROSPECTIVE JUROR NO. 627: Okay. I'll try to make
25 this as quick as possible. He came from a really chaotic,

1 crazy background and my wife had children from her first
2 marriage. We weren't married at the time.

3 MS. BLUTH: Okay.

4 PROSPECTIVE JUROR NO. 627: Okay? We were just
5 living together. She had two daughters and him and she was
6 taking care of them, but the daughters were bouncing back and
7 forth between her ex-husband and her. And he was just -- he
8 was out of control. He was -- he was --

9 MS. BLUTH: [Inaudible] difficult child?

10 PROSPECTIVE JUROR NO. 627: Oh, yeah.

11 MS. BLUTH: Okay. And then, so, how did the police
12 get involved?

13 PROSPECTIVE JUROR NO. 627: Well, he -- it came to a
14 head. We decided that he needed a spanking and -- and, so, I
15 took my belt off and started walking towards him and he ran
16 off. And, so, I went and caught him and spanked him, and her
17 daughters -- my wife's daughters, my daughters now, they -- my
18 wife was going through a divorce with their father at the
19 time. They -- they got on the phone to the father and to my
20 wife's sister, who was the mother of this boy that I spanked
21 and, you know, they were saying that I was spanking him, which
22 I was. And -- and, so, he called the police, and then he
23 called my wife's sister, who was -- who was the boy's mother,
24 and she came over with her boyfriend and, yeah.

25 MS. BLUTH: Got it. So that's how the police got

1 involved?

2 PROSPECTIVE JUROR NO. 627: Yes.

3 MS. BLUTH: So in regards to that situation, when
4 the police showed up -- this may be a dumb question, I don't
5 know -- but did you feel like the police handled the situation
6 properly?

7 PROSPECTIVE JUROR NO. 627: Oh, yeah. They were
8 pretty professional and -- yeah.

9 MS. BLUTH: And, then, it obviously went into the
10 court system?

11 PROSPECTIVE JUROR NO. 627: Yes.

12 MS. BLUTH: Did you feel like you were treated
13 properly within the court system?

14 PROSPECTIVE JUROR NO. 627: Yes, as the system is --
15 is set up, yes, everything was professional, it was fair, and
16 I had every -- I was afforded every opportunity. I thought it
17 was fair.

18 MS. BLUTH: Okay. Did you have a trial or did you
19 have a negotiation? Did you take a negotiation?

20 PROSPECTIVE JUROR NO. 627: I -- I took a
21 negotiation, yes.

22 MS. BLUTH: Okay. And, so, I guess, do you think
23 that that the end result was just for your conduct? Like, do
24 you think that that's fair?

25 PROSPECTIVE JUROR NO. 627: Yes, I -- I spanked -- I

1 was angry and I spanked him. It wasn't -- it wasn't a
2 beating, but I spanked him with a belt and I left bruises on
3 his butt. And if I had to do it again, I wouldn't do it. I
4 would have spanked him with my hand.

5 MS. BLUTH: So because I don't know the law and it
6 was in -- it was in Washington, is that what you said?

7 PROSPECTIVE JUROR NO. 627: Yeah, Washington State.

8 MS. BLUTH: So in -- in that state, obviously, you
9 spank a child that causes bruising, then, it's a felony of
10 child abuse?

11 PROSPECTIVE JUROR NO. 627: Yes, ma'am.

12 MS. BLUTH: Okay. And, so, like you said, you would
13 do things differently now, but is there anything about that
14 situation where you feel, you know, I -- what happened to me
15 isn't okay and, therefore, it could bleed into this? That's
16 the main concern.

17 PROSPECTIVE JUROR NO. 627: Well, I -- I believe
18 that children -- I believe that discipline is necessary and he
19 -- he needed a spanking, but that spanking should have --
20 should have happened many years -- he was ten at the time --
21 that -- that should have happened -- you know, children should
22 be spanked when they're young if they need it, you know, a
23 hand on the butt or a wooden spoon or whatever, but I -- I was
24 very -- like I said, if I could do it over, I would have. I
25 -- I just lost my temper, you know, and I -- I -- I shouldn't

1 have spanked him with a belt. But children do need to be
2 disciplined and he was in severe need of it, so.

3 MS. BLUTH: Okay. Thank you for your honesty. I
4 appreciate it. Who else was a difficult teenager in that back
5 row? Nobody? Okay. Second row? Ms. Howard? 651.

6 PROSPECTIVE JUROR NO. 651: Yes.

7 MS. BLUTH: Tell me about your wild days.

8 PROSPECTIVE JUROR NO. 651: I -- I wasn't that wild,
9 no, but I definitely had a mind of my own around 15, 16, and I
10 did not want anyone telling me what I should or shouldn't do
11 and I didn't think my mom knew anything, so I was a little
12 rebellious, but certainly didn't get into trouble with the law
13 or --

14 MS. BLUTH: Yeah.

15 PROSPECTIVE JUROR NO. 651: I disappointed her
16 deeply.

17 MS. BLUTH: So there is laws at 18 you can do
18 certain things.

19 PROSPECTIVE JUROR NO. 651: Right.

20 MS. BLUTH: Do you think there's validity to the
21 reasoning behind those laws? That there are reasons why
22 people under 18 can't do certain things?

23 PROSPECTIVE JUROR NO. 651: Absolutely, yes.

24 MS. BLUTH: Even though when you're 16 you think,
25 you know, you think [inaudible] --

1 PROSPECTIVE JUROR NO. 651: Absolutely, yes.

2 MS. BLUTH: And you've -- have you ever taught,
3 like, high school? It seemed to me that most of your --

4 PROSPECTIVE JUROR NO. 651: It was all elementary,
5 yes.

6 MS. BLUTH: Mr. Sturtze, did -- were you a difficult
7 teenager? I thought you raised your hand.

8 PROSPECTIVE JUROR NO. 673: Yes, yes.

9 MS. BLUTH: Tell me about it.

10 PROSPECTIVE JUROR NO. 673: [Inaudible.]

11 MS. BLUTH: Of course, you were.

12 PROSPECTIVE JUROR NO. 673: Yeah, I mean, I was a
13 16-year-old boy. Mom and dad knew absolutely nothing at the
14 time, and you grow up 16, get to 18, get out in the real world
15 and you go, wait a minute, I'm going back that way because
16 they were totally right. And every moment after that, it's
17 just -- you wish you can go back and change those couple
18 years.

19 MS. BLUTH: Right.

20 PROSPECTIVE JUROR NO. 673: You just -- you were off
21 just a little.

22 MS. BLUTH: As a parent, how would you handle that
23 situation?

24 PROSPECTIVE JUROR NO. 673: Oh, it's already
25 started. He's already a little animal and he wants to do his

1 thing and we just have to veer him the right direction. So
2 it's -- it's going to work out.

3 MS. BLUTH: Okay. Thank you. Anybody else? Ms.
4 Garrison, you didn't raise your hand?

5 PROSPECTIVE JUROR NO. 675: Huh-huh.

6 MS. BLUTH: Okay. And, then, the third row? Please
7 pass that to -- let's see -- Alvarado?

8 PROSPECTIVE JUROR NO. 714: Alvarado.

9 MS. BLUTH: Alvarado. And that's 714. What were --
10 what types of -- how were you difficult?

11 PROSPECTIVE JUROR NO. 714: Just poor decisions.
12 Young, little punk kid, that's all.

13 MS. BLUTH: Yeah.

14 PROSPECTIVE JUROR NO. 714: Didn't want to listen to
15 teachers.

16 MS. BLUTH: What age range was it?

17 PROSPECTIVE JUROR NO. 714: Probably, like, 15 to
18 18, 19-ish. Basically, after high school I realized, like he
19 said, get your crap together and move back in mommy's house.

20 MS. BLUTH: Do you think that age when you think you
21 know everything, do you think you're more susceptible to,
22 like, outside influences since your parents don't know
23 anything?

24 PROSPECTIVE JUROR NO. 714: Oh, yeah. Oh, yeah.
25 Definitely friends and older people you might be hanging out

1 with or --

2 MS. BLUTH: Yeah.

3 PROSPECTIVE JUROR NO. 714: -- just even your own
4 thoughts, trying to see if it's right or wrong.

5 MS. BLUTH: As a -- like I was talking to Mr.
6 Sturtze about, like as a parent, you have four children, don't
7 you?

8 PROSPECTIVE JUROR NO. 714: Yes, ma'am.

9 MS. BLUTH: And your 12-year-old, how -- how would
10 -- is the 12-year-old the boy or girl?

11 PROSPECTIVE JUROR NO. 714: Girl.

12 MS. BLUTH: What do you -- hopefully, she's not
13 difficult.

14 PROSPECTIVE JUROR NO. 714: She's actually in North
15 Carolina right now, her mom, my ex-wife, so I see her every
16 few months on track break.

17 MS. BLUTH: Uh-huh.

18 PROSPECTIVE JUROR NO. 714: So you could call me
19 Disneyland dad for a few weeks, but it's --

20 MS. BLUTH: What about when your other children,
21 your seven, five and four-year-old? Like, how will you --
22 knowing how you were, not that you were, like, awful, but, you
23 know, knowing how you were, what are you -- how are you going
24 to try to help them through that process?

25 PROSPECTIVE JUROR NO. 714: Just to keep an open

1 mind and I try and talk to them, but, of course, they don't
2 like to talk to you, so, but just try and see -- I mean, the
3 way they're acting, basically. I mean, keep in mind that I
4 did the same thing, so if I start seeing they're doing
5 something that I don't like, I should just try and deal with
6 and talk to them and get them to go the other way.

7 MS. BLUTH: Okay. Thank you. Anybody else in that
8 row? Okay. Would you mind passing it down. Is it Mr. --
9 let's see. Hold on.

10 PROSPECTIVE JUROR NO. 697: Marvin.

11 MS. BLUTH: Oh, sir. Sorry. Mr. Marvin, 697.

12 PROSPECTIVE JUROR NO. 697: 697, yeah.

13 MS. BLUTH: I didn't see your hand. I apologize.

14 PROSPECTIVE JUROR NO. 697: No problem. What was
15 just --

16 THE COURT: Ms. Bluth -- hold on a second. After
17 this one let's give them a break.

18 MS. BLUTH: Okay. We're going to take a break after
19 you.

20 PROSPECTIVE JUROR NO. 697: Okay. But just not
21 listening and not following rules.

22 MS. BLUTH: And what was the last thing? Following
23 the rules?

24 PROSPECTIVE JUROR NO. 697: Yeah, between 15 to
25 about 18 or 19.

1 MS. BLUTH: Okay.

2 PROSPECTIVE JUROR NO. 697: I was 18. Sorry.

3 MS. BLUTH: And when -- now looking back, do you
4 think, like, the majority of your decision-making was just
5 because you kind of thought you knew it all or was it the
6 people that you were hanging out with or a little of both?

7 PROSPECTIVE JUROR NO. 697: Yeah, a little bit of
8 both. It was more about the personal [inaudible] and I will
9 say that I can give them right -- whatever they told me was
10 correct and wish to go back and follow their instructions.

11 MS. BLUTH: Your parents?

12 PROSPECTIVE JUROR NO. 697: Yes.

13 MS. BLUTH: Now, you don't have any children, right?

14 PROSPECTIVE JUROR NO. 697: No.

15 MS. BLUTH: If you -- you know, if you did or if you
16 do happen to, like, what -- what would you change about your
17 parenting style?

18 PROSPECTIVE JUROR NO. 697: Well, try to give them,
19 you know, the best instructions to basically get what they
20 want, and the same way I control or as a parent we can control
21 the best way to practice what they need.

22 MS. BLUTH: Okay. All right. Thank you so much.

23 PROSPECTIVE JUROR NO. 697: Thank you.

24 THE COURT: Okay. Ladies and gentlemen of the jury,
25 again, we're going to take a 10-minute break. Come back at

1 3:45. Again, don't talk about the case. Don't research the
2 case. Don't form or express an opinion of the case. Do not
3 get on any social media. Sit in the exact same seats when you
4 come back. No research.

5 (Court recessed at 3:33 p.m. until 3:48 p.m.)

6 (Outside the presence of the prospective jury panel.)

7 THE COURT: Okay. So do any stand out, Ms. Bluth,
8 as challenges for cause? And, then, we'll ask you, Mr.
9 Sprowson?

10 MS. BLUTH: Yes, please, Your Honor. My first
11 motion for cause would be for Juror No. 717, Ms. Nielson.
12 She's in the corner here. She's quite angry about a lot of
13 things. Thank you for saving me because I didn't know what to
14 do. She was so angry, and then she was angry with you, and
15 then she wants to leave and she won't tell, but she has many
16 things going on in her personal life and she just said many
17 times she's angry. She expressed not knowing if she could be
18 fair to Mr. Sprowson because of the charges and the chill she
19 got. So at this point I don't think she's good for either
20 side and I think that she should be excused for cause.

21 THE COURT: So, Mr. Sprowson, this is the portion
22 where you can ask a juror be removed if you don't think
23 they're fair. It does not count against you.

24 MR. SPROWSON: As far as bias issues, yes.

25 THE COURT: And what is your sentiment on Ms.

1 Nielson? She was right over there. I'm sure you remember
2 her.

3 MR. SPROWSON: I would probably have to agree with
4 the State.

5 THE COURT: Okay. So we'll let her go by way of
6 stipulation.

7 MS. BLUTH: Thank you. My next juror is Number 673,
8 Mr. Sturtze, who's in the second row. He stated that he could
9 not be fair to Mr. Sprowson and that there's nothing that I
10 could say that would remedy that, so I would ask that he be
11 excused.

12 MR. SPROWSON: I agree.

13 THE COURT: You agree? So by way of stipulation
14 will be removed for cause.

15 MS. BLUTH: And, then, 676, Ms. Franco, she's in the
16 second row. She's trying so hard, but I really think that
17 there's an ESL issue there. When Your Honor was asking her
18 questions, she was really struggling. She's in housekeeping,
19 but she would do -- she lived in Mexico for some time and I
20 found her answers a lot of the time to be non-responsive to
21 Your Honor until she then -- you know, you asked it different
22 ways. But due to the severity of these charges, I -- I just
23 think that we need to make sure that everybody's on board. So
24 I would ask that Ms. Franco, 676, be excused.

25 MR. SPROWSON: In agreement.

1 THE COURT: All right. So she'll be released for
2 cause by way of stipulation.

3 MS. BLUTH: Those -- those are it for the State's
4 cause.

5 THE COURT: Mr. Sprowson, do any stand out to you at
6 this point that the State may not have brought up?

7 MR. SPROWSON: You know, as you know, this is a
8 learning experience for me, so I'm going to kind of leave it
9 the way it is and kind of go from there. Pretty much what Ms.
10 Bluth has stated is what I was thinking anyways, so the three
11 main ones that I probably would have asked, she already did,
12 so.

13 THE COURT: Okay.

14 MR. SPROWSON: It's not necessary.

15 THE CLERK: Okay. So Badge 761, Allan Seward -- I'm
16 sorry. I don't have the seat numbers right now. Actually,
17 can you give me one moment, please. Okay. So we have Badge
18 761, Allan Seward, for Seat 13. Badge No. 765, Dale Miller,
19 for Seat 15. And Badge No. 768, Dennis Hughes, for Seat 24.

20 MR. SPROWSON: Can you repeat that one more time?
21 I'm a little slow. I'm sorry.

22 THE CLERK: That's fine. Did you want me to start
23 with all three?

24 MR. SPROWSON: Yeah, just a little bit slow because
25 I'm trying to find them first and then, you know, these guys

1 do it all the time so I'm --

2 THE CLERK: No problem. It's Badge 761.

3 MR. SPROWSON: 761, and is replacing?

4 THE CLERK: Seat 13.

5 MR. SPROWSON: Thirteen. Got it.

6 THE CLERK: Okay. Badge No. 765, Dale Miller.

7 MR. SPROWSON: Okay. 765.

8 THE CLERK: And that will be Seat 15.

9 MR. SPROWSON: Okay.

10 THE CLERK: And Badge No. 768, Dennis Hughes, and

11 that's Seat 24.

12 MR. SPROWSON: 24, who's going to be replacing?

13 THE CLERK: That's 768.

14 MR. SPROWSON: 768.

15 THE CLERK: Yes.

16 MR. SPROWSON: Okay. Thank you.

17 THE CLERK: Dennis Hughes.

18 MR. SPROWSON: Got it.

19 MS. BLUTH: Then, Your Honor, for the record, I

20 asked the sergeant from Clark County School District to send

21 me the property report that Mr. Sprowson was requesting and,

22 so, I have them. Can I -- I don't know how -- can I forward

23 them to your law clerk or I don't know how --

24 THE COURT: What do you want to do?

25 MS. BLUTH: Would you like me to email them to you

1 and you can hit print?

2 UNIDENTIFIED SPEAKER: Actually, probably
3 [inaudible] would be best.

4 MS. BLUTH: Sure.

5 UNIDENTIFIED SPEAKER: And then --

6 MS. BLUTH: I'll do that right now.

7 THE COURT: Let Adam print them.

8 UNIDENTIFIED SPEAKER: How many copies?

9 MS. BLUTH: For the property report?

10 THE COURT: She's gotten the documents you
11 requested. They're, obviously, via email. So do you have
12 objection to them emailing them to my law clerk and he will
13 simply print. That is the only thing he will do is print it.

14 MR. SPROWSON: That's fine. I have no problem with
15 that.

16 THE COURT: Okay.

17 MR. SPROWSON: Thank -- I thank the State for their
18 quick response.

19 MS. BLUTH: You're welcome.

20 THE COURT: Otherwise I'd have to get someone from
21 the DA's office and it will just take longer.

22 MR. SPROWSON: Well, I'm not going to take a long --
23 long time on these questions, so it will probably --

24 THE COURT: On jury selection today?

25 MR. SPROWSON: Yeah, I -- I pretty much kind of got

1 a feel for what's going on, so I think the State's pretty much
2 hit the same things I was already thinking anyway, so.

3 THE COURT: Do you think -- how much longer do you
4 have, Ms. Bluth? We've got to get the new jurors up to speed.
5 How long do you have?

6 MS. BLUTH: I'm definitely not turning it over.
7 Here, let me look at my notes. I have -- sorry. They're kind
8 of a talkative group. One, two, three, four -- I have four
9 areas to cover, so just four things, and then they raise hands
10 whoever talks.

11 THE COURT: Okay.

12 THE MARSHAL: Ready, Judge.

13 (Pause in proceedings)

14 THE COURT: Okay. So we're going to keep one, it's
15 going to be a court exhibit. And, then, you want to hand this
16 to Mr. Sprowson, please?

17 MS. BLUTH: Thank you, sir.

18 (Pause in proceedings.)

19 MR. YOHAY: Judge, I just want to make a quick
20 record about the subpoenas.

21 THE COURT: Are we on?

22 THE RECORDER: Yes, we're on.

23 THE COURT: All right.

24 MR. YOHAY: My -- my investigator from the Public
25 Defender's Office, Doug Hanke, came up and grabbed -- and

1 grabbed the subpoenas. He texted me a short time after saying
2 that Anna Vasquez was personally served and that Junen Santa
3 Maria, spelled J-U-N-E-N, Santa Maria, S-A-N-T-A M-A-R-I-A,
4 took service for Joanne Patterson.

5 THE COURT: Okay. Perfect. So if there's nothing
6 else, let's bring the jury in, okay?

7 MR. SPROWSON: One more thing before we bring the
8 jury in. Again, if -- this is a -- page 1 and page 2 that I
9 asked for, is there any -- if we can follow up on this real
10 quick on the chain of custody property report, is there
11 anything for my phone and my computer? I see I have -- here
12 is the alleged victim's phone and computer, but is there one
13 for my phone and computer? That would be the other half that
14 I was looking for. Here's page 1 and 2, this is the alleged
15 victim's phone and computer, which I'm satisfied with this,
16 but I don't have something like this where it shows the chain
17 of custody as far as my phone and my computer, and that's
18 where I -- it's really, really is going to be important for my
19 case.

20 THE COURT: I don't know.

21 MS. BLUTH: I'll have to ask him. I thought I was
22 just asking for page one.

23 THE COURT: Are you emailing?

24 MS. BLUTH: Yes.

25 THE COURT: So Ms. Bluth's trying to find out that

1 information. Can we bring the jury back in now?

2 MS. BLUTH: Yes, Your Honor.

3 THE COURT: Thank you. You know, you are so
4 efficient, though, you're going to have to call out the names
5 of the people that are relocating because I can't. Although
6 you know me well enough to know that I appreciate the
7 neatness.

8 THE CLERK: No confusion.

9 (The prospective jury panel returned at 4:01 p.m.)

10 THE MARSHAL: Jury is present.

11 THE COURT: Okay. Welcome back everyone. Everyone
12 please make yourself comfortable. At this time, if your name
13 is called, we're going to relocate you to the back of the
14 room.

15 THE CLERK: Badge No. 673, Sturtze. Badge No. 676,
16 Franco Echeverria. And Badge No. 717, Nielson.

17 THE COURT: Okay.

18 THE CLERK: And Badge No. 761, Allan Seward, for
19 Seat 13. Badge No. 765, Dale Miller, for Seat 15. And Badge
20 No. 768, Dennis Hughes, for Seat 24.

21 THE COURT: All right. I just need to get my new
22 individuals up to speed. So for my three new individuals
23 only. As you probably heard, law enforcement officials may be
24 called to testify in this case. Would you give more weight or
25 credence to the testimony of a law enforcement official simply

1 because he or she was in law enforcement? One gentleman said
2 no. Mr. Miller said no. My other two people. All right. I
3 have a no. Everyone says no. Great.

4 All right. And are any of you guys in law
5 enforcement? No?

6 UNIDENTIFIED SPEAKER: No.

7 UNIDENTIFIED SPEAKER: No.

8 THE COURT: Everyone says no. Okay. Do any of you
9 guys have close friends or family members that are in law
10 enforcement?

11 UNIDENTIFIED SPEAKER: No.

12 UNIDENTIFIED SPEAKER: No.

13 THE COURT: Everyone says no. And have any of you
14 ever been the victim of a crime?

15 UNIDENTIFIED SPEAKER: No.

16 THE COURT: And, sir, I have a hand up here. Mr.
17 Dennis Hughes, Badge 768.

18 PROSPECTIVE JUROR NO. 768: Yeah.

19 THE COURT: Yes, sir.

20 PROSPECTIVE JUROR NO. 768: Oh. I was attacked by
21 three juveniles in the parking lot, that's the only reason why
22 I'm blind in this one eye. They put -- they put my eye out.

23 THE COURT: Well, I remember we talked about your
24 blindness. Okay. So when did that happen, sir?

25 PROSPECTIVE JUROR NO. 768: About twenty years ago.

1 THE COURT: Was it here in Las Vegas?

2 PROSPECTIVE JUROR NO. 768: No, it was in Indiana.

3 THE COURT: Was anyone prosecuted for that?

4 PROSPECTIVE JUROR NO. 768: Yes.

5 THE COURT: Did you -- did the case resolve by way
6 of a negotiation or did you have to go to trial and testify?

7 PROSPECTIVE JUROR NO. 768: Well, the person who
8 instigated it, he pleaded guilty and they sentenced him to a
9 year in Juvenile Detention.

10 THE COURT: Okay. And because you had to go through
11 that, does that affect your ability to be fair to the State or
12 the Defendant?

13 PROSPECTIVE JUROR NO. 768: No, I still have a fair
14 objective.

15 THE COURT: Okay. And, okay, other than Mr. Hughes,
16 has anyone else been the victim of a crime?

17 UNIDENTIFIED SPEAKER: No.

18 THE COURT: Everyone else says no. Okay. Have any
19 of my three new people, have you ever guys -- have any of you
20 -- I'm sorry. It's the end of the day. I've been sitting
21 here for a long time. Have any of you ever been accused of
22 committing a crime?

23 UNIDENTIFIED SPEAKER: No.

24 THE COURT: Everyone says no. Okay. And my three
25 new people, have any of you ever been jurors before?

1 UNIDENTIFIED SPEAKER: No.

2 THE COURT: Everyone says no. All right. And I'm
3 going to go one by one and I have -- well, I have a few things
4 before I get to that point. Can you guys follow this
5 instruction? First of all, you must follow all instructions
6 of the court on the law even if they differ from your personal
7 conceptions of what you think the law ought to be. Can all of
8 you follow that instruction?

9 UNIDENTIFIED SPEAKER: Yes.

10 THE COURT: All right. Everyone says yes. Next,
11 can you follow this instruction? A person who's accused of
12 committing a crime is presumed to be innocent in a criminal
13 trial. Can everyone follow that instruction?

14 UNIDENTIFIED SPEAKER: Yes.

15 THE COURT: Everyone says yes. And can you follow
16 this instruction? The defendant does not have to present any
17 evidence in order for you to return a verdict of not guilty.
18 Can everyone follow that instruction?

19 UNIDENTIFIED SPEAKER: Yes.

20 UNIDENTIFIED SPEAKER: Yes.

21 UNIDENTIFIED SPEAKER: Yes.

22 THE COURT: All right. Everyone says yes. All
23 right. And, lastly, can you follow this instruction? The
24 State has the burden of proving the Defendant guilty beyond a
25 reasonable doubt. Can everyone follow that instruction?

1 UNIDENTIFIED SPEAKER: Yes.
2 UNIDENTIFIED SPEAKER: Yes.
3 UNIDENTIFIED SPEAKER: Yes.
4 THE COURT: All right. I heard all yeses. Okay.
5 So of my new people, let me start with Mr. Allan Seward, Badge
6 No. 761.
7 PROSPECTIVE JUROR NO. 761: Yes.
8 THE COURT: Hi, sir. Are you employed?
9 PROSPECTIVE JUROR NO. 761: Yes, I am.
10 THE COURT: What do you do for a living?
11 PROSPECTIVE JUROR NO. 761: HVAC.
12 THE COURT: Oh. Okay. How long have you done that?
13 PROSPECTIVE JUROR NO. 761: Five to six years now.
14 THE COURT: Yeah, we've had a couple people in that
15 industry. Okay. And prior to that?
16 PROSPECTIVE JUROR NO. 761: I was an electrician for
17 12 years.
18 THE COURT: And prior to that?
19 PROSPECTIVE JUROR NO. 761: Prior to that --
20 THE COURT: Prior to the electrician.
21 PROSPECTIVE JUROR NO. 761: -- I was material
22 handler.
23 THE COURT: I'm sorry?
24 PROSPECTIVE JUROR NO. 761: Material handler for
25 various companies like Hewlett Packard.

1 THE COURT: Okay. And prior to the job with HP,
2 what did you do or prior to the material handler job, what did
3 you do?

4 PROSPECTIVE JUROR NO. 761: That's pretty much it.

5 THE COURT: And are you married?

6 PROSPECTIVE JUROR NO. 761: Yes, I am.

7 THE COURT: Does your spouse work?

8 PROSPECTIVE JUROR NO. 761: Yes.

9 THE COURT: What does she do?

10 PROSPECTIVE JUROR NO. 761: She works for physical
11 therapy hospital. She does administrative work.

12 THE COURT: Do you have children?

13 PROSPECTIVE JUROR NO. 761: Excuse me?

14 THE COURT: Do you have children?

15 PROSPECTIVE JUROR NO. 761: Yes.

16 THE COURT: How many?

17 PROSPECTIVE JUROR NO. 761: Four total.

18 THE COURT: All right. How old?

19 PROSPECTIVE JUROR NO. 761: Thirty-three, 29, 26 and
20 24.

21 THE COURT: And I missed the age of the first one?

22 PROSPECTIVE JUROR NO. 761: Thirty -- I believe I
23 said 33.

24 THE COURT: Yep. Thirty-three, boy or girl?

25 PROSPECTIVE JUROR NO. 761: She's a girl.

1 THE COURT: And what does she do for a living?
2 PROSPECTIVE JUROR NO. 761: She's in communications.
3 THE COURT: And the 29-year-old, boy or girl?
4 PROSPECTIVE JUROR NO. 761: A boy.
5 THE COURT: Job?
6 PROSPECTIVE JUROR NO. 761: He's a general manager.
7 THE COURT: For what kind of business?
8 PROSPECTIVE JUROR NO. 761: A restaurant.
9 THE COURT: Okay. And the 26-year-old, male or
10 female?
11 PROSPECTIVE JUROR NO. 761: She's part -- female.
12 She's part-time retail and she's a stay-at-home mom.
13 THE COURT: So you have a few grandchildren?
14 PROSPECTIVE JUROR NO. 761: Just one.
15 THE COURT: Just one. How old is your grandchild?
16 PROSPECTIVE JUROR NO. 761: Five.
17 THE COURT: And what about the 24-year-old?
18 PROSPECTIVE JUROR NO. 761: She's in the medical
19 field.
20 THE COURT: Girl?
21 PROSPECTIVE JUROR NO. 761: She does administrative
22 work.
23 THE COURT: And how long have you been in Clark
24 County, Nevada, sir?
25 PROSPECTIVE JUROR NO. 761: Five years.

1 THE COURT: Thank you so much. Let's move on down
2 to Dale Miller, Badge 765. Mr. Miller, are you employed, sir?

3 PROSPECTIVE JUROR NO. 765: Yes, I am.

4 THE COURT: What do you do, sir?

5 PROSPECTIVE JUROR NO. 765: Computer technician for
6 Clark County School District.

7 THE COURT: Oh, my gosh. I think we have all CCSD
8 employees here today. Goodness. How long have you been with
9 CCSD?

10 PROSPECTIVE JUROR NO. 765: This is my second year.

11 THE COURT: And prior to that?

12 PROSPECTIVE JUROR NO. 765: I was a designer for a
13 fire protection company.

14 THE COURT: For how long?

15 PROSPECTIVE JUROR NO. 765: Twenty-one years.

16 THE COURT: And prior to that?

17 PROSPECTIVE JUROR NO. 765: Warehouse for nine
18 years.

19 THE COURT: All right. Do I have you back at the
20 teenage years?

21 PROSPECTIVE JUROR NO. 765: Yes.

22 THE COURT: All right. Are you married?

23 PROSPECTIVE JUROR NO. 765: No.

24 THE COURT: Okay. And, sir, do you have any
25 children?

1 PROSPECTIVE JUROR NO. 765: No children.
2 THE COURT: And how long in Clark County, Nevada?
3 PROSPECTIVE JUROR NO. 765: Forty-eight years.
4 THE COURT: Forty-eight years?
5 PROSPECTIVE JUROR NO. 765: Uh-huh.
6 THE COURT: Thank you so much. Let's go on to Mr.
7 Dennis Hughes. Mr. Hughes, Number 768. Are you employed?
8 PROSPECTIVE JUROR NO. 768: No, I'm retired.
9 THE COURT: What did you retire from, sir?
10 PROSPECTIVE JUROR NO. 768: I was a school teacher.
11 THE COURT: For the school district?
12 PROSPECTIVE JUROR NO. 768: Yes.
13 THE COURT: Here in Las Vegas?
14 PROSPECTIVE JUROR NO. 768: No, not here.
15 THE COURT: Okay.
16 PROSPECTIVE JUROR NO. 768: In Indiana.
17 THE COURT: How many years were you a teacher?
18 PROSPECTIVE JUROR NO. 768: Twenty-eight years.
19 THE COURT: What grade?
20 PROSPECTIVE JUROR NO. 768: Elementary, four to six.
21 THE COURT: The whole time you were elementary?
22 PROSPECTIVE JUROR NO. 768: Yes.
23 THE COURT: Okay. And prior to being a school
24 teacher, did you do anything different?
25 PROSPECTIVE JUROR NO. 768: Well, I worked in the

1 steel mill about four years.

2 THE COURT: And prior to that, sir?

3 PROSPECTIVE JUROR NO. 768: I was a counselor at a
4 children's home in Long Beach.

5 THE COURT: All right. And how long were you a
6 counselor, sir?

7 PROSPECTIVE JUROR NO. 768: About a year and a half.

8 THE COURT: All right, sir. Anything -- do I have
9 you back in the teenage years yet?

10 PROSPECTIVE JUROR NO. 768: That's going back. I
11 was a counselor for a summer youth program for kids in
12 Indiana.

13 THE COURT: All right. Sir, are you married?

14 PROSPECTIVE JUROR NO. 768: No.

15 THE COURT: Do you have children?

16 PROSPECTIVE JUROR NO. 768: No.

17 THE COURT: And how long in Clark County, Nevada,
18 sir?

19 PROSPECTIVE JUROR NO. 768: Ten years.

20 THE COURT: And I don't know if I asked all of you
21 guys. Have any of you ever been jurors before?

22 UNIDENTIFIED SPEAKER: No.

23 UNIDENTIFIED SPEAKER: No.

24 THE COURT: I have two no's. I'm missing a third
25 no.

1 UNIDENTIFIED SPEAKER: No.

2 THE COURT: All no's. Okay. I'm going to turn you
3 guys over to the State.

4 MS. BLUTH: Thank you, Judge.

5 Where's the mike? I think we were at you, right,
6 Mr. Jones?

7 PROSPECTIVE JUROR NO. 695: Yes.

8 MS. BLUTH: Okay. You're welcome. Okay. And, so,
9 you had raised your hand and what was your answer?

10 PROSPECTIVE JUROR NO. 695: What was the question
11 again?

12 MS. BLUTH: I don't know. That's why [inaudible].
13 I think it was -- was it about being a teenager? Okay. All
14 right. It was about being a teenager. You said that you were
15 an unruly teenager.

16 PROSPECTIVE JUROR NO. 695: I was pretty slick, I
17 would say.

18 MS. BLUTH: Slick?

19 PROSPECTIVE JUROR NO. 695: Yeah.

20 MS. BLUTH: Okay. What made you slick?

21 PROSPECTIVE JUROR NO. 695: Well, I had -- my big
22 brother was really the one who was unruly and, so, you know, I
23 got to do stuff. Like, my mother and them, they don't want me
24 to do certain things and I --

25 MS. BLUTH: Didn't listen?

1 PROSPECTIVE JUROR NO. 695: Well, I was slick, so I
2 act like I would listen to it, then, I'll do whatever I need
3 to do.

4 MS. BLUTH: I like it. Okay.

5 PROSPECTIVE JUROR NO. 695: Yeah.

6 MS. BLUTH: So how old was -- how much older was
7 your brother than you?

8 PROSPECTIVE JUROR NO. 695: Five years.

9 MS. BLUTH: Oh. Okay. And, so, at what -- about
10 what age did you start -- were you born slick or did you --

11 PROSPECTIVE JUROR NO. 695: Yeah, I was -- I was
12 pretty much slick because, yeah, I was just slick, you know,
13 because I was known most of the time as a good boy because I
14 got good grades and everything like that, but, I was just
15 doing whatever.

16 MS. BLUTH: But you never got caught?

17 PROSPECTIVE JUROR NO. 695: No. I had to tell my
18 mother, like, everything came out once we were all adults.

19 MS. BLUTH: Yeah.

20 PROSPECTIVE JUROR NO. 695: Yeah, we -- cause, you
21 know, you be friends with your parents then, so.

22 MS. BLUTH: Yeah. How many siblings did you have?

23 PROSPECTIVE JUROR NO. 695: Well, my mother and --
24 three, but my father has over 40 kids.

25 MS. BLUTH: Over what?

1 PROSPECTIVE JUROR NO. 695: Forty.
2 MS. BLUTH: Four zero?
3 PROSPECTIVE JUROR NO. 695: Four zero. Yeah.
4 MS. BLUTH: Do you know all your siblings?
5 UNIDENTIFIED SPEAKER: I'm not sure what he said.
6 PROSPECTIVE JUROR NO. 695: Well, I know --
7 UNIDENTIFIED SPEAKER: It will be all night.
8 MS. BLUTH: No, I'm not going to ask that. I swear
9 to God.
10 PROSPECTIVE JUROR NO. 695: Yeah. Well, I met
11 another one this year, so, we know about -- about -- I say
12 about 39.
13 MS. BLUTH: Wow. That's amazing. Okay.
14 PROSPECTIVE JUROR NO. 695: It's crazy.
15 MS. BLUTH: So you were raised mainly, though, with
16 your other two siblings?
17 PROSPECTIVE JUROR NO. 695: Yeah.
18 MS. BLUTH: And are you in the middle?
19 PROSPECTIVE JUROR NO. 695: Yeah, I'm the middle
20 child.
21 MS. BLUTH: Okay. And, so, what years were you -- I
22 know you -- you said you [inaudible] like that, but what years
23 were you kind of troublesome for your mom?
24 PROSPECTIVE JUROR NO. 695: Well, for my mother and
25 my stepfather.

1 MS. BLUTH: Okay.

2 PROSPECTIVE JUROR NO. 695: You know, because he
3 came in later. You know, I rebelled more, I started rebelling
4 because, like, you know, he treated us all the same when we
5 weren't all doing the same type of stuff. So stuff that I
6 didn't do, if you get in trouble for it, okay, well, I just --
7 you know, I say around, I was in high school.

8 MS. BLUTH: Okay.

9 PROSPECTIVE JUROR NO. 695: Yeah.

10 MS. BLUTH: All right. But you said now looking
11 back and you kind of talked to your mom about it, do you look
12 back and go "I thought I knew it all, I kind of wish I would
13 have listened more"?

14 PROSPECTIVE JUROR NO. 695: No.

15 MS. BLUTH: Okay.

16 PROSPECTIVE JUROR NO. 695: No, I didn't -- I didn't
17 wish I listened more because I didn't really get in trouble
18 that much still.

19 MS. BLUTH: Sure, sure.

20 PROSPECTIVE JUROR NO. 695: You know, and, like, how
21 we were raised, you know, a lot of stuff they were saying, it
22 was different. It was different. You know, I still didn't
23 feel like a lot of stuff was right because of my stepfather,
24 like, how he was. You know, he was kind of abusive and stuff
25 like that, so. But, you know, I don't look at it -- I don't

1 look at it as really a fault or nothing. You know, as I turn
2 out, I'm pretty good.

3 MS. BLUTH: Yeah.

4 PROSPECTIVE JUROR NO. 695: You know, my brother and
5 my sister, we pretty good.

6 MS. BLUTH: Yeah. And you have two children, right?

7 PROSPECTIVE JUROR NO. 695: Yeah.

8 MS. BLUTH: Fourteen-year-old and eight-year-old. I
9 apologize because I didn't write down their gender. Are they?

10 PROSPECTIVE JUROR NO. 695: Boy and a girl.

11 MS. BLUTH: Boy and a girl.

12 PROSPECTIVE JUROR NO. 695: The girl is the oldest.

13 MS. BLUTH: And, so, do you watch her more carefully
14 to make sure she's not slick?

15 PROSPECTIVE JUROR NO. 695: Well, yeah, see, cause I
16 kind of know the signs of certain stuff. I'm just being
17 honest, like.

18 MS. BLUTH: [Inaudible.]

19 PROSPECTIVE JUROR NO. 695: Okay. But, yeah, so,
20 like, to me -- so we say keep and hunt it.

21 MS. BLUTH: I know what you mean.

22 PROSPECTIVE JUROR NO. 695: I tell the truth. You
23 know, we be honest. We have an open, honest relationship, so.
24 And I don't treat them both, like, the same other than, okay,
25 if you're in school, you're not getting good grades, you're

1 not going to get this.

2 MS. BLUTH: Right.

3 PROSPECTIVE JUROR NO. 695: So I treat them the same
4 as far as that; but as far as she's a girl, he's a boy, and
5 they -- they are different people. They're not the same.

6 MS. BLUTH: I understand what you're saying.

7 PROSPECTIVE JUROR NO. 695: You know? So, yeah.

8 MS. BLUTH: Do you think that, you know, there's
9 certain levels of accountability? In -- in the legal -- in
10 society we hold adults usually to a different standard than we
11 hold people under 18.

12 PROSPECTIVE JUROR NO. 695: Yeah.

13 MS. BLUTH: Do you think there's wisdom in that? Do
14 you understand that or do you think that that's faulted?

15 PROSPECTIVE JUROR NO. 695: Yeah, I -- I mean, I
16 feel like everybody should be accountable. Adults, kids
17 should be accountable, too. We shouldn't -- they can't just,
18 you know, feel like there are no consequences for things that
19 they do.

20 MS. BLUTH: Right.

21 PROSPECTIVE JUROR NO. 695: You know? And same
22 thing with adults, you know, because there are rules and, you
23 know, that's -- that's what it is.

24 MS. BLUTH: Thank you.

25 PROSPECTIVE JUROR NO. 695: All right.

1 MS. BLUTH: Ms. Langille, did you raise your hand
2 about being an unruly teenager?

3 PROSPECTIVE JUROR NO. 692: I did. It's similar in
4 a different respect. I developed severe anorexia and bulimia,
5 so I gave me parents a pretty hard time --

6 MS. BLUTH: Yeah.

7 PROSPECTIVE JUROR NO. 692: -- as a teenager.

8 MS. BLUTH: Because of just their concern over you,
9 is that what you mean?

10 PROSPECTIVE JUROR NO. 692: Yeah, because of their
11 concern and there's a lot of lying involved and there's a lot
12 of protecting the refrigerator at all cost and --

13 MS. BLUTH: Yeah. And did you -- I mean, did they
14 know, though? Did they have concerns? Did they know that you
15 suffered from those diseases?

16 PROSPECTIVE JUROR NO. 692: Not at first. You know,
17 it -- it was, like, a secret for the first year, but after you
18 loose about 30 pounds people kind of start to notice.

19 MS. BLUTH: Sure.

20 PROSPECTIVE JUROR NO. 692: Uh-huh.

21 MS. BLUTH: Did you ever seek therapy or --

22 PROSPECTIVE JUROR NO. 692: I did.

23 MS. BLUTH: And when you sought therapy, did you
24 feel like you trusted the medical professionals and they got
25 you the help that you needed?

1 PROSPECTIVE JUROR NO. 692: Yes.

2 MS. BLUTH: Okay.

3 PROSPECTIVE JUROR NO. 692: You know, I think it's
4 something you kind of grow out of eventually.

5 MS. BLUTH: Okay. All right. Thank you. Anybody
6 else in this second row? Oh. I'm sorry. Ms. -- is it --

7 PROSPECTIVE JUROR NO. 709: No, Silvasy.

8 MS. BLUTH: Silvasy.

9 PROSPECTIVE JUROR NO. 709: 709.

10 MS. BLUTH: Got it.

11 PROSPECTIVE JUROR NO. 709: I'll be brief.

12 MS. BLUTH: No, you don't have to be. Go ahead.

13 PROSPECTIVE JUROR NO. 709: I'm the youngest of
14 four. My oldest sister -- I have two sisters and one brother.
15 Me and my brother they consider the old thing as Irish twins.
16 We're the same age for about a month and a half so we were in
17 cahoots a lot being on the younger side. There was, then,
18 five years and, then, seven years difference of my two older
19 siblings. Being the youngest of four, things get a little
20 more lax. People don't pay much attention, so --

21 MS. BLUTH: They're tired.

22 PROSPECTIVE JUROR NO. 709: -- I basically -- I also
23 was raised in Catholic school and then went to public high
24 school, so I kind of got a little wild bug around the 14, 15,
25 16-year-old age group, so.

1 MS. BLUTH: When you got wild, was it wild like, you
2 know -- first of all, was your Catholic school an all girls
3 school?

4 PROSPECTIVE JUROR NO. 709: No.

5 MS. BLUTH: Okay. So was your wild bug like you
6 just wanted to go out and do things you weren't supposed to or
7 was it like a wild boy bug or --

8 PROSPECTIVE JUROR NO. 709: Well, it was wild in the
9 aspect of I was kind of influenced a little bit by my older
10 sister. She was in college. My mom and dad used to send us
11 to Belmont Abbey College where she used to go for the weekend.
12 So she kind of gave us a little sip here and there and
13 experimenting with alcohol and -- and, then, when you go into
14 a public sector of school you're a little bit more exposed, so
15 the shelter was wide open for me.

16 MS. BLUTH: So looking back now, do you -- I thought
17 I knew it all and --

18 PROSPECTIVE JUROR NO. 709: Oh. I'm lucky to be
19 alive. And, so, yes, to answer your question, yes.

20 MS. BLUTH: Do you think that you were more
21 vulnerable -- like, when you would go to visit the college, do
22 you think you were in a more vulnerable position simply
23 because you were younger than everybody else?

24 PROSPECTIVE JUROR NO. 709: Yes, of course, but I
25 felt protected with my sister.

1 MS. BLUTH: Sure.

2 PROSPECTIVE JUROR NO. 709: But, yes.

3 MS. BLUTH: Okay. Thank you. Anybody else raise
4 their hand in the first two rows? Okay. Showing no response,
5 Your Honor. All right.

6 So Judge asked a question about following the law
7 and I just want to kind of take it to a different level
8 because it's easy when she asks that question, but sometimes
9 given, like, a hypothetical or a real-life situation makes a
10 difference.

11 So marijuana is something that people usually have a
12 view on one side or the other. It's kind of like a
13 black-or-white issue. And, so, let's say we live in a city
14 and any use of marijuana is illegal, [inaudible] illegal, and
15 you are -- you don't believe in that law. Like, you don't
16 think that that is a good law, it shouldn't exist, and you're
17 put on a jury. So then you kind of read the law and you have
18 to, you know, go along with the law.

19 Is there somebody who -- who feels like, you know,
20 even though there might be a law that you don't agree with and
21 that you don't think that the law is right, is there someone
22 who wouldn't feel comfortable, then, you know, consider -- or
23 looking at that law and following it if you either morally or
24 philosophically don't agree with it? Is that something that
25 someone might -- anybody might struggle with? Okay.

1 Mr. Seward?

2 PROSPECTIVE JUROR NO. 761: Allan Seward.

3 MS. BLUTH: 761. Can you talk about that?

4 PROSPECTIVE JUROR NO. 761: Yeah, you just, you
5 know, you just brought attention to legalized marijuana. I
6 don't believe in that.

7 MS. BLUTH: Okay.

8 PROSPECTIVE JUROR NO. 761: Simple.

9 MS. BLUTH: Yeah, and, so, it's -- it's kind of hard
10 because it's usually the other way around when I -- the law,
11 being a juror, with my analogy, right? Someone who really,
12 really thinks it should be legalized and, then, the law says
13 that it shouldn't be and so you're standing there being asked
14 to convict someone. Does that make sense? But with you
15 you're -- it's hard to kind of apply it to you because you're
16 saying that it shouldn't be legalized. So are you -- let --
17 let me just ask it this way.

18 If at the end of this case Judge reads out the --
19 the laws in the instructions, so she's read out this -- this
20 law says this, and you -- you just disagree with it. You
21 don't think that that should be the state of the law. As a
22 juror, your duty is to follow the law. Would you struggle
23 with that?

24 PROSPECTIVE JUROR NO. 761: Yes, I would.

25 MS. BLUTH: Okay. And is that something you

1 wouldn't be able to do, to follow the law?

2 PROSPECTIVE JUROR NO. 761: Yes, I can follow the
3 law, but, I mean, it's beliefs -- it goes onto beliefs. You
4 know, if I believe in that law is true or not.

5 MS. BLUTH: But, and, I guess -- so the question is,
6 thought, right, because the law is the law. You know, it is
7 the law. And when you're a juror, you're tasked with
8 following the law. So if you feel differently than what the
9 law says, would you not be willing to follow the law?

10 PROSPECTIVE JUROR NO. 761: Well, I would still
11 follow the law no matter what, but I would struggle with that
12 decision.

13 MS. BLUTH: Okay. And there's no wrong answer. I
14 mean, if you say I wouldn't be able to follow the law, that's
15 okay.

16 PROSPECTIVE JUROR NO. 761: Yeah.

17 MS. BLUTH: But, so, it's something you would
18 struggle with?

19 PROSPECTIVE JUROR NO. 761: Correct, and -- and on
20 top of that, prior to this case or being on this, I did watch
21 new footage of this situation or at hand.

22 MS. BLUTH: Okay. Is there anything -- and I don't
23 want you to talk about what you saw, so thank you for bringing
24 that up. What you saw, did the -- would that affect or kind
25 of bleed into this situation that, you know, being a juror

1 from what you previously saw?

2 PROSPECTIVE JUROR NO. 761: Yes.

3 MS. BLUTH: And you -- obviously, I don't know what
4 you read or, you know, what you saw on the news, but, like I
5 was saying earlier, the news is often -- often does get things
6 wrong and, so, you would hear the actual evidence here. Would
7 that bring you any type of solace or would that help alleviate
8 any of your concerns to know that you -- you would actually be
9 presented facts?

10 PROSPECTIVE JUROR NO. 761: Well, I think my
11 judgment would be compromised.

12 MS. BLUTH: All right. Okay. Does anyone else have
13 any thoughts or answers in regards to the law question, the
14 following the law, has any [inaudible] concerns that Mr.
15 Seward would have -- that he has voiced? Okay.

16 In regards to accountability, and we spoke -- I
17 spoke a little bit about that with Mr. Jones a second ago, but
18 -- and I was talking about the fact that, you know, people --
19 it comes down to accountability. And, so, adults, there's
20 certain, you know, standards just by looking at our laws that
21 there's certain laws that apply to people 18 and under and
22 certain that apply to those over 18.

23 Is there anybody here that thinks that adults and
24 children should be held to the same standard of
25 accountability? That age really shouldn't play into it?

1 Anybody have any thoughts on that? Okay. Would you mind --
2 oh. Actually, Mr. Seward, do you have an answer to that
3 before I take the mike away?

4 PROSPECTIVE JUROR NO. 761: Let -- let the lady go
5 ahead.

6 MS. BLUTH: Okay. All right. If you wouldn't mind
7 passing that forward to Ms. [Inaudible], correct?

8 PROSPECTIVE JUROR NO. 643: Oh. Yes.

9 MS. BLUTH: Okay. Go ahead.

10 PROSPECTIVE JUROR NO. 643: No, I -- I was just
11 going to say only if it was a murder case.

12 MS. BLUTH: Okay.

13 PROSPECTIVE JUROR NO. 643: You know, then I feel
14 like they know right from wrong in that sene.

15 MS. BLUTH: Thank you. Would you mind passing it
16 next to you? I don't know if I'm saying it right. Is it Mr.
17 Bernarte?

18 PROSPECTIVE JUROR NO. 720: Yes.

19 MS. BLUTH: Okay.

20 PROSPECTIVE JUROR NO. 720: 720.

21 MS. BLUTH: What do you think about that? What are
22 your thoughts in regards to that question about
23 accountability?

24 PROSPECTIVE JUROR NO. 720: For me big difference on
25 kids and adults.

1 MS. BLUTH: Okay.

2 PROSPECTIVE JUROR NO. 720: The way this is
3 maturity, the way your adults learn a lot than they are than
4 the kids.

5 MS. BLUTH: Where are you originally from?

6 PROSPECTIVE JUROR NO. 720: I'm [inaudible]
7 Philippines.

8 MS. BLUTH: Okay. And how long have you been in the
9 United States?

10 PROSPECTIVE JUROR NO. 720: I've been here, like, 30
11 years.

12 MS. BLUTH: Thirty years.

13 PROSPECTIVE JUROR NO. 720: Yes.

14 MS. BLUTH: And, so, basically if I'm understanding
15 you, you're just saying you think that there's a big
16 difference -- there's a big difference in how adults and
17 children -- how their responsibility, is that fair?

18 PROSPECTIVE JUROR NO. 720: Like the way everything,
19 responsibility, adults should -- regarding on their age like
20 that.

21 MS. BLUTH: Okay. Has anyone ever heard the term --
22 I guess this term can be used in many ways -- but "grooming"?
23 Like, in regards -- Ms. Howard? Okay. 651. Would you mind
24 passing the microphone back to Ms. Howard? Oh, you don't have
25 to get up. Just pass it back. That's okay. Thank you so

1 much. Go ahead, Ms. Howard.

2 PROSPECTIVE JUROR NO. 651: All of us Clark County
3 School District employees are required to watch sexual
4 harassment videos and in it it mentions being groomed or
5 grooming, someone that targets an individual and prepares them
6 for some sort of sexual harassment.

7 MS. BLUTH: Okay. So in the -- in the video that
8 you watched, did -- were you ever -- like, could you give an
9 example?

10 PROSPECTIVE JUROR NO. 651: For example, a teacher
11 might ask a student to stay after and maybe ask questions,
12 leading questions, is your mom at home, or something like that
13 and try to get some information and, then, maybe compliment
14 them, make them feel really good about who they are and what
15 they see, so that kind of thing.

16 MS. BLUTH: Okay. So and -- and, then, another
17 example of grooming -- and I'm going to ask a question after
18 this -- is that, then, the teacher starts meeting them every
19 day.

20 PROSPECTIVE JUROR NO. 651: Exactly.

21 MS. BLUTH: And, then, it's not at school anymore,
22 it's away from school?

23 PROSPECTIVE JUROR NO. 651: Away from school, yes.

24 MS. BLUTH: And, then, it's sleepovers and things
25 like that?

1 PROSPECTIVE JUROR NO. 651: Yes.

2 MS. BLUTH: That's grooming.

3 PROSPECTIVE JUROR NO. 651: Yes.

4 MS. BLUTH: Has anyone ever been in that situation
5 or around a child who was put in a situation of grooming?

6 Would you mind passing it forward to Ms. Hines? Okay. 754.

7 PROSPECTIVE JUROR NO. 754: My mom was a foster mom
8 for 20 years, lived in a house in California. We had about 21
9 kids in our house from ages 17 to 3 months.

10 MS. BLUTH: Got it.

11 PROSPECTIVE JUROR NO. 754: So had about 67
12 different stories of that alone.

13 MS. BLUTH: About children being groomed?

14 PROSPECTIVE JUROR NO. 754: Yes.

15 MS. BLUTH: And, so, these children were -- the
16 reason why they were with you is because they had been
17 sexually abused and taken from their parents?

18 PROSPECTIVE JUROR NO. 754: Most, yes.

19 MS. BLUTH: Was it a situation where the child's own
20 will is almost overborne [sic] because of the grooming
21 activity?

22 PROSPECTIVE JUROR NO. 754: Yes.

23 MS. BLUTH: How long was your mom a foster mom for?

24 PROSPECTIVE JUROR NO. 754: For almost 20 years.

25 MS. BLUTH: I'm sorry. You said that. And, so, was

1 it your whole time growing up?

2 PROSPECTIVE JUROR NO. 754: Yes.

3 MS. BLUTH: And did you guys ever adopt any of the
4 children?

5 PROSPECTIVE JUROR NO. 754: No.

6 MS. BLUTH: So being that you -- would you become
7 friends with them? Would they [inaudible] or would they come
8 in and out of the house?

9 PROSPECTIVE JUROR NO. 754: There's a lot of them
10 that are still around.

11 MS. BLUTH: Oh, yeah. They stayed?

12 PROSPECTIVE JUROR NO. 754: Uh-huh.

13 MS. BLUTH: So do you know about their -- their
14 personal stories? Was that something they would always share
15 with you?

16 PROSPECTIVE JUROR NO. 754: Yes.

17 MS. BLUTH: Did -- you didn't raise your hand when I
18 asked if it affected -- that reading the charges affected you
19 in any way. So do you feel like you have, you know, those
20 things happened to you, you've heard those stories, but you're
21 able to stay objective?

22 PROSPECTIVE JUROR NO. 754: Yes.

23 MS. BLUTH: Okay. You haven't really said much.
24 Did you have any -- are you -- are you a quiet person, in
25 general, or you just didn't have any answers to these --

1 PROSPECTIVE JUROR NO. 754: I didn't have any
2 answers. I'm just listening.

3 MS. BLUTH: Okay. Thank you. Was there -- Mr.
4 Seward, did you have an answer to that now that you've thought
5 about it?

6 PROSPECTIVE JUROR NO. 761: Not that.

7 MS. BLUTH: Well, sorry, you had passed it
8 originally a question ago and I forgot to go back to you and
9 ask you in regards to the different levels of accountability.
10 I just didn't want you to think I was ignoring you.

11 PROSPECTIVE JUROR NO. 761: No, not at all.

12 MS. BLUTH: Okay. All right. And then, Ms. -- oh.
13 Let's see. Ms. Vollmer, did you raise your hand in regards to
14 the grooming question?

15 PROSPECTIVE JUROR NO. 631: Yeah, but she answered
16 it much better than I could have.

17 MS. BLUTH: Okay.

18 PROSPECTIVE JUROR NO. 631: So she -- she got it.

19 MS. BLUTH: Okay. Got it. Thank you so much. All
20 right. Okay. So in regards to, like, decision making. Let's
21 say someone, for instance, someone leaves their keys in their
22 car, and then they run into the store to get some groceries,
23 and then someone steals their car. Obviously, that's a bad
24 decision to leave your keys in your car.

25 Is there anyone here that thinks, hey, you -- you

1 leave your keys in your car, you make a bad decision, you're
2 kind of responsible for the aftermath of what happens? Mr.
3 Jones, you're smiling. 695.

4 PROSPECTIVE JUROR NO. 695: No, I don't have --

5 MS. BLUTH: You don't have anything --

6 PROSPECTIVE JUROR NO. 695: It's just funny.

7 MS. BLUTH: It's funny. Okay. Anybody else thinks,
8 you know, because you might not make the best decision, you're
9 responsible for whatever happens? Okay. Wait. Sorry. Was
10 there something? Is it Ms. Moore?

11 PROSPECTIVE JUROR NO. 724: Yeah.

12 MS. BLUTH: 724. Talk to me.

13 PROSPECTIVE JUROR NO. 724: Yes, you're responsible
14 for your actions.

15 MS. BLUTH: Okay. Do you -- so do you think that
16 that person deserves less rights under the law, though? Like,
17 that they -- the person who stole their car ultimately
18 shouldn't be held to the same level as accountability as
19 someone who didn't leave their keys in the car and gets their
20 car stolen? Does that make sense?

21 PROSPECTIVE JUROR NO. 724: Well, the person that
22 stole the car --

23 MS. BLUTH: That's the person you're talking about?

24 PROSPECTIVE JUROR NO. 724: No. I mean, if you
25 leave your keys in your car, you're kind of responsible, but

1 I'm not saying the person that stole the car is less
2 responsible. They also should be prosecuted.

3 MS. BLUTH: Okay. I see what you're saying.

4 PROSPECTIVE JUROR NO. 724: But I don't think you
5 should, you know, I mean -- I don't know what I'm trying to
6 say.

7 MS. BLUTH: I understand. It's a bad decision,
8 so --

9 PROSPECTIVE JUROR NO. 724: Right, so if there's
10 consequences for your bad decision, you have to claim
11 responsibility for that.

12 MS. BLUTH: Got it. Okay. All right. Anybody else
13 have any -- or things to say in regards to that? Okay. So I
14 just have some specific questions for people who had answered
15 some thing, some questions earlier. Would you mind handing
16 that back to -- is it Pfundstein? Is that how I pronounce it?
17 526.

18 PROSPECTIVE JUROR NO. 526: Yes, Pfundstein.

19 MS. BLUTH: Yeah, that's you.

20 PROSPECTIVE JUROR NO. 526: Yeah, Pfundstein.

21 MS. BLUTH: Okay. Thank you so much. Now, where
22 were you at before you were in Las Vegas?

23 PROSPECTIVE JUROR NO. 526: Denver, Colorado.

24 MS. BLUTH: I'm sorry. Where?

25 PROSPECTIVE JUROR NO. 526: Denver, Colorado.

1 MS. BLUTH: Oh. Denver, Colorado. Okay. And is
2 that where you spent most of your life?

3 PROSPECTIVE JUROR NO. 526: Yes, ma'am.

4 MS. BLUTH: Thank you. I had it written
5 [inaudible]. And if you could pass it to Mr. Lentz, 612. And
6 where were you before Las Vegas?

7 PROSPECTIVE JUROR NO. 612: San Diego, California.

8 MS. BLUTH: Is that where you were born and raised?

9 PROSPECTIVE JUROR NO. 612: Correct.

10 MS. BLUTH: Okay. And, then, did you just come to
11 Las Vegas for schooling and stayed?

12 PROSPECTIVE JUROR NO. 612: Came here for schooling,
13 met my wife out here, and we stayed out here.

14 MS. BLUTH: Okay. You haven't said very much
15 either. Are you quiet or you just don't have any answers?

16 PROSPECTIVE JUROR NO. 612: No, no, I just don't
17 have any answers for you. I consider myself a fairly unbiased
18 person and, you know, I can separate my feelings until I heard
19 both sides of the story because, you know, you got the -- you
20 know, with the -- with one person's side, you have the other
21 person's side, and somewhere in the middle you have the truth.
22 So it's kind of sorting it all out in my mind.

23 MS. BLUTH: Were you a good teenager? Were you a
24 good kid?

25 PROSPECTIVE JUROR NO. 612: Yeah, I -- I didn't give

1 my parents any trouble. I didn't -- never got brought home by
2 the police or, you know, that never committed a crime or
3 anything like that, if that's what you mean by good or bad.

4 MS. BLUTH: Yeah, I guess you're right. It's pretty
5 subjective. When you were a teenager, did you go through a
6 phase where you kind of thought you knew it all or --

7 PROSPECTIVE JUROR NO. 612: Well, I mean, everyone
8 goes through a phase. When you're in San Diego, you make a
9 couple trips down to Tijuana, I mean, so, you don't want to
10 tell your parents about that.

11 MS. BLUTH: You and Mr. Jones would have a good
12 time. Okay. But you can be fair and impartial to both sides?

13 PROSPECTIVE JUROR NO. 612: Correct.

14 MS. BLUTH: Okay. Thank you. And if you would pass
15 it to Mr. Phillips who is 616. Mr. Phillips, what about your
16 -- you haven't answered a lot of questions after Her Honor was
17 done speaking with you.

18 PROSPECTIVE JUROR NO. 616: I'm listening.

19 MS. BLUTH: You're listening. Okay. What -- in
20 regards to the accountability questions that I was asking in
21 regards to, you know, people being adult, those of us over 18,
22 do you think that we should be held to a different standard
23 than those people who are under 18?

24 PROSPECTIVE JUROR NO. 616: I don't know. Like the
25 woman said, maybe murder or something like that.

1 MS. BLUTH: Yeah. For instance, when you're -- I
2 think it's 18 you can, you know, get a tattoo without your
3 parents permission. You can vote. I'm trying to think of
4 what other things you can do when you turn 18. But do you
5 think there's wisdom in those types of laws? Like, do you
6 think there's a reason that people under 18 shouldn't
7 necessarily be able to make those types of decisions?

8 PROSPECTIVE JUROR NO. 616: I don't think anybody
9 should get a tattoo, but they do what they want.

10 MS. BLUTH: Okay. But something not a tattoo.
11 What's another example of something you can do when you're --
12 I guess you can vote when you're 18. Do you think there's
13 wisdom in certain laws that don't allow you to do things until
14 you become 18 years old?

15 PROSPECTIVE JUROR NO. 616: The law's a law, you
16 know, so. If you want to do it, you can do it.

17 MS. BLUTH: Want to do what?

18 PROSPECTIVE JUROR NO. 616: The law's the law. It
19 says you can be 18 and have a tattoo or whatever, you should
20 be able to.

21 MS. BLUTH: But my question is: Do you think
22 there's a reason for those type of laws? Like, is there a
23 reason why a 14-year-old shouldn't be able to get a tattoo?

24 PROSPECTIVE JUROR NO. 616: Yeah, their parents.

25 MS. BLUTH: So, but, do you agree with that -- is

1 that -- do you think that --

2 PROSPECTIVE JUROR NO. 616: Yes.

3 MS. BLUTH: -- that's the reason children, they're a
4 kid, they shouldn't make those decisions?

5 PROSPECTIVE JUROR NO. 616: Yes.

6 MS. BLUTH: Okay. Is there anything else that you
7 have had an answer to in regards to, like, the CSI-type shows
8 or following the law, the things that I've talked about?

9 PROSPECTIVE JUROR NO. 616: I don't watch that
10 boring stuff.

11 MS. BLUTH: You're not boring.

12 PROSPECTIVE JUROR NO. 616: I said, "I don't watch
13 that boring stuff."

14 MS. BLUTH: Oh, you don't watch that boring stuff.

15 PROSPECTIVE JUROR NO. 616: No.

16 MS. BLUTH: I thought you said, I don't want to say
17 boring stuff.

18 PROSPECTIVE JUROR NO. 616: No.

19 MS. BLUTH: Well, what do you watch? Like, what --
20 what do you --

21 PROSPECTIVE JUROR NO. 616: I watch, like, Discovery
22 channel, History channel, stuff like that.

23 MS. BLUTH: Okay.

24 PROSPECTIVE JUROR NO. 616: Other stuff is just
25 crazy.

1 MS. BLUTH: Are you a news watcher? Do you watch
2 the news?

3 PROSPECTIVE JUROR NO. 616: Yes, I do.

4 MS. BLUTH: And, like, what -- what would be your
5 go-to for news?

6 PROSPECTIVE JUROR NO. 616: Fox.

7 MS. BLUTH: Okay. All right. Thank you. Would you
8 mind passing it all the way down to Ms. Crosby, 632? Ms.
9 Crosby, you have five children?

10 PROSPECTIVE JUROR NO. 632: I do.

11 MS. BLUTH: Triplets, a set of triplets.

12 PROSPECTIVE JUROR NO. 632: Yes.

13 MS. BLUTH: So how do you know who's telling the
14 truth between the triplets?

15 PROSPECTIVE JUROR NO. 632: At this point I can just
16 look at them and know if they're telling the truth or not.

17 MS. BLUTH: What's the gender make up of the
18 triplets?

19 PROSPECTIVE JUROR NO. 632: I have two boys and a
20 girl.

21 MS. BLUTH: Okay.

22 PROSPECTIVE JUROR NO. 632: Yeah.

23 MS. BLUTH: Are there differences in the boys from
24 the girl?

25 PROSPECTIVE JUROR NO. 632: Yes, there are. They're

1 all three completely different and treat them -- I mean,
2 different personalities, be treated completely different.

3 MS. BLUTH: Is one of them more difficult than the
4 other? Or, are they all good?

5 PROSPECTIVE JUROR NO. 632: One is more outgoing and
6 he seems to try to do things that he's not supposed to, but
7 he's -- they're all three -- I'm very blessed. They're very
8 good kids.

9 MS. BLUTH: Okay. With any of your kids have you --
10 have you felt that they went through that rough age, though,
11 where -- not that they're bad kids, but just that they think,
12 you know, they should be able to do what they want and they
13 know it all?

14 PROSPECTIVE JUROR NO. 632: Yes.

15 MS. BLUTH: How have you dealt with that?

16 PROSPECTIVE JUROR NO. 632: I'm a mean mom. I took
17 everything away from them and they didn't get to go anywhere
18 or do anything.

19 MS. BLUTH: Okay. Would you please pass the
20 microphone down to Ms. Garrison? Ms. Garrison, which is Badge
21 No. 675.

22 PROSPECTIVE JUROR NO. 675: Yeah, 675.

23 MS. BLUTH: Okay. I notice that you have a little
24 pet, a dog.

25 PROSPECTIVE JUROR NO. 675: Yes, he's a [inaudible]

1 animal.

2 MS. BLUTH: Say it louder?

3 PROSPECTIVE JUROR NO. 675: An ESA animal.

4 MS. BLUTH: Okay. And what does he help you with?

5 PROSPECTIVE JUROR NO. 675: Anxiety.

6 MS. BLUTH: Are you an anxious person with a group
7 of people or just kind of in general?

8 PROSPECTIVE JUROR NO. 675: [Inaudible] in general,
9 but more so with groups of people.

10 MS. BLUTH: Is there something about this process
11 that makes you overly anxious, more so than normal?

12 PROSPECTIVE JUROR NO. 675: No.

13 MS. BLUTH: Do you consider yourself to be a loud
14 person, you voice your opinions or are you more kind of sit
15 back and follow?

16 PROSPECTIVE JUROR NO. 675: More if it's in a
17 comfortable setting for me, I'm very outspoken; but when I'm
18 not as comfortable, quiet.

19 MS. BLUTH: I'll ask you the same questions that I
20 was asking Mr. Phillips in regards to, you know, laws and
21 where the divide is 18, under 18, over 18. What do -- do you
22 think about it? Do you think there's reasons for that or do
23 you think I don't know why it's 18?

24 PROSPECTIVE JUROR NO. 675: Absolutely reasons for
25 that law.

1 MS. BLUTH: Is there anything that I've spoken about
2 that you have a strong opinion about that you didn't feel
3 comfortable voicing up?

4 PROSPECTIVE JUROR NO. 675: I don't think so.

5 MS. BLUTH: Can you be fair and impartial to both
6 sides?

7 PROSPECTIVE JUROR NO. 675: I believe so.

8 MS. BLUTH: Okay. Thank you. Could you pass it to
9 Ms. Teeter? Am I pronouncing that right? 643?

10 PROSPECTIVE JUROR NO. 643: Yes.

11 MS. BLUTH: Okay. When you said that your daughter
12 was -- and I apologize, I have sergeant in, like, a security
13 field. Did I have that right?

14 PROSPECTIVE JUROR NO. 643: Yes.

15 MS. BLUTH: Okay. Where is that at?

16 PROSPECTIVE JUROR NO. 643: I'm not sure of the
17 company.

18 MS. BLUTH: But it's -- it's a company?

19 PROSPECTIVE JUROR NO. 643: Yes, it's a big company.

20 MS. BLUTH: Okay. And you have three children?

21 PROSPECTIVE JUROR NO. 643: Uh-huh.

22 MS. BLUTH: And how did you tell -- how could you
23 tell when one of them was telling the truth? Like, if the two
24 got into a squabble.

25 PROSPECTIVE JUROR NO. 643: Just by looking at their

1 eyes.

2 MS. BLUTH: Really?

3 PROSPECTIVE JUROR NO. 643: Yeah.

4 MS. BLUTH: So do you think you're a good judge of
5 character?

6 PROSPECTIVE JUROR NO. 643: Not a whole lot.

7 MS. BLUTH: Okay. Why?

8 PROSPECTIVE JUROR NO. 643: I don't know. I'm just
9 -- I'm just too quiet -- I don't really -- you know, I'm a
10 pretty easy person. I watch -- I read people. I'm a food
11 server, been in the business a lot and I see people, and
12 that's how I react towards people is the way they react
13 towards me.

14 MS. BLUTH: Okay. So do you trust your instincts,
15 though? Like --

16 PROSPECTIVE JUROR NO. 643: Oh, yes. Yes.

17 MS. BLUTH: Okay.

18 PROSPECTIVE JUROR NO. 643: Yes, I do.

19 MS. BLUTH: Is there anything about this process
20 that makes you uncomfortable or is there anything about you
21 that you feel we should know and whether or not [inaudible]?

22 PROSPECTIVE JUROR NO. 643: I really don't want to
23 talk about it.

24 MS. BLUTH: Okay.

25 PROSPECTIVE JUROR NO. 643: It's sort of rough.

1 MS. BLUTH: Okay. All right. Is that something you
2 would feel comfortable talking --

3 PROSPECTIVE JUROR NO. 643: Yes.

4 MS. BLUTH: -- outside the presence of everybody?
5 Okay. Then, we'll move on. Okay. Thank you so much. Would
6 you mind passing it to Mr. Bias, Number 642. Mr. Bias, when
7 you were a juror previously, I know you stated you weren't the
8 foreperson. When you went back and deliberated with your
9 other jurors, did you feel comfortable in that process?

10 PROSPECTIVE JUROR NO. 642: Yeah.

11 MS. BLUTH: Were you -- was there arguing? Like,
12 did you guys go back right away and everybody agreed?

13 PROSPECTIVE JUROR NO. 642: No, it was, like, half
14 and half.

15 MS. BLUTH: And, so, how did you guys work it out?

16 PROSPECTIVE JUROR NO. 642: By bringing in the
17 evidence and going through it again and then, finally,
18 everybody agreed on the decision.

19 MS. BLUTH: How long was the process?

20 PROSPECTIVE JUROR NO. 642: We were back maybe for
21 an hour and a half.

22 MS. BLUTH: When you went back -- so you probably
23 know what I'm talking about when you have to read through the
24 jury instructions. Did you guys do that? Did you go through
25 the jury instructions and read the law?

1 PROSPECTIVE JUROR NO. 642: Yes.

2 MS. BLUTH: Did you have any problems with the law
3 or how it was?

4 PROSPECTIVE JUROR NO. 642: No, we had no problems.

5 MS. BLUTH: Okay. Your Honor, you usually stop
6 right now. I didn't know what you wanted to do.

7 THE COURT: Yeah, we probably need to stop because
8 we have other things we have to address.

9 MS. BLUTH: Yes, Your Honor.

10 THE COURT: Ladies and gentlemen of the jury, you
11 are going to have to come back tomorrow at 9:30. We should
12 have a jury tomorrow morning would be my anticipation. Again,
13 Jason will give you instructions about parking and all that,
14 but do not talk about the case, don't research the case, don't
15 form or express an opinion on the case and, please, don't go
16 on social media or anything else until you guys have been
17 discharged as jurors. Thank you. We'll see you tomorrow.
18 You'll have to sit in the exact same seats you're in right
19 now. Thank you.

20 (Prospective jury panel recessed at 4:46 p.m.)

21 THE COURT: Okay. Before we go off the record, is
22 there anything we need to address? We're going to be back
23 here tomorrow. What did we say? 9:15? All right. And, so,
24 could you bring Mr. Sprowson up ready to go at 9:15, Officers?

25 THE MARSHAL: I heard you. 9:15.

1 THE COURT: Anything else we need to address before
2 we go off?

3 MS. BLUTH: No, Your Honor.

4 THE COURT: Okay. See you then.

5 (Court recessed for the evening at 4:48 p.m.)

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ACKNOWLEDGMENT:

Pursuant to Rule 3C(d) of Nevada Rules of Appellate Procedure, this is a rough draft transcript expeditiously prepared, not proofread, corrected or certified to be an accurate transcript.

A handwritten signature in cursive script, reading "Kimberly Lawson", is written over a horizontal line.

KIMBERLY LAWSON
TRANSCRIBER

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MELVYN SPROWSON,) No. 73674
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 Appellant,)
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 v.)
)
 THE STATE OF NEVADA,)
)
 Respondent.)
 _____)

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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 2 day of May, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

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BY /s/ Carrie M. Connolly
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