

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

ALLEN RONALD,

No. 75329

Appellant,

V.

THE STATE OF NEVADA,

Respondent.

Electronically Filed  
Jul 11 2018 02:06 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**APPELLANT'S APPENDIX VOLUME II PAGES 250-435**

PHILIP J. KOHN  
Clark County Public Defender  
309 South Third Street  
Las Vegas, Nevada 89155-2610

Attorney for Appellant

STEVE WOLFSON  
Clark County District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155

ADAM LAXALT  
Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(702) 687-3538

## Counsel for Respondent

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

**INDEX**  
**RONALD ALLEN**  
**Case No. 75329**

**PAGE NO.**

Amended Jury List filed 11/02/17 .....	187
Criminal Complaint filed 08/11/16.....	1-2
Defendant's Notice of Witnesses filed 10/23/17 .....	184-185
District Court Minutes from 09/26/16 through 02/06/18 .....	215-231
Ex Parte Motion for Release of Medical Records filed 03/02/17.....	87-88
Ex Parte Motion for Release of Medical Records filed 03/02/17.....	89-90
Findings of Competency filed 06/05/17 .....	106-107
Information filed 09/23/16.....	81-82
Instructions to the Jury filed 11/03/17 .....	189-207
Judgment of Conviction (Jury Trial) filed 02/16/18.....	209-210
Jury List filed 11/01/17.....	186
Justice Court Minutes from 08/11/16 through 09/22/16 .....	4-8
Motion for Order to Marry filed 11/19/16.....	83-86
Motion to Compel Production of Discovery & Brady Material Date of Hrg: 10/24/17 .....	115-153
Notice of Appeal filed 03/06/18 .....	211-214
Notice of Expert Witnesses filed 03/02/17 .....	93-97
Notice of Witnesses filed 08/11/16 .....	3
Notice of Witnesses filed 03/02/17 .....	91-92
Order for Production of Inmates filed 09/28/17 .....	111-114
Order Releasing Medical Records filed 03/09/17 .....	98-99
Order Releasing Medical Records filed 03/09/17 .....	100-101
Order Releasing Medical Records filed 03/09/17 .....	102-103
Order to Transport Defendant from Southern Nevada Adult Mental Health Rawson-Neal Psychiatric Hospital filed 05/17/17 .....	104-105
Second Amended Jury List filed 11/03/17 .....	188

1	State's Notice of Intent to Seek Punishment as a Habitual Criminal filed 09/22/17.....	108-110
2		
3	State's Opposition to Defendant's Motion to Compel Production of Discovery & Brady Material Date of Hrg: 10/24/17.....	154-180
4		
5	State's Supplemental and Amended Notice of Witnesses filed 10/17/17 .....	181-183
6	Verdict filed 11/03/17.....	208

## **TRANSCRIPTS**

8	Recorder's Transcript <b>JURY TRIAL DAY 1</b> Date of Hrg: 10/31/17.....	254-435
9		
10	Recorder's Transcript <b>JURY TRIAL DAY 2</b> Date of Hrg: 11/01/17.....	436-532
11		
12	Recorder's Transcript <b>JURY TRIAL DAY 3</b> Date of Hrg: 11/02/17.....	533-678
13		
14	Recorder's Transcript <b>JURY TRIAL DAY 4</b> Date of Hrg: 11/03/17.....	679-741
15		
16	Recorder's Transcript Calendar Call Date of Hrg: 03/28/17.....	235-238
17		
18	Recorder's Transcript Calendar Call Date of Hrg: 10/24/17.....	247-249
19		
20	Recorder's Transcript Entry of Plea Date of Hrg: 09/21/17.....	245-246
21		
22	Recorder's Transcript Further Proceedings: Competency Date of Hrg: 06/02/17.....	239-241
23		
24	Recorder's Transcript Further Proceedings: Return from Competency Court Date of Hrg: 06/08/17.....	242-244
25		
26	Recorder's Transcript Initial Arraignment Date of Hrg: 09/26/16.....	232-234
27		
28		

1	Recorder's Transcript Overflow	
2	Date of Hrg: 10/26/17 .....	250-253
3	Recorder's Transcript Sentencing	
4	Date of Hrg: 02/06/18 .....	742-753
5	Reporter's Transcript Preliminary Hearing	
6	Date of Hrg: 09/22/16 .....	9-80
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		



RTRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

vs.

RONALD ALLEN, aka, Ronald  
Eugene Allen, Jr.,  
Defendant.

CASE: C-16-318255-1  
DEPT. XVII

BEFORE THE HONORABLE MICHAEL P. VILLANI, DISTRICT COURT  
JUDGE

FRIDAY, OCTOBER 26, 2017

**RECORDER'S TRANSCRIPT OF HEARING:  
OVERFLOW**

APPEARANCES:

For the State:

LAURA JEAN ROSE, ESQ.  
Deputy District Attorney

For the Defendant:

ROBSON M. HAUSER, ESQ.  
Deputy Public Defender

RECORDED BY: CYNTHIA GEORGILAS, COURT RECORDER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Las Vegas, Nevada, Friday, October 26, 2017

[Hearing began at 8:34 a.m.]

THE COURT: Okay, I'm going to call the overflow calendar first.  
The first up is State versus Ronald Allen. Is this matter still going forward?

MR. HAUSER: Yes, Your Honor.

THE COURT: All right. And we're going to assign this Judge Bailus. It will be tried in this department but it will be Judge Bailus will be presiding over the case and he said a start time of Monday, 9:00 a.m. At that time, please provide him with proposed jury instructions, special instructions with case citations and we'll -- all right?

MR. HAUSER: Okay. Do you know if Judge Bailus is here today?

THE COURT: I have no idea.

MR. HAUSER: We were hoping to ask for a Tuesday, sir, that's what I was going to ask but we don't need to take your --

THE COURT: He has limited time I know that, so.

MR. HAUSER: All right.

THE COURT: Right now --

THE JEA: Counsel, --

THE COURT: -- it's Monday at 9:00.

MR. HAUSER: We'll make it work.

THE COURT: Okay.

THE JEA: State your names for appearances.

MS. ROSE: Laura Rose, bar number 13390.

MR. HAUSER: Robson Hauser, bar number 13692, and we have

1 Mr. Allen who is present in custody.

2 THE COURT: All right. Thank you.

3 MS. ROSE: Thank you, Your Honor.

4 MR. HAUSER: Thank you, Your Honor.

5 [Hearing concluded at 8:35 a.m.]

6 [Matter recalled at 9:01 a.m.]

7 THE DEFENDANT: Your Honor, can I ask a question?

8 THE COURT: And your name is, sir?

9 THE DEFENDANT: Mr. Allen. I'm the first case you called, Ronald  
10 Allen.

11 THE RECORDER: Now wait a minute; what case is that, Judge?

12 THE COURT: What's your name again?

13 THE DEFENDANT: Ronald Allen.

14 THE RECORDER: Oh, that was the overflow.

15 THE COURT: Sir, I can't talk to you because your attorney is not  
16 here; okay? You have to have an attorney present.

17 THE DEFENDANT: Well, actually, it's about trial. [Indiscernible] be  
18 remanded into custody to CCDC?

19 THE COURT: I think that's appropriate. We'll remand you to CCDC.

20 THE DEFENDANT: Thank you.

21 [Hearing concluded at 9:01 a.m.]

22 \* \* \* \* \*

23 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
24 audio/video proceedings in the above-entitled case to the best of my ability.

25 

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CYNTHIA GEORGILAS  
Court Recorder/Transcriber  
District Court Dept. XVII





1 RTRAN

2  
3  
4  
5 DISTRICT COURT  
6 CLARK COUNTY, NEVADA

7 )  
8 THE STATE OF NEVADA, )  
9 Plaintiff, )

CASE NO: C-16-318255-1  
DEPT. XVIII

10 vs. )

11 RONALD ALLEN, )  
12 Defendant. )

13  
14 BEFORE THE HONORABLE MARK B. BAILUS, DISTRICT COURT JUDGE  
15 TUESDAY, OCTOBER 31, 2017

16 **RECORDER'S TRANSCRIPT OF HEARING:**  
17 **JURY TRIAL – DAY ONE**

18  
19 APPEARANCES:

20 For the State:

CHAD N. LEXIS, ESQ.  
LAURA JEAN ROSE, ESQ.  
Deputy District Attorneys

22 For the Defendant:

XIOMARA BONAVENTURE, ESQ.  
ROBSON M. HAUSER, ESQ.  
Public Defenders

24  
25 RECORDED BY: ROBIN PAGE, COURT RECORDER

1 Las Vegas, Nevada; Tuesday, October 31, 2017

2 [Proceeding commenced at 1:14 p.m.]

3

4 THE COURT: Good afternoon, ladies and gentlemen.  
5 Please be seated.

6 This is Case No. C-16-318255, State of Nevada versus  
7 Ronald Allen. This is the time set for a jury trial. Are the parties  
8 ready to proceed?

9 MS. BONAVENTURE: Yes, Your Honor.

10 MR. LEXIS: Yes, Your Honor.

11 THE COURT: Is there any matters that we need to resolve  
12 outside the presence of the jury?

13 MS. BONAVENTURE: No, Your Honor.

14 MR. LEXIS: No, Your Honor.

15 THE COURT: Why don't you go get the jury panel. I'm  
16 going to take a short recess. As soon as the jury panel arrives, I'll  
17 reconvene. Thank you.

18 [Recess taken from 1:14 p.m. until 1:38 p.m.]

19 THE COURT: Good afternoon, ladies and gentlemen. You  
20 all can be seated.

21 This is the time set for the trial in Case No. C-16-318255,  
22 Plaintiff State of Nevada versus Defendant Ronald Allen.

23 Let the record reflect the presence of counsel and the  
24 presence of Mr. Allen.

25 Are the parties ready to proceed at this time?

1 MR. LEXIS: Yes, Your Honor.

2 MS. BONAVENTURE: Yes, Your Honor.

3 THE COURT: Ladies and gentlemen, my name is Mark  
4 Bailus. I am the presiding judge in Department 18 of the Eighth  
5 Judicial District Court for the State of Nevada.

6 You have been summoned here today to serve as possible  
7 jurors in a criminal lawsuit alleging battery on a protected person  
8 with substantial bodily harm. This trial may take two or three days.

9 Can everybody hear me? Is there any problem having --  
10 issues hearing me?

11 MALE SPEAKER: Your Honor, it could be a little louder, if  
12 you don't mind.

13 THE COURT: Okay. Is there a -- I apologize. I speak softly,  
14 so I have to project when I'm speaking to a large audience.

15 In a few minutes, I'll give you a chance to talk about your  
16 ability to serve as jurors in this case. But first, let me take this  
17 opportunity to introduce my court staff.

18 Robin Page is the official court recorder and will be  
19 recording everything that is said during the trial. Robin.

20 Alan Castle is the deputy court clerk who administers the  
21 oaths to the witnesses, marks exhibits, keeps track of the evidence,  
22 and prepares the official record. This is Mr. Castle.

23 [Randy Stephenson](#) is the marshal who maintains security  
24 and who will be the person to escort to and from the courtroom.  
25 Also, if you need to contact the Court for any reason when you are

1 not sitting in court, you should do so through the marshal. During  
2 deliberations, the marshal will look after you and maintain your  
3 privacy. And Mr. Stephenson is in the back. I think you've already  
4 met him.

5           Alan Brereton is the law clerk who assists me in legal  
6 matters. This is Mr. Brereton.

7           And Shannon Fagin is my judicial executive assistant who  
8 will be -- who will also be present from time to time to assist me with  
9 various things during the course of the trial. And this is Ms. Fagin.

10           If any of you have cell phones, now is the time to make  
11 sure that it is turned off. While court is in session, you must not use  
12 any cell phone, Smartphone, iPad, tablet, computer, or other portable  
13 electronic device capable of making or accepting calls or sending or  
14 receiving information.

15           During these proceedings, if you need to use the restroom,  
16 please raise your hand to let me know. And we will, however, try to  
17 take a break at least every 90 minutes.

18           The clerk will now call the roll of the panel of potential  
19 jurors. When your name is called, please answer "present" or "here."

20                       [Prospective jury panel roll taken.]

21           THE COURT: Is there anyone whose name was not called?

22           At this time, I will allow the attorneys to make brief marks  
23 to you as the potential jurors. The attorneys may introduce  
24 themselves, who they represent, the nature of the case, and potential  
25 witnesses.

1 Ladies and gentlemen, this is not the opening statements  
2 of the attorneys. This is just a little information about the parties in  
3 the case so you can better answer questions in the jury selection  
4 process.

5 Counsel for State, you may address the potential jurors.

6 MR. LEXIS: Good afternoon, folks. My name is Chad Lexis.  
7 This is Laura Rose. We are deputy district attorneys at the Clark  
8 County District Attorney's Office. We represent the people of the  
9 State of Nevada, and we are prosecuting this case.

10 The defendant is charged with one count of battery on a  
11 protected person resulting in substantial bodily harm that took place  
12 on August 9th, 2016, in the area of 4770 South Pecos here in Clark  
13 County, Nevada.

14 Please listen to the following list of names as they may be  
15 witnesses in this case. Only a fraction of these people will be called,  
16 but we still need to read everybody.

17 Richard Wulff, Officer Robert Berg, Officer Mark Bordoni,  
18 Nichelle Carter, Delacey Collins, Edward Dougherty, Officer Kyle Frett,  
19 Officer Pete Friday, Aisha Gilmore, Lisa Gordon, Officer Donald  
20 Graham, Officer Leopold Karanikolas, Officer Shannon Rohrbaugh,  
21 Officer Edwin Serrano, Officer Robert Steinbach, Officer Mark  
22 Tolentino, Officer Jessica Wert, Richard Wulff, Stephan Bourque,  
23 Officer Carlos Cruz, Richard Moon, and Officer Robert Steinbach.

24 Thank you.

25 THE COURT: Counsel for the Defendant, you may now

1 address the potential jurors.

2 MS. BONAVENTURE: Thank you, Judge.

3 Good afternoon, my name is Xiomara Bonaventure. I'm  
4 the defense counsel for Mr. Ronald Allen. This is my co-counsel,  
5 Robson Hauser, and this is our law clerk, Jane Mayer.

6 At this point in time, you've heard the charges. Our client,  
7 Mr. Ronald Allen, has pled not guilty. And our potential witness is  
8 Ana Nellis.

9 THE COURT: Ladies and gentlemen, we are about to  
10 commence examination of potential jurors in this case. During this  
11 process, you will be asked questions bearing on your ability to sit as  
12 fair and impartial jurors. The Court, the lawyers, and all persons  
13 involved in this case are interested in having this matter tried by a  
14 jury composed of 12 open-minded people, who are completely  
15 neutral, and who have no bias or prejudice towards either side.

16 In this trial, we will also need two alternate jurors to listen  
17 to all the proceedings and be prepared to take over as a juror in the  
18 event a sitting juror is excused. In order to accomplish this, it is  
19 necessary for me to ask some questions. The attorneys will then be  
20 given the opportunity to ask questions.

21 Although some of the questions may, at times, seem quite  
22 personal, our only objective is to determine whether there is any  
23 reason why any of you cannot sit as a fair and impartial juror in this  
24 case. If a question seems too personal to you, you can raise your  
25 hand and ask us to talk to you privately. But understand that your

1 answers will have to be on the record.

2           It is very important that you give full, complete, and honest  
3 answers to all of the questions we are about to ask you. I caution you  
4 not to try to hide or withhold anything which might indicate bias or  
5 prejudice of any sort by any of you. Should you fail to answer  
6 truthfully or if you hide or withhold anything touching upon your  
7 qualifications, that fact may tend to contaminate the verdict and  
8 subject you to further inquiry, even after you are discharged as jurors.  
9 Your decision should not be based upon -- your decision should be  
10 based upon all the evidence presented during the trial and not based  
11 upon preconceived prejudice or bias.

12           During this process of selecting a jury, the attorneys for  
13 both sides will have the right to request a particular -- that a particular  
14 person not serve as a juror. These requests are called challenges.  
15 Please do not be offended should you be excused by a challenge.  
16 This is simply part of the process designed to protect the rights of the  
17 parties.

18           The questioning of potential jurors at the beginning of the  
19 case is done under oath. But before the clerk issues the oath to you, I  
20 need to know if any of you are not citizens of the United States or if  
21 any of you are convicted felons whose civil rights have not been  
22 restored. To be qualified to serve as a juror, one must be a citizen  
23 and not be a convicted felon whose rights have not been restored.

24           Please raise your hand if you are not a citizen or if you are  
25 a convicted felon whose rights have not been restored.

1                   Let the record reflect that no one raised their hand in  
2 response to that question.

3                   Will counsel agree and stipulate that I may have the entire  
4 panel sworn at this time to answer truthfully all questions  
5 propounded to them as to their qualifications to serve as jurors so I  
6 might ask questions collectively and so it won't be necessary to  
7 administer the oath to each replacement?

8                   MR. LEXIS: Yes, Your Honor.

9                   MS. BONAVENTURE: Yes, Your Honor.

10                  THE COURT: At this time, would you all stand, raise your  
11 right hands to be sworn.

12                   [Prospective jury panel was duly sworn.]

13                  THE COURT: Please be seated. Ladies and gentlemen, I  
14 now have some general questions to help us in selecting the jury in  
15 this case. If I ask a question to the entire group, please raise your  
16 hand if the question applies to you. I will then follow up by asking  
17 you to identify your name and badge number. I may also ask some  
18 questions to you individually.

19                  Are any of you acquainted with any of the court personnel  
20 that I have mentioned previously? Again, let the record reflect no  
21 response to that question.

22                  Two, are any of you acquainted with the prosecutors or the  
23 defense attorneys or the law offices or their staff? Again, no  
24 response to that question.

25                  Are any of you acquainted with the defendant or his



1 attorneys? Let the record reflect no response to that question.

2 Are any of you acquainted with the anticipated witnesses in  
3 this case whose names were mentioned to you by the attorneys? Let  
4 the record reflect no response to that question.

5 Have any of you heard or read anything about this case  
6 before coming to court today? Let the record reflect no response to  
7 that question.

8 Does anyone know anything about this case other than  
9 what has been stated in court -- in the courtroom today? Let the  
10 record reflect no response to that question.

11 Is there anyone who has such strong opinions relating to  
12 age, religion, race, gender, or national origin that they feel would  
13 affect their ability to be open minded, fair, and impartial jurors?  
14 Again, let the record reflect no response to that question.

15 Is anyone here seriously ill? Let the record reflect no  
16 response to that question.

17 Is there anyone here who has difficulty hearing?

18 Sir, could you stand up and say your -- identify yourself by  
19 your name and badge number?

20 PROSPECTIVE JUROR NO. 400: Jacob Hand, Badge  
21 No. 400.

22 THE COURT: And what is the difficulty you have with  
23 hearing, sir?

24 PROSPECTIVE JUROR NO. 400: I just have wax buildup  
25 that sometimes makes it really hard for me to hear.

1 THE COURT: Can you hear me --

2 PROSPECTIVE JUROR NO. 400: I've been able to hear you  
3 fine so far today, yes.

4 THE COURT: Okay. If you could not hear me, we have  
5 headsets that would be available to you that would amplify the sound  
6 if that would assist you in hearing?

7 PROSPECTIVE JUROR NO. 400: That would be fine.

8 THE COURT: Okay. If you cannot hear me or any of the  
9 participants, please raise your hand and let me know. Will you do  
10 that, sir?

11 PROSPECTIVE JUROR NO. 400: Yes, sir.

12 THE COURT: Okay. Thank you so much.

13 Is there anybody here who is sight impaired? Let the  
14 record reflect no response to that question.

15 And I previously asked, nobody here has been convicted of  
16 a felony; correct? And the record will reflect nobody has responded  
17 to that question.

18 Ladies and gentlemen, this case is expected to last two or  
19 three days. The Court may excuse you from serving if so doing so  
20 would be an undue hardship. An example of things that are undue  
21 hardships are living from paycheck to paycheck, where you can't  
22 afford to miss even one day or two days of work; that you're the sole  
23 health provider of somebody who needs constant care; you have sole  
24 custody of children under the age of 16, and you have nobody to  
25 watch them; you are a student who may miss several classes or tests;

1 you have surgery scheduled -- things of that nature is an undue  
2 hardship.

3           What is not an undue hardship is that you have a doctor's  
4 or dentist's appointment that can be rescheduled -- I had to  
5 reschedule a doctor's appointment for this trial, so I wouldn't be  
6 excused as an undue hardship -- your employer/boss doesn't want  
7 you to be here, you have too much work to do, or you just don't want  
8 to be here. Those are not undue hardships.

9           Please raise your hand if serving as a juror during that  
10 period of time would present an extreme hardship for any of you.

11           Sir, if you could stand up and please state your name and --

12           PROSPECTIVE JUROR NO. 298: Salvatore Tatti.

13           THE COURT: And what's your badge number, sir?

14           PROSPECTIVE JUROR NO. 298: 298.

15           THE COURT: And sir, what's your extreme hardship?

16           PROSPECTIVE JUROR NO. 298: I have custody of my son  
17 this week, an 8-year-old.

18           THE COURT: And do you have -- is it --

19           PROSPECTIVE JUROR NO. 298: Single dad.

20           THE COURT: You're a single dad. And this is your  
21 visitation week?

22           PROSPECTIVE JUROR NO. 298: Correct.

23           THE COURT: Okay. And how often do you get your son?

24           PROSPECTIVE JUROR NO. 298: Every other week. And the  
25 weeks I don't get him, I travel. So I have a flight booked on Monday

1 for work out of state.

2 THE COURT: Okay. And do you have him the entire week?

3 PROSPECTIVE JUROR NO. 298: Correct.

4 THE COURT: Okay. And is somebody taking care of him  
5 right now while you're here?

6 PROSPECTIVE JUROR NO. 298: Well, he's at school.

7 THE COURT: He's in school. And what time does he get  
8 out of school?

9 PROSPECTIVE JUROR NO. 298: 3:05.

10 THE COURT: And is somebody going to be able to pick  
11 him up today?

12 PROSPECTIVE JUROR NO. 298: Today I made  
13 arrangements, yes. But it's --

14 THE COURT: Anything else, sir?

15 PROSPECTIVE JUROR NO. 298: No.

16 THE COURT: And I believe I saw another hand -- or two  
17 more hands. I'm sorry.

18 If you could stand up and state your name and your badge  
19 number, please.

20 PROSPECTIVE JUROR NO. 324: Gianina Gozzarelli. And  
21 it's 324.

22 THE COURT: And it's -- ma'am, what is your extreme  
23 hardship?

24 PROSPECTIVE JUROR NO. 324: I have a two-year-old and  
25 a 6-month old and sole provider for them.

1 THE COURT: Are you a stay-at-home mom?  
2 PROSPECTIVE JUROR NO. 324: No, I work full time.  
3 THE COURT: You work full time, and you have -- are you a  
4 single parent?  
5 PROSPECTIVE JUROR NO. 324: Uh-huh.  
6 THE COURT: Is that a yes, ma'am?  
7 PROSPECTIVE JUROR NO. 324: Yes, ma'am -- yes, sir.  
8 Sorry.  
9 THE COURT: Yeah. Sorry about that. And so you go to  
10 work then -- is your child in day care or with a babysitter while you're  
11 at work?  
12 PROSPECTIVE JUROR NO. 324: Yes, yes. It's just hard to  
13 take off days off work, because day care is very expensive.  
14 THE COURT: I understand. Is there anything else you  
15 would like to explain regarding your hardship, ma'am?  
16 PROSPECTIVE JUROR NO. 324: Just that I take care of my  
17 two little kids.  
18 THE COURT: Okay. And one is three months old?  
19 PROSPECTIVE JUROR NO. 324: Six months and two.  
20 THE COURT: Okay. Thank you.  
21 PROSPECTIVE JUROR NO. 324: Thank you.  
22 THE COURT: Sir, your name and badge number, please?  
23 PROSPECTIVE JUROR NO. 325: Rene Artiga, 325.  
24 THE COURT: And what is your extreme hardship, sir?  
25 PROSPECTIVE JUROR NO. 325: My daughter is

1 handicapped, and she get off at 2 o'clock from school.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 325: Nobody else can take care  
4 of her after.

5 THE COURT: And would you mind telling me what the  
6 handicap is, sir?

7 PROSPECTIVE JUROR NO. 325: Can't hear. She can't talk.

8 THE COURT: Okay. And do you have somebody who is  
9 able to pick her up today?

10 PROSPECTIVE JUROR NO. 325: Right now, yeah.

11 THE COURT: Okay. And that would cause extreme  
12 hardship for your daughter if you were to sit as a juror in this case? Is  
13 that a yes or no, sir?

14 PROSPECTIVE JUROR NO. 325: No.

15 THE COURT: It would not or would cause extreme  
16 hardship on your daughter if you were to sit as a juror in this case?

17 PROSPECTIVE JUROR NO. 325: Yes, sir.

18 THE COURT: Okay. And I apologize. What was your  
19 name, sir?

20 PROSPECTIVE JUROR NO. 325: Rene Artiga.

21 THE COURT: Thank you, sir.

22 Under our system, certain basic -- so -- oh, I'm sorry. I  
23 apologize.

24 And could you please state your name and your badge  
25 number?

1 PROSPECTIVE JUROR NO. 371: Arturo Pin, Badge 371.

2 THE COURT: And, sir, what is your extreme hardship?

3 PROSPECTIVE JUROR NO. 371: English is my second  
4 language, so I don't speak completely English.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 371: So --

7 THE COURT: You would -- I expect the testimony today to  
8 be in English. And it would be difficult for you to follow along in  
9 English; is that what you are advising me?

10 PROSPECTIVE JUROR NO. 371: Yeah. Yes, it is. It might  
11 be words that I'm not used to speak or understand, so I think for this  
12 trial it would be difficult for me.

13 THE COURT: Okay. Anything else, sir?

14 PROSPECTIVE JUROR NO. 371: No.

15 THE COURT: Thank you.

16 PROSPECTIVE JUROR NO. 390: Katherine Doty, Badge  
17 390.

18 THE COURT: Yes, ma'am.

19 PROSPECTIVE JUROR NO. 390: It's actually not an extreme  
20 hardship for myself. I'm corporate treasurer of Classic Door & Trim. I  
21 process the payroll, and I have since 1982 for 70 employees every  
22 week. If we're done by Thursday at 4 o'clock, I'm going to be good. I  
23 have to have payroll out at 7:30 in the morning for the employees.  
24 No one else does it. So --

25 THE COURT: Okay. And so you have to have your payroll

1 done by 4 o'clock?

2 PROSPECTIVE JUROR NO. 390: No. I disburse it at 7:30 on  
3 Friday morning. So --

4 THE COURT: Okay. And this is only going to be a two- or  
5 three-day trial. Is that going to interfere with your ability to perform  
6 your job?

7 PROSPECTIVE JUROR NO. 390: That's what I just want to  
8 let you know, I just would have to be, you know, done so I could get  
9 payroll done on Thursday afternoon at the latest. Yeah, so it's -- it  
10 should be okay if it's two or three days. It's just -- I just wanted to let  
11 you know that.

12 THE COURT: I appreciate that. And I'm hopeful this will  
13 only be a two- or three-day trial, but sometimes it goes a little longer.  
14 I can't make you any guarantees.

15 PROSPECTIVE JUROR NO. 390: Right. That's what I just  
16 wanted to make sure. I have 70 people that get a paycheck every  
17 Friday morning, and I'm the only one that does it.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 390: Okay.

20 THE COURT: All right. Thank you so much, ma'am.

21 PROSPECTIVE JUROR NO. 390: Thank you, sir.

22 PROSPECTIVE JUROR NO. 414: My name is Martin Garcia,  
23 and my number is 0414.

24 THE COURT: And what is your extreme hardship, sir?

25 PROSPECTIVE JUROR NO. 414: It's -- I think it's the same



1 situation like the guy. Many words are just too hard to understand.

2 THE COURT: Okay. Is -- what is your native language, sir?

3 What is your native language?

4 PROSPECTIVE JUROR NO. 414: Spanish.

5 THE COURT: Okay. And English is a second language?

6 PROSPECTIVE JUROR NO. 414: Yeah. But I speak just a

7 little -- not many.

8 THE COURT: You speak just a little English?

9 PROSPECTIVE JUROR NO. 414: Yes.

10 THE COURT: Okay. And is -- what you're explaining to me

11 is that you may not understand some of the testimony if it's in

12 English?

13 PROSPECTIVE JUROR NO. 414: Sorry. I -- I don't -- I don't

14 understand what you says.

15 THE COURT: Okay. If the -- if the witnesses testify in

16 English, which I expect them to do, are you telling me that it will be

17 difficult for you to understand the testimony?

18 PROSPECTIVE JUROR NO. 414: Yes.

19 THE COURT: Anything else, sir? Is there anything else?

20 PROSPECTIVE JUROR NO. 414: No, no. That's it.

21 THE COURT: Thank you.

22 PROSPECTIVE JUROR NO. 414: Thank you, sir.

23 PROSPECTIVE JUROR NO. 369: Your Honor, Badge

24 No. 369, Josephine Cervantes. You just said that it might take more

25 than three days.

1 THE COURT: It's expected to last two or three days.

2 PROSPECTIVE JUROR NO. 369: Okay. If it takes more than  
3 that, then -- because I had -- I'm having more surgery on the 7th, and I  
4 cannot cancel that, so --

5 THE COURT: Okay. What kind of surgery are you having?

6 PROSPECTIVE JUROR NO. 369: I'm going through cancer,  
7 and I'm having jaw reconstruction right now, and I'm having a biopsy  
8 next week for my cancer, so --

9 THE COURT: Okay. And you have surgery on  
10 November 7th?

11 PROSPECTIVE JUROR NO. 369: That's a biopsy for my  
12 lungs.

13 THE COURT: Okay. And it --

14 PROSPECTIVE JUROR NO. 369: So I would like to serve,  
15 but just not on those days when I have to have my surgeries --

16 THE COURT: Sure.

17 PROSPECTIVE JUROR NO. 369: -- or doctor appointments.

18 THE COURT: No, I understand. So your biopsy is  
19 November 7th.

20 PROSPECTIVE JUROR NO. 369: November 7th.

21 THE COURT: And when is your surgery?

22 PROSPECTIVE JUROR NO. 369: For my oral is  
23 November 7 -- November 17.

24 THE COURT: Okay. But the biopsy is November 7?

25 PROSPECTIVE JUROR NO. 369: On the 7th, yes.

1 THE COURT: Okay. Anything else, ma'am?

2 PROSPECTIVE JUROR NO. 369: No, no. Just wanted to let  
3 you know. Thank you.

4 THE COURT: All right. Thank you so much.

5 Anybody else?

6 Okay. I want to advise you under our system certain basic  
7 principles of law apply in every criminal trial. They are that the  
8 defendant is presumed innocent and the State has the burden of  
9 proving beyond a reasonable doubt that the defendant is guilty.

10 Does anyone not believe in these basic principles of  
11 American justice? Let the record reflect no response to that question.

12 There is one more thing I need to mention to everybody as  
13 a group. Under the law, if you are selected to serve as a juror, you  
14 will be required to decide the facts of the case. In making your  
15 decision, however, you must be guided by the laws that applies to the  
16 facts. It will be my duty to instruct you on what the law is. So my  
17 question to all of you is this: Is there anybody who will not be able to  
18 follow the law if you believe the law should be different than what I  
19 tell you? Let the record reflect no response to that question.

20 Counsel approach.

21 [Bench conference was had and transcribed as follows:]

22 THE COURT: I'm just going to excuse the jurors who  
23 [indiscernible] undue hardship and [indiscernible].

24 MR. LEXIS: Why don't we just do it right now?

25 THE COURT: That's fine.

1 MR. LEXIS: [Indiscernible.]

2 THE COURT: Hold on a second. Can you get  
3 [indiscernible]? Have my marshal come over here.

4 I need you to stand in front of the jurors to make sure they  
5 can't hear the bench conference. If they can, let me know, and then  
6 I'll have to excuse them.

7 MR. LEXIS: Do you have any objection to the two  
8 non-English speakers?

9 THE COURT: All right. So we have two people with  
10 children and one with older children who is handicapped. We have  
11 two people who are representing that they -- thank you. You have to  
12 excuse me. I apologize. I can't believe that they can hear me.

13 MS. BONAVENTURE: Yeah.

14 THE COURT: Okay. I'm just going to do this, I'm just going  
15 to have them go outside.

16 MS. BONAVENTURE: Okay.

17 MR. LEXIS: That's fine.

18 THE COURT: It'll just take two seconds.

19 MS. BONAVENTURE: Sure.

20 [Bench conference was concluded.]

21 THE COURT: Amazingly, most of the time people can't  
22 hear me, but apparently at the bench conference, I can't speak low  
23 enough that you can slightly hear me. So what I'm going to ask,  
24 ladies and gentlemen, is I'm going to excuse you. If you could just  
25 wait outside in the hallway, and that way I can discuss some matters

1 with the attorneys. It'll only take a few minutes.

2 [Outside the presence of the proposed jury panel.]

3 MR. LEXIS: Your Honor, the only people I think should be  
4 let go are the two people that stay they can't understand, because I  
5 don't want to go through this whole trial and then at the end say they  
6 have no idea what was happening for the last two days, and the  
7 person who said that the -- their child is handicapped.

8 But if defense counsel wants to object to that one, that's  
9 fine. Then we could keep them too. But I think everyone else should  
10 stay.

11 THE COURT: And what's the State -- the defense position?

12 MS. BONAVENTURE: Will, quite honestly, Your Honor, we  
13 have no problem with any and all of them being dismissed. I  
14 understand the hardships of the kids, especially the young lady with a  
15 six-month-old at home. I think it would, from personal experience,  
16 create a person -- a substantial hardship for her to have her  
17 two-year-old and six-year-old [*sic*] having to be taken care of by  
18 people that she doesn't really know just to be here. I know her  
19 mind's probably going to be there.

20 On top of the guy, Salvatore Tatti, who has only picked  
21 up -- temporary custody of his son, I believe his mind is also going to  
22 be on his son and his upcoming work trip that is scheduled for  
23 Monday. So we do not have a problem with him being excused.

24 I agree with the State, Rene Artiga, who has the daughter  
25 with -- who is mute and deaf, I believe we can dismiss him by

1 agreement.

2           As far as the Spanish speakers, Your Honor, obviously  
3 there's a varying degree to which they can understand. If Your Honor  
4 wants to excuse them, we're fine with that. However, if Your Honor  
5 wants to see if we even get to them or give them -- give us more of  
6 an opportunity to cross-examine whether or not they actually do  
7 speak a little bit more or understand a little bit more than they think  
8 they do, I would be amenable to that as well, seeing as it should not  
9 be a handicap to them doing their duty as a juror, especially since  
10 they are probably immigrants. I think it's an important activity for  
11 them to partake in and that language should not be a barrier to that.

12           As far as the payroll clerk, Judge, I wouldn't usually see  
13 that as a hardship, but if -- the DA has indicated in chambers earlier  
14 that he believes we might be going -- we might still be doing witness  
15 testimony on Thursday, so I'll leave that up to Your Honor. We  
16 wouldn't object to her being dismissed if Your Honor thought that a  
17 sufficient hardship.

18           And I -- oh, and the young gentleman who has a hearing  
19 problem, I think that might be taken care of by him.

20           THE COURT: I don't think he was asking to be excused  
21 under hardship. I think he was just advising me that he had a hearing  
22 issue.

23           MS. BONAVENTURE: Oh, okay. Okay.

24           MR. LEXIS: Your Honor, the one -- the treasurer, that --  
25 doing the payroll, that's absolutely no excuse. A lot of people got

1 jobs. Just because she's trying to say, Oh, I have -- they're relying on  
2 me. She's got the morning to do it. In addition, that's just not a  
3 hardship. That's the first words out of her mouth, it's not a hardship.

4 THE COURT: Okay.

5 MR. LEXIS: And as far as these other ones that's the single  
6 mom and the other one, they're -- I'm sure that there's many people  
7 in this courtroom that is sucking it up as single parents to serve.  
8 They shouldn't be punished just because they're not speaking up.

9 THE COURT: All right. What about -- what's your position  
10 on the people who -- I do have a concern about the individuals that  
11 don't speak English fluently, that it's a second language.

12 MS. BONAVENTURE: Well, Your Honor, I understand your  
13 concern. However, they do speak English. They were both speaking  
14 English, in fact, for the record, and they both actually were speaking  
15 very well. I believe only one gentleman really had a problem  
16 understanding what you were saying, the gentleman all the way in  
17 the back. And even when you -- I don't know if it was a problem with  
18 him understanding or whether it was him hearing you.

19 THE COURT: Uh-huh.

20 MS. BONAVENTURE: So as far as them --

21 THE COURT: So what is your recommendation on the  
22 people? What I'm going to do --

23 MR. LEXIS: Are you asking the State, Your Honor?

24 MS. BONAVENTURE: I'm sorry. On the people -- I'm sorry.  
25 I was thinking what I want to do. My inclination is to let the two

1 parents go -- the one with the 6-month-old child, the one that has  
2 visitation, and the -- well, I guess there's three parents -- the one that  
3 has the handicapped child.

4 As far as the woman that has surgery, I'm going to just  
5 keep her on for right now, just to see -- I may let her go if after we get  
6 a little farther into this, because if we are going to go to Friday, you  
7 know, I'll probably have to let her go. I'm not going to make her miss  
8 her biopsy.

9 As to the person on the payroll at this point, I agree. I don't  
10 think that's an undue hardship.

11 I am going to keep the two people to allow you to voir dire  
12 them at this point. I'm going to reserve ruling on whether it  
13 constitutes an undue hardship at this point. So the people -- whether  
14 the -- I want to make sure we all agree on the people that -- what are  
15 the -- what are the names and badge numbers of the people who are  
16 going to be -- okay. So it's the three parents.

17 THE CLERK: Right.

18 THE COURT: Who are they?

19 THE CLERK: Salvatore Tatti, No. 298; No. 324, Gianina  
20 Gozzarelli.

21 THE COURT: All right. I need you to write these down.  
22 Write them down with their name and their badge number.

23 [Pause in proceedings.]

24 THE COURT: The handicapped -- the three parents.

25 [Pause in proceedings.]



1 THE COURT: So it looks like it's Mr. Tatti -- where is the  
2 first name?

3 Okay. So the people I'm going to excuse for undue  
4 hardship at this point is Salvatore Tatti, Badge No. 298; Gianna [*sic*]  
5 Gozzarelli, Badge No. 324; Rene Artiga, Badge No. 325.

6 On the two individuals that have advised the Court that  
7 they -- that English is a second language and they're having difficulty  
8 understanding, I'm going to let you voir dire them.

9 MS. BONAVENTURE: Thank you.

10 THE COURT: But if I do not feel that they fully understand  
11 English, my inclination will be to excuse them for undue hardship.

12 MS. BONAVENTURE: And just to clarify, that's Mr. Arturo  
13 Pin, Badge No. 371, and Rene -- oh, no, that -- we dismissed him.

14 THE COURT: And who is the other one -- the other  
15 gentleman?

16 MR. HAUSER: I got it. Badge No. 414, Martin Garcia.

17 MS. BONAVENTURE: Yeah. Martin Garcia, Badge 414.

18 THE COURT: Okay. So understand, Counsel, I'm not going  
19 to require a challenge for cause to excuse them. I reserve ruling on  
20 whether they are an undue hardship, only because you requested  
21 voir dire to establish if they understand. But if I'm not convinced that  
22 they fully understand the English language, I am going to excuse  
23 them as an undue hardship.

24 Do you have any issue with that?

25 MS. BONAVENTURE: No, Your Honor. I have no issue

1 with that.

2 THE COURT: Okay. And then the person that has surgery,  
3 depending on whether she is called to the box or not, I'm going to ask  
4 some further questions of counsel outside the presence of the jury  
5 whether they think this case is going to go beyond Thursday.

6 MR. LEXIS: Your Honor, I -- she said her surgery is on the  
7 7th, and the 7th isn't until next Tuesday. So there's no --

8 THE COURT: And she actually seemed to indicate she was  
9 willing to serve, she just didn't want to miss the biopsy, so --

10 MR. LEXIS: There's no chance it's going to go to next  
11 Tuesday.

12 THE COURT: Okay. So I'm not going to excuse her or the  
13 person who indicated that she had payroll obligations.

14 Okay. Anything else, Counsel?

15 MR. LEXIS: No, Your Honor.

16 MR. HAUSER: Your Honor, on that note, on the payroll, I  
17 think it might just help to clarify -- and I apologize if I missed this  
18 earlier -- that we're only doing afternoons so that she knows she can  
19 work in the mornings on the payroll if she has to.

20 I would also just clarify with the Court -- and I did not ask  
21 this earlier -- if we broke at 5 o'clock one day after closings, would  
22 Your Honor have them come in in the morning the next day, or only  
23 have them deliberate the next afternoon?

24 THE COURT: Okay. Say again.

25 MR. HAUSER: So if we -- say they were deliberating up

1 until 5 o'clock, Your Honor sends them home for the day on  
2 Thursday. If they had to come in on Friday, would it be in the  
3 morning, or since we've only been doing afternoons, would they only  
4 deliberate in the afternoon?

5 THE COURT: It would be in the morning.

6 MR. HAUSER: Okay. Just for deliberation.

7 THE COURT: Just to understand, I have an evidentiary  
8 hearing scheduled for Friday that I'm vacating.

9 MR. HAUSER: Okay.

10 THE COURT: So we're going to go probably Wednesday  
11 from 1:00 to 5:00, then Thursday from 1:00 to 5:00. And then if we  
12 have to, we'll go all day Friday.

13 MR. HAUSER: Okay.

14 THE COURT: That's my schedule right now.

15 MR. HAUSER: Terrific.

16 THE COURT: And I think that's a good point on the lady  
17 with the payroll. I'll advise her that we'll probably -- but I don't think I  
18 need to advise her right now.

19 MR. HAUSER: Okay. Just in case.

20 THE COURT: Yeah. I don't think it's an issue. But that is a  
21 good point, I think, that you raised.

22 MR. HAUSER: It might help, but other than that, I --

23 THE COURT: Okay. I'm excusing Badge No. 298, Badge  
24 No. 324, and Badge No. 325 for undue hardship. Okay?

25 MR. HAUSER: Sounds good.

1 MS. BONAVENTURE: Great.

2 MR. HAUSER: Thank you, Your Honor.

3 THE COURT: And I'm reserving ruling on Badge No. 371  
4 and Badge No. 414 to give you the opportunity to voir dire them --

5 MR. HAUSER: Thank you, Your Honor.

6 THE COURT: -- unless you want to ask questions now. I  
7 mean, would you rather ask questions now or wait to see if they get  
8 picked and [indiscernible]?

9 MS. BONAVENTURE: Well, we can wait to see if they even  
10 make it in the box, Judge.

11 THE COURT: Okay.

12 MS. BONAVENTURE: Yeah.

13 THE COURT: Very good. Why don't you bring the panel  
14 back in?

15 Counsel, Mr. Allen, please be seated.

16 Hi, ma'am. Ma'am, hi. Could you identify yourself, please?

17 PROSPECTIVE JUROR NO. 418: Sandra Oceguela.

18 THE COURT: What's your badge number?

19 PROSPECTIVE JUROR NO. 418: 418.

20 THE COURT: And were you present during any of the  
21 questions I asked the panel?

22 PROSPECTIVE JUROR NO. 418: No.

23 THE COURT: The panel has been sworn under oath, so I  
24 need to ask you some questions before I swear you under oath. Then  
25 I need to ask you questions I asked the entire panel to hear your

1 responses on the record; okay?

2 PROSPECTIVE JUROR NO. 418: Okay.

3 THE COURT: Before the clerk issues the oath to you, I need  
4 to know if you are not a citizen of the United States or if you are a  
5 convicted felon for the -- whose civil rights have not been restored.  
6 To be qualified to serve as a juror, one must be a citizen and not be a  
7 convicted felon whose rights have not been reserved [*sic*]. Are you a  
8 U.S. citizen?

9 PROSPECTIVE JUROR NO. 418: Yes.

10 THE COURT: Are you a convicted felon --

11 PROSPECTIVE JUROR NO. 418: No.

12 THE COURT: -- whose rights have not been restored?

13 PROSPECTIVE JUROR NO. 418: No.

14 THE COURT: Okay. At this time, I am going to have the  
15 clerk administer the oath.

16 [Prospective juror was duly sworn.]

17 THE COURT: I need to introduce my court staff to you.  
18 Robin Page is the official court recorder. Alan Castle is the deputy  
19 court clerk. Randy Stephenson is the marshal. Allen Brereton and  
20 the law clerk. And Shannon Fagin is my judicial executive assistant.

21 I'm going to have the State introduce themselves and the  
22 potential jurors [*sic*] and make a brief statement to you.

23 MR. LEXIS: Ma'am, my name is Chad Lexis. This is Laura  
24 Rose. We're deputy district attorneys at the Clark County District  
25 Attorney's Office. We represent the State.

1           The defendant is charged with battery on a protective  
2 person resulting in substantial bodily harm on August 9, 2016, at 4770  
3 South Pecos Road.

4           The following people may be witnesses in this case. Only a  
5 fraction of them will testify, but I still need to read them all to you:  
6 Richard Wulff, Robert Berg, Mark Bordoni, Nichelle Carter, Delacey  
7 Collins, Edward Dougherty, Kyle Frett, Pete Friday, Aisha Gilmore,  
8 Lisa Gordon, Donald Graham, Leopold Karanikolas, Shannon  
9 Rohrbaugh, Edwin Serrano, Robert Steinbach, Mark Tolentino,  
10 Jessica Wert, Richard Wulff, Stephan Bourque, Carlos Cruz, Richard  
11 Moon, and Robert Steinbach.

12           Thank you.

13           THE COURT: Defense?

14           MS. BONAVENTURE: Thank you, Judge.

15           Hi, my name is Xiomara Bonaventure. I'm counsel for  
16 Mr. Ronald Allen. This is my co-counsel. His name is Robson  
17 Hauser, and that's our law clerk, Jane Mayer.

18           Mr. Ronald Allen stands accused. However, he has pled  
19 not guilty.

20           The one witness we have noticed is our investigator,  
21 Ms. Ana Nellis.

22           THE COURT: Thank you.

23           Ma'am, we are about to commence examination of the  
24 potential jurors in this case. During this process, you will be asked  
25 questions bearing on your ability to be a fair and impartial juror. The

1 Court, the lawyers, and all persons involved in this case are  
2 interested in having this matter tried by a jury composed of 12  
3 open-minded people who are completely neutral, who have no bias  
4 or prejudice towards either side.

5 In this trial, we will also need two alternate jurors to listen  
6 to all the proceedings and be prepared to take over as juror in the  
7 event a sitting juror is excused. In order to accomplish this, it is  
8 necessary for me to ask you some questions. The attorneys will then  
9 be given an opportunity to ask questions.

10 Although some of the questions may at times seem quite  
11 personal, our only objective is to determine whether there is any  
12 reason why you cannot sit as a fair and impartial juror in this case. If  
13 the questions seem too personal to you, you can let me know and ask  
14 to talk to counsel privately, but understand your answers would have  
15 to be on the record.

16 It is important that you give full and complete honest  
17 answers to all the questions we are about to ask you. I caution you  
18 not to try to hide or withhold anything which might indicate bias or  
19 prejudice of any sort by you. Should you fail to answer truthfully or if  
20 you hide or withhold anything touching upon your qualifications, that  
21 fact may tend to contaminate to the verdict and subject you to further  
22 inquiry even after your discharge as a juror. Your decision should be  
23 based upon all the evidence presented during the trial and not based  
24 on preconceived prejudice or bias.

25 During this process of selecting the jury, the attorneys for

1 both sides will have the right to request that a particular person not  
2 serve as a juror. These requests are called challenges. Please don't  
3 be offended should you be excused by a challenge. This is simply  
4 part of the process designed to protect the rights of the parties.

5 Are you acquainted with any of the court personnel that I  
6 just mentioned to you?

7 PROSPECTIVE JUROR NO. 418: No.

8 THE COURT: Are you acquainted with the prosecutor or  
9 the defense attorneys or the law offices or their staff?

10 PROSPECTIVE JUROR NO. 418: No.

11 THE COURT: Are you acquainted with the defendant or his  
12 attorneys?

13 PROSPECTIVE JUROR NO. 418: No.

14 THE COURT: Are you acquainted with the anticipated  
15 witnesses in this case whose names were mentioned to you by the  
16 prosecutor?

17 PROSPECTIVE JUROR NO. 418: No.

18 THE COURT: And the defense attorney?

19 PROSPECTIVE JUROR NO. 418: No.

20 THE COURT: Have you heard or read anything about this  
21 case before coming to court today?

22 PROSPECTIVE JUROR NO. 418: No, I don't think so.

23 THE COURT: Does anyone know anything about this -- do  
24 you know anything about this case other than what you -- been stated  
25 in the courtroom today?



1 PROSPECTIVE JUROR NO. 418: No.

2 THE COURT: Is there anyone who -- or do you have such a  
3 strong opinion related to age, religion, race, gender, or national origin  
4 that you feel it would affect your ability to be an open-minded, fair,  
5 and impartial juror?

6 PROSPECTIVE JUROR NO. 418: No.

7 THE COURT: Okay. Are you seriously ill?

8 PROSPECTIVE JUROR NO. 418: No.

9 THE COURT: Do you have any difficulty hearing?

10 PROSPECTIVE JUROR NO. 418: No.

11 THE COURT: Are you sight impaired?

12 PROSPECTIVE JUROR NO. 418: No.

13 THE COURT: And you've already told me you're not a  
14 convicted felon; correct?

15 PROSPECTIVE JUROR NO. 418: Correct.

16 THE COURT: This case is expected to last two or three  
17 days. I can excuse a juror from serving if so doing so would be an  
18 undue hardship, such as you have surgery scheduled or you live from  
19 paycheck to paycheck or that you're the sole health provider of  
20 somebody who needs constant care, or you have sole custody of  
21 children under 16 and nobody to watch them, or you're a student and  
22 missing classes or tests would be an extreme hardship.

23 What's not an extreme hardship is something like you have  
24 a doctor's appointment or dentist appointment or that your boss  
25 doesn't want you to be here or you don't want to be here. That's not

1 an extreme hardship.

2 Do you have an extreme hardship?

3 PROSPECTIVE JUROR NO. 418: I wouldn't say it's an  
4 extreme hardship. But I do run a small organization and we have an  
5 event tomorrow, so I'm crossing my fingers, I guess.

6 THE COURT: All right.

7 PROSPECTIVE JUROR NO. 418: But I'll be honest, it's not  
8 an extreme hardship.

9 THE COURT: It is not an extreme hardship. Okay. Thank  
10 you for your candor.

11 Under our system, certain basic principles of law apply in  
12 every criminal trial. They are that the defendant is presumed  
13 innocent, and the State has the burden of proving beyond a  
14 reasonable doubt the defendant is guilty. Do you not believe in these  
15 basic principles of the American justice system?

16 PROSPECTIVE JUROR NO. 418: Do I not believe --

17 THE COURT: In other words, do you not believe that the  
18 defendant is presumed innocent?

19 PROSPECTIVE JUROR NO. 418: I do believe that the  
20 defendant is presumed innocent.

21 THE COURT: And do you not believe that the State has the  
22 burden of proving beyond a reasonable doubt the defendant is  
23 guilty?

24 PROSPECTIVE JUROR NO. 418: I do believe that, yeah.

25 THE COURT: Okay. Under the law, if you are selected to

1 serve as a juror, you will be required to decide the facts of the case.  
2 In making a decision, however, you must be guided by the laws that  
3 applies to the facts. It will be my duty to instruct you on what the law  
4 is.

5 So my question to you is this: Will you not be -- if -- is  
6 there anybody, such as you, who will not be able to follow the law, if  
7 you believe the law should be different than what I tell you? Did you  
8 understand the question?

9 PROSPECTIVE JUROR NO. 418: No, I don't.

10 THE COURT: Okay. If you don't believe what the -- will you  
11 not be able to follow the law if I tell you what the law is and you  
12 disagree with that?

13 PROSPECTIVE JUROR NO. 418: Would I not be able to  
14 follow the law?

15 THE COURT: All right. In other words, I'm going to instruct  
16 you on what the law is.

17 PROSPECTIVE JUROR NO. 418: Okay.

18 THE COURT: You have -- and if you don't believe that  
19 should be the law, will you not follow my instructions as to what the  
20 law is?

21 PROSPECTIVE JUROR NO. 418: I will follow your  
22 instructions.

23 THE COURT: And you've stated to me that you do not have  
24 an extreme hardship; correct?

25 PROSPECTIVE JUROR NO. 418: Correct.

1 THE COURT: Okay. Counsel, anything?

2 MR. LEXIS: No.

3 THE COURT: Bring the rest of the jury panel in. They're  
4 going to sit you in order, ma'am. So it's going to -- you're going to  
5 have to wait until the rest of the panel comes back.

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

7 THE COURT: Okay. Ladies and gentlemen, you can please  
8 be seated.

9 At this time, I would like to thank and excuse Salvador  
10 Tatti, Badge No. 298; Gianina Gozzarelli, Badge No. 324, and Rene  
11 Artiga, Badge No. 325. Those individuals can be excused at this time.

12 Please report back to the jury commissioner, I believe --  
13 what floor is the jury -- they don't have to report back to the jury  
14 commissioner?

15 Okay. Those three individuals are excused at this time.

16 I will now proceed with the next phase of jury selection.

17 Clerk, Mr. Castle, please call 24 people to the jury box,  
18 beginning with the lowest badge number and proceeding  
19 sequentially. Just so you know, my marshal will direct you, but Seat  
20 No. 1 is the back row to the far right, to my far right. And then we're  
21 going to go in sequential order.

22 THE CLERK: Corine Lewis, Badge No. 0114; Stephen Fox,  
23 Badge No. 0242; Kyle Tyler, Badge No. 0247; Charles Gerdes, Badge  
24 No. 0248; Rodney Smith, Badge No. 0249; Christopher  
25 Silva-Barnbeck, Badge No. 0250; Michelle Busalacki, Badge No. 0252;

1 Eduardo Sanchez, Badge No. 0260; Manuela Gayhart, Badge  
2 No. 0261; Timothy Paul, Badge No. 0272; Chelsea Hazlett, Badge  
3 No. 0273; Jack Yeh, Badge No. 0279; Barbara Huber, Badge No. 0281;  
4 Ellen Westbay, Badge No. 0289; Stephen Louis Caldonetti, Badge  
5 No. 0300; Maria Escalona, Badge No. 0304; Scott Russell, Badge  
6 No. 0309; Jeremy Varney, Badge No. 0312; Abigail Quidachay, Badge  
7 No. 0340; Roshani Rahe, Badge No. 0341; Hileman Stone, Badge  
8 No. 0344; Grace Aguilar, Badge No. 0350; Barbara Baynes, Badge  
9 No. 0357; Robyn Gates, Badge No. 0359.

10 THE COURT: Thank you.

11 I'm now going to focus questions on the group of 24  
12 persons comprising the prospective panel of jurors seated in and in  
13 front of the jury box. I'm going to ask you questions to each of you in  
14 order before the attorneys ask you their questions. Remember, you  
15 are still under oath and required by law to answer questions  
16 truthfully.

17 Beginning with -- please state your name and badge  
18 number.

19 PROSPECTIVE JUROR NO. 114: Corine Lewis, and 010120  
20 is what I have.

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

23 PROSPECTIVE JUROR NO. 114: Seventeen years.

24 THE COURT: And how far did you go in school?

25 PROSPECTIVE JUROR NO. 114: My bachelor's now, in

1 college.

2 THE COURT: Okay. And what is your occupation, ma'am?

3 PROSPECTIVE JUROR NO. 114: I'm a supervisor, a team  
4 leader for a call center right now.

5 THE COURT: Okay. Would you hold the microphone just a  
6 little bit closer.

7 PROSPECTIVE JUROR NO. 114: Sorry. A call center  
8 supervisor.

9 THE COURT: Okay. Thank you. And what is your marital  
10 status?

11 PROSPECTIVE JUROR NO. 114: I'm single.

12 THE COURT: Okay. Do you have any children?

13 PROSPECTIVE JUROR NO. 114: I do. A two-year-old  
14 daughter -- oh, and one in my belly, but --

15 THE COURT: I'm sorry, ma'am.

16 PROSPECTIVE JUROR NO. 114: I said one in my belly.

17 THE COURT: Have you ever served as a juror before?

18 PROSPECTIVE JUROR NO. 114: No, I haven't.

19 THE COURT: And you said, no, you have not served as a  
20 juror before?

21 PROSPECTIVE JUROR NO. 114: I have not.

22 THE COURT: Have you ever testified as a witness in a  
23 criminal case?

24 PROSPECTIVE JUROR NO. 114: I have not.

25 THE COURT: Have you or a close family member ever

1    been convicted of a crime?

2               PROSPECTIVE JUROR NO. 114: I have some family, yes,  
3 convicted of crimes.

4               THE COURT: And who is that, ma'am?

5               PROSPECTIVE JUROR NO. 114: My brother.

6               THE COURT: Okay. And do you believe that experience  
7 would make it difficult for you to be fair and impartial to both sides in  
8 this case?

9               PROSPECTIVE JUROR NO. 114: No.

10              THE COURT: Okay. Have you or a close family member  
11 ever been the victim of a crime?

12              PROSPECTIVE JUROR NO. 114: No.

13              THE COURT: Besides anything you may have already told  
14 us, do you have any close relatives or close friends who have ever  
15 been engaged in law enforcement? In other words, do you have  
16 anybody -- either you or close relatives or close friends, who are in  
17 law enforcement?

18              PROSPECTIVE JUROR NO. 114: No.

19              THE COURT: It is anticipated that certain law enforcement  
20 officers will testify in this case. Will you give more credibility to their  
21 testimony by the mere fact that they are law enforcement officers?

22              PROSPECTIVE JUROR NO. 114: No.

23              THE COURT: Do you agree that if you are chosen to serve  
24 as a juror in this case, that you will honor your duty to be completely  
25 fair and impartial and to listen carefully to all the evidence?

1 PROSPECTIVE JUROR NO. 114: Yes.  
2 THE COURT: Counsel, approach.  
3 [Bench conference was had and not transcribed.]  
4 THE COURT: If you could hand the microphone to the  
5 gentleman sitting next to you. Thank you.  
6 Sir, what is your name and badge number?  
7 PROSPECTIVE JUROR NO. 242: Stephen Fox, 0242.  
8 THE COURT: And how long have you lived in Clark County,  
9 Nevada?  
10 PROSPECTIVE JUROR NO. 242: Ten years.  
11 THE COURT: And how far did you go in school?  
12 PROSPECTIVE JUROR NO. 242: Associate's in college.  
13 THE COURT: And, sir, what is your occupation?  
14 PROSPECTIVE JUROR NO. 242: I'm a limo driver.  
15 THE COURT: Okay. And what is your marital status?  
16 PROSPECTIVE JUROR NO. 242: Single.  
17 THE COURT: And do you have any children?  
18 PROSPECTIVE JUROR NO. 242: No, sir.  
19 THE COURT: Okay. Have you ever served as a juror  
20 before?  
21 PROSPECTIVE JUROR NO. 242: No, sir.  
22 THE COURT: Okay. Have you ever testified as a witness in  
23 a criminal case?  
24 PROSPECTIVE JUROR NO. 242: No, sir.  
25 THE COURT: Have you or a close family member ever



1 been convicted of a crime?

2 PROSPECTIVE JUROR NO. 242: Nope.

3 THE COURT: Have you or a close family member ever  
4 been the victim of a crime?

5 PROSPECTIVE JUROR NO. 242: Yes.

6 THE COURT: And can you give me some details?

7 PROSPECTIVE JUROR NO. 242: In 1991 I was a victim of an  
8 apartment burglary.

9 THE COURT: Okay. Anything else you would like to tell us  
10 about that experience?

11 PROSPECTIVE JUROR NO. 242: No.

12 THE COURT: Okay. Do you believe that experience will  
13 make it difficult for you to be fair and impartial to both sides in this  
14 case?

15 PROSPECTIVE JUROR NO. 242: No.

16 THE COURT: Okay. Besides anything you have already  
17 told me, do you have any close relatives or close friends are -- who  
18 have -- who are engaged in law enforcement?

19 PROSPECTIVE JUROR NO. 242: No, sir.

20 THE COURT: It is anticipated that certain law enforcement  
21 officers will testify in this case. Will you give their -- will you give  
22 more credibility to their testimony by the mere fact that they are law  
23 enforcement officers?

24 PROSPECTIVE JUROR NO. 242: No, sir.

25 THE COURT: Do you agree that if you are chosen to serve

1 as a juror in this case, that you will honor your duty to be completely  
2 fair and impartial and to listen carefully to all the evidence?

3 PROSPECTIVE JUROR NO. 242: Yes, sir.

4 THE COURT: Okay. Thank you, sir. If you could pass the  
5 microphone to the gentleman next to you.

6 Sir, if you could state your name and badge number?

7 PROSPECTIVE JUROR NO. 247: Kyle Tyler, 247.

8 THE COURT: Thank you, sir. And how long have you lived  
9 in Clark County, Nevada?

10 PROSPECTIVE JUROR NO. 247: About 15 years.

11 THE COURT: Okay. And how far did you go in school, sir?

12 PROSPECTIVE JUROR NO. 247: I went to a culinary  
13 academy after high school.

14 THE COURT: What is your occupation?

15 PROSPECTIVE JUROR NO. 247: A private chef. Private  
16 chef.

17 THE COURT: Okay. And what is your marital status?

18 PROSPECTIVE JUROR NO. 247: Single.

19 THE COURT: Okay. Do you have any children, sir?

20 PROSPECTIVE JUROR NO. 247: No.

21 THE COURT: Have you ever served as a juror before?

22 PROSPECTIVE JUROR NO. 247: No.

23 THE COURT: Have you ever testified as a witness in a  
24 criminal case?

25 PROSPECTIVE JUROR NO. 247: No.

1 THE COURT: Have you or a close family member ever  
2 been convicted of a crime?

3 PROSPECTIVE JUROR NO. 247: No.

4 THE COURT: Have you or a close family member ever  
5 been the victim of a crime?

6 PROSPECTIVE JUROR NO. 247: No.

7 THE COURT: Besides what you already told me, do you  
8 have any close friends or relatives who have ever been engaged in  
9 law enforcement?

10 PROSPECTIVE JUROR NO. 247: No.

11 THE COURT: Okay. It is anticipated that certain law  
12 enforcement officers will testify in this case. Will you give more  
13 credibility to their testimony by the mere fact that they are law  
14 enforcement officers?

15 PROSPECTIVE JUROR NO. 247: No.

16 THE COURT: Do you agree that if you are chosen to serve  
17 as a juror in this case, that you will honor your duty to be completely  
18 fair and impartial and to listen carefully to all of the evidence?

19 PROSPECTIVE JUROR NO. 247: Yes, sir.

20 THE COURT: Thank you, sir. If you could pass the  
21 microphone for the next gentleman.

22 Sir, could state your name and badge number?

23 PROSPECTIVE JUROR NO. 248: Charles Gerdes, 248.

24 THE COURT: Thank you. How long have you lived in Clark  
25 County, Nevada, sir?

1 PROSPECTIVE JUROR NO. 248: About 16 years.  
2 THE COURT: How far did you go in school?  
3 PROSPECTIVE JUROR NO. 248: Master's.  
4 THE COURT: What did you get a master's in?  
5 PROSPECTIVE JUROR NO. 248: Information systems  
6 management.  
7 THE COURT: And what is your occupation, sir?  
8 PROSPECTIVE JUROR NO. 248: Systems test engineer for  
9 an aerospace company.  
10 THE COURT: Okay. And what is your marital status?  
11 PROSPECTIVE JUROR NO. 248: Divorced.  
12 THE COURT: And what does your former spouse do?  
13 PROSPECTIVE JUROR NO. 248: She's a teacher.  
14 THE COURT: Okay. In Clark County --  
15 PROSPECTIVE JUROR NO. 248: Yes.  
16 THE COURT: -- Nevada?  
17 Okay. And do you have any children?  
18 PROSPECTIVE JUROR NO. 248: Yes. Twins.  
19 THE COURT: I'm sorry.  
20 PROSPECTIVE JUROR NO. 248: Twins.  
21 THE COURT: And how old are they, sir.  
22 PROSPECTIVE JUROR NO. 248: Six years old.  
23 THE COURT: Okay. Have you ever served as a juror  
24 before?  
25 PROSPECTIVE JUROR NO. 248: No, Your Honor.

1 THE COURT: Have you ever testified as a witness in a  
2 criminal case?

3 PROSPECTIVE JUROR NO. 248: No, Your Honor.

4 THE COURT: Have you or a close family member ever  
5 been convicted of a crime?

6 PROSPECTIVE JUROR NO. 248: Not close family, no.

7 THE COURT: Who has been convicted of a crime?

8 PROSPECTIVE JUROR NO. 248: I have.

9 THE COURT: And what was the crime, sir?

10 PROSPECTIVE JUROR NO. 248: I shot up some signs at a  
11 park in 1989.

12 THE COURT: I'm sorry. I didn't hear you.

13 PROSPECTIVE JUROR NO. 248: It's a misdemeanor for  
14 shooting up park signs.

15 THE COURT: Okay. You -- you've been the victim of a  
16 crime?

17 PROSPECTIVE JUROR NO. 248: No. I was the one that did  
18 the crime.

19 THE COURT: I'm sorry. I misunderstood. So you were  
20 convicted of a misdemeanor for shooting some signs up in the park?

21 PROSPECTIVE JUROR NO. 248: Yes.

22 THE COURT: And have you or a close family member ever  
23 been the victim of a crime?

24 PROSPECTIVE JUROR NO. 248: No.

25 THE COURT: Okay. Besides what you have already told

1 me, do you have any close relatives or close friends who have been  
2 ever engaged in law enforcement?

3 PROSPECTIVE JUROR NO. 248: Yes.

4 THE COURT: And who is that, sir?

5 PROSPECTIVE JUROR NO. 248: A cousin of mine's a  
6 Cincinnati, Ohio, police officer.

7 THE COURT: Okay. And do you talk to that person -- do  
8 you talk to your cousin about his job?

9 PROSPECTIVE JUROR NO. 248: Yes.

10 THE COURT: How often do you talk to him?

11 PROSPECTIVE JUROR NO. 248: Maybe every couple  
12 months.

13 THE COURT: Okay. And what kind of things do you talk  
14 about?

15 PROSPECTIVE JUROR NO. 248: Just what he's -- what's  
16 been going on in Cincinnati.

17 THE COURT: Would your knowledge about your cousin's  
18 job affect your ability to be fair and impartial in this case?

19 PROSPECTIVE JUROR NO. 248: No.

20 THE COURT: Okay. It's anticipated that certain law  
21 enforcement officers will testify in this case. Will you give more  
22 credibility to their testimony by the mere fact that they are law  
23 enforcement officers?

24 PROSPECTIVE JUROR NO. 248: No.

25 THE COURT: Do you agree that if you are chosen to serve

1 as a juror in this case, that you will honor your duty to be completely  
2 fair and impartial and to listen carefully to all of the evidence?

3 PROSPECTIVE JUROR NO. 248: Yes.

4 THE COURT: Thank you, sir. If you could pass the  
5 microphone.

6 Sir, if you could state your name and badge number?

7 PROSPECTIVE JUROR NO. 249: Rodney Smith, 249.

8 THE COURT: Thank you. How long have you lived in Clark  
9 County, Nevada?

10 PROSPECTIVE JUROR NO. 249: Approximately 25 years.

11 THE COURT: And how far did you go in school?

12 PROSPECTIVE JUROR NO. 249: Associate's.

13 THE COURT: I'm sorry, sir.

14 PROSPECTIVE JUROR NO. 249: Associate's degree.

15 THE COURT: And what is your occupation?

16 PROSPECTIVE JUROR NO. 249: A Las Vegas area  
17 supervisor for computer tomography.

18 THE COURT: Okay. And what is your marital status?

19 PROSPECTIVE JUROR NO. 249: Single.

20 THE COURT: Do you have any children?

21 PROSPECTIVE JUROR NO. 249: I have two daughters.

22 THE COURT: And how old are they, sir?

23 PROSPECTIVE JUROR NO. 249: 16 and 22.

24 THE COURT: Okay. And where does your adult child live?

25 PROSPECTIVE JUROR NO. 249: Excuse me.

1 THE COURT: Where does your adult child live?  
2 PROSPECTIVE JUROR NO. 249: With me.  
3 THE COURT: Okay. And what is her occupation?  
4 PROSPECTIVE JUROR NO. 249: She works for a mortgage  
5 company.  
6 THE COURT: Okay. And as to your minor child, the  
7 16-year-old, is she still in school?  
8 PROSPECTIVE JUROR NO. 249: Yes.  
9 THE COURT: And does she reside with you also?  
10 PROSPECTIVE JUROR NO. 249: 50 percent of the time, yes.  
11 THE COURT: I'm sorry.  
12 PROSPECTIVE JUROR NO. 249: Half the time.  
13 THE COURT: And the other half with her mother?  
14 PROSPECTIVE JUROR NO. 249: Her mother, here in town.  
15 THE COURT: And you're divorced?  
16 PROSPECTIVE JUROR NO. 249: No. I was never married  
17 to her mother.  
18 THE COURT: Never married. And I apologize. What does  
19 the mother of your children do? What's her occupation?  
20 PROSPECTIVE JUROR NO. 249: It's two different -- it's two  
21 different women.  
22 THE COURT: Huh?  
23 PROSPECTIVE JUROR NO. 249: It's two different women.  
24 THE COURT: Okay. That's all right.  
25 PROSPECTIVE JUROR NO. 249: One's in the mortgage



1 industry; the other one is in the casino industry.

2 THE COURT: Okay. Thank you. Have you ever served as a  
3 juror before?

4 PROSPECTIVE JUROR NO. 249: No, sir.

5 THE COURT: Okay. Have you ever testified as a witness in  
6 a criminal lawsuit?

7 PROSPECTIVE JUROR NO. 249: No, sir.

8 THE COURT: Have you or a close family member ever  
9 been convicted of a crime?

10 PROSPECTIVE JUROR NO. 249: No, sir.

11 THE COURT: Have you or a close family member ever  
12 been the victim of a crime?

13 PROSPECTIVE JUROR NO. 249: No, sir.

14 THE COURT: Besides what you have already told me, do  
15 you have any close relatives or close friends who have ever been  
16 engaged in law enforcement?

17 PROSPECTIVE JUROR NO. 249: Yes, sir.

18 THE COURT: And who is that, sir?

19 PROSPECTIVE JUROR NO. 249: Retired Sergeant Anthony  
20 Longo, Metro Police Department.

21 THE COURT: And he's a close friend of yours?

22 PROSPECTIVE JUROR NO. 249: Yeah. We have lived next  
23 door to each other for 20 years now.

24 THE COURT: Okay. And you said that he's retired from the  
25 Las Vegas Metropolitan Police Department?

1 PROSPECTIVE JUROR NO. 249: Yes, sir.

2 THE COURT: And do you know how long he was a police  
3 officer?

4 PROSPECTIVE JUROR NO. 249: He was in service for 23  
5 years, I believe.

6 THE COURT: Okay. And do you -- did you -- or do you or  
7 have you ever talked to that person about his job?

8 PROSPECTIVE JUROR NO. 249: About work?

9 THE COURT: Correct.

10 PROSPECTIVE JUROR NO. 249: No. Just retirement now.

11 THE COURT: Okay. What about when he was an active --

12 PROSPECTIVE JUROR NO. 249: Oh, yes, yes.

13 THE COURT: Okay. And what kind of things would you  
14 talk to him about?

15 PROSPECTIVE JUROR NO. 249: Mostly it's -- I mean, not  
16 too much about work. It's -- were neighbors, so it's mostly lawn and  
17 family.

18 THE COURT: Okay. Does your knowledge about this  
19 person's job affect your ability to be fair and impartial today?

20 PROSPECTIVE JUROR NO. 249: No.

21 THE COURT: It is anticipated that law enforcement officers  
22 will testify in this case. Will you give more credibility to their  
23 testimony by the mere fact that they are law enforcement officers?

24 PROSPECTIVE JUROR NO. 249: No.

25 THE COURT: Do you agree that if you are chosen to serve

1 as a juror in this case, that you will honor your duty to be completely  
2 fair and impartial and to listen carefully to all the evidence, sir?

3 PROSPECTIVE JUROR NO. 249: Yes, sir.

4 THE COURT: Thank you. Could you pass the microphone?

5 Sir, what is your name and badge number?

6 PROSPECTIVE JUROR NO. 250: Christopher

7 Silva-Barnbeck, Badge No. 250.

8 THE COURT: Thank you, sir. How long have you lived in  
9 Clark County, Nevada?

10 PROSPECTIVE JUROR NO. 250: Twenty-four years.

11 THE COURT: And how far did you go in school?

12 PROSPECTIVE JUROR NO. 250: High school.

13 THE COURT: And what high school was that?

14 PROSPECTIVE JUROR NO. 250: Las Vegas Academy.

15 THE COURT: Very good. And what is your occupation?

16 PROSPECTIVE JUROR NO. 250: I'm an executive casino  
17 host.

18 THE COURT: Okay. And what is your marital status?

19 PROSPECTIVE JUROR NO. 250: Single.

20 THE COURT: Do you have any children?

21 PROSPECTIVE JUROR NO. 250: No.

22 THE COURT: Have you ever served as a juror before?

23 PROSPECTIVE JUROR NO. 250: No.

24 THE COURT: Have you ever testified as a witness in a  
25 criminal case?

1 PROSPECTIVE JUROR NO. 250: No.

2 THE COURT: Have you or a close family member ever  
3 been convicted of a crime?

4 PROSPECTIVE JUROR NO. 250: No.

5 THE COURT: Have you or a close family member ever  
6 been the victim of a crime?

7 PROSPECTIVE JUROR NO. 250: No.

8 THE COURT: Besides what you've already told me, do you  
9 have any close relatives or close friends who have been engaged in  
10 law enforcement?

11 PROSPECTIVE JUROR NO. 250: Yes.

12 THE COURT: And who is that, sir?

13 PROSPECTIVE JUROR NO. 250: Father.

14 THE COURT: And what was your father's name?

15 PROSPECTIVE JUROR NO. 250: Michael Barnbeck.

16 THE COURT: And what type of law enforcement was he  
17 engaged in?

18 PROSPECTIVE JUROR NO. 250: He eventually moved into  
19 the director of the radio systems with Metro out here.

20 THE COURT: So he was a -- with Las Vegas -- he was with  
21 the Las Vegas Metropolitan Police Department?

22 PROSPECTIVE JUROR NO. 250: Yes.

23 THE COURT: And how long was he with them?

24 PROSPECTIVE JUROR NO. 250: 20-something years. He  
25 just retired last year.

1 THE COURT: And I know you said it and I missed it.

2 What's your father's name?

3 PROSPECTIVE JUROR NO. 250: Michael Barnbeck.

4 THE COURT: Thank you, sir. And did you ever talk -- I  
5 assume you talked to your father.

6 PROSPECTIVE JUROR NO. 250: Yes.

7 THE COURT: But did you ever talk to him about his job?

8 PROSPECTIVE JUROR NO. 250: Yes.

9 THE COURT: Regularly?

10 PROSPECTIVE JUROR NO. 250: Relatively.

11 THE COURT: Okay. And what kind of things would you  
12 talk about regarding his job?

13 PROSPECTIVE JUROR NO. 250: Everything when I was --  
14 when I was growing. I just wanted to know a lot about what he did.  
15 So that -- he just told me what he did.

16 THE COURT: Does your knowledge about your father's job  
17 affect your ability to be fair and impartial in this case?

18 PROSPECTIVE JUROR NO. 250: No.

19 THE COURT: It is anticipated that certain law enforcement  
20 officers will testify in this case. Will you give more credibility to their  
21 testimony by the mere fact that they are law enforcement officers?

22 PROSPECTIVE JUROR NO. 250: No.

23 THE COURT: Do you agree that if you are chosen to serve  
24 as a juror in this case, that you will honor your duty to be completely  
25 fair and impartial and to listen carefully to all of the evidence?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROSPECTIVE JUROR NO. 250: Yes.

THE COURT: Thank you, sir. If you could pass the microphone.

Hi. What's your name and badge number?

PROSPECTIVE JUROR NO. 252: Michelle Busalacki, 252.

THE COURT: Thank you. How long have you lived in Clark County, Nevada?

PROSPECTIVE JUROR NO. 252: Six years.

THE COURT: And how far did you go in school?

PROSPECTIVE JUROR NO. 252: High school.

THE COURT: And was that here in Clark County?

PROSPECTIVE JUROR NO. 252: No.

THE COURT: Okay. And what is your occupation, ma'am?

PROSPECTIVE JUROR NO. 252: Assistant shift manager at a casino.

THE COURT: What casino?

PROSPECTIVE JUROR NO. 252: Venetian.

THE COURT: Venetian. And what is your marital status?

PROSPECTIVE JUROR NO. 252: Married.

THE COURT: And what is your husband's occupation?

PROSPECTIVE JUROR NO. 252: He's unemployed right now.

THE COURT: And when he was employed, what did he do?

PROSPECTIVE JUROR NO. 252: Table games.

THE COURT: Okay. Do you have any children?

1 PROSPECTIVE JUROR NO. 252: I do. Two.  
2 THE COURT: And how old are they?  
3 PROSPECTIVE JUROR NO. 252: 31 and 34.  
4 THE COURT: Okay. And where do your adult children live?  
5 PROSPECTIVE JUROR NO. 252: My son lives here in  
6 Nevada, and my daughter lives in Missouri.  
7 THE COURT: Okay. And what does your son do?  
8 PROSPECTIVE JUROR NO. 252: He's -- was in the Air  
9 Force. He's out now and he works at Creech Air Force Base. He's a  
10 civilian.  
11 THE COURT: And what's your daughter do?  
12 PROSPECTIVE JUROR NO. 252: She's a stay-at-home  
13 mom.  
14 THE COURT: Okay. Have you ever served as a juror  
15 before?  
16 PROSPECTIVE JUROR NO. 252: No, I have not.  
17 THE COURT: Okay. Have you ever testified as a witness in  
18 a criminal case?  
19 PROSPECTIVE JUROR NO. 252: No.  
20 THE COURT: Have you or a close family member ever  
21 been convicted of a crime?  
22 PROSPECTIVE JUROR NO. 252: No.  
23 THE COURT: Have you or a close family member ever  
24 been the victim of a crime?  
25 PROSPECTIVE JUROR NO. 252: No.

1 THE COURT: And besides what you have already told me,  
2 do you have any close relatives or close friends who have ever been  
3 engaged in law enforcement?

4 PROSPECTIVE JUROR NO. 252: I do.

5 THE COURT: And who is that, ma'am?

6 PROSPECTIVE JUROR NO. 252: My husband's cousin is on  
7 the police force back home, and we have a close friend that's the  
8 chief of police back home.

9 THE COURT: Okay. And where would that be?

10 PROSPECTIVE JUROR NO. 252: St. Louis, Missouri.

11 THE COURT: And do you talk to either of those people on a  
12 regular basis?

13 PROSPECTIVE JUROR NO. 252: Just the friend.

14 THE COURT: And how often do you talk with that person?

15 PROSPECTIVE JUROR NO. 252: About monthly, once a  
16 month.

17 THE COURT: Okay. And do you talk -- is it a -- it's a male?

18 PROSPECTIVE JUROR NO. 252: Yes.

19 THE COURT: And do you talk to him about his occupation,  
20 his job?

21 PROSPECTIVE JUROR NO. 252: My husband does.

22 THE COURT: What about you?

23 PROSPECTIVE JUROR NO. 252: No. But I mean we're both  
24 friends, but my husband has the conversations.

25 THE COURT: All right. Does your knowledge about this



1 person's job affect your ability to be fair and impartial in this case?

2 PROSPECTIVE JUROR NO. 252: To be partial, yes.

3 THE COURT: I'm sorry. I didn't quite understand.

4 PROSPECTIVE JUROR NO. 252: I won't be -- ask the  
5 question again.

6 THE COURT: Okay. Does your knowledge about this  
7 person's job affect your ability to be fair and impartial in this case?

8 PROSPECTIVE JUROR NO. 252: No, it does not.

9 THE COURT: Okay. So the fact that he is in law  
10 enforcement will not influence you one way or the other; is that  
11 correct?

12 PROSPECTIVE JUROR NO. 252: That's correct.

13 THE COURT: And you'll be fair and impartial?

14 PROSPECTIVE JUROR NO. 252: I will.

15 THE COURT: Thank you. It is anticipated that certain law  
16 enforcement officers will testify in this case. Will you give more  
17 credibility to their testimony by the mere fact that they are law  
18 enforcement officers?

19 PROSPECTIVE JUROR NO. 252: No.

20 THE COURT: Do you agree that if you are chosen to serve  
21 as a juror in this case, that you will honor your duty to be completely  
22 fair and impartial and to listen carefully to all the evidence?

23 PROSPECTIVE JUROR NO. 252: Yes.

24 THE COURT: Okay. Thank you, ma'am. If you could pass  
25 the microphone.

1 Sir, please state your name and badge number.  
2 PROSPECTIVE JUROR NO. 260: Eduardo Sanchez, Badge  
3 No. 260.  
4 THE COURT: Thank you, sir. How long have you lived in  
5 Clark County, Nevada?  
6 PROSPECTIVE JUROR NO. 260: Nineteen years.  
7 THE COURT: I'm sorry.  
8 PROSPECTIVE JUROR NO. 260: Nineteen years.  
9 THE COURT: And how far did you go in school?  
10 PROSPECTIVE JUROR NO. 260: I'm currently still trying to  
11 get my associate's degree.  
12 THE COURT: And where from, sir?  
13 PROSPECTIVE JUROR NO. 260: CSN.  
14 THE COURT: Thank you. Do you work?  
15 PROSPECTIVE JUROR NO. 260: Yeah.  
16 THE COURT: And what do you do?  
17 PROSPECTIVE JUROR NO. 260: I work at Cricket Wireless.  
18 I sell phones and stuff like that.  
19 THE COURT: Very good. And are you married?  
20 PROSPECTIVE JUROR NO. 260: No.  
21 THE COURT: Okay. Have you ever served as a juror  
22 before?  
23 PROSPECTIVE JUROR NO. 260: No.  
24 THE COURT: Have you ever testified as a witness in a  
25 criminal case?

1 PROSPECTIVE JUROR NO. 260: No, I have not.

2 THE COURT: Have you or a close family member ever

3 been convicted of a crime?

4 PROSPECTIVE JUROR NO. 260: Yeah, my brother.

5 THE COURT: And your brother was?

6 PROSPECTIVE JUROR NO. 260: Yeah, my brother.

7 THE COURT: And what was he convicted of?

8 PROSPECTIVE JUROR NO. 260: He had a -- someone in his

9 car. He was giving them a ride. They had stolen property. And they

10 got pulled over together, so they tried to charge them both. But he's

11 still, like, trying to prosecute, like, his trial. So they're still -- they

12 haven't prosecuted him if he's guilty or not.

13 THE COURT: Is his case pending?

14 PROSPECTIVE JUROR NO. 260: Yeah, it's still pending.

15 THE COURT: And that is -- is that here in Clark County,

16 Nevada?

17 PROSPECTIVE JUROR NO. 260: Yeah.

18 THE COURT: Okay. Do you believe that that experience

19 involving your brother would make it more difficult to you to be fair

20 and impartial to both sides in this case?

21 PROSPECTIVE JUROR NO. 260: No.

22 THE COURT: Have you or a close family member ever

23 been the victim of a crime?

24 PROSPECTIVE JUROR NO. 260: No.

25 THE COURT: Besides what you already told me, do you

1 have any close relatives or close friends who have ever been  
2 engaged in law enforcement?

3 PROSPECTIVE JUROR NO. 260: No.

4 THE COURT: It is anticipated that certain law enforcement  
5 officers will testify in this case. Will you give more credibility to their  
6 testimony by the mere fact that they are law enforcement officers?

7 PROSPECTIVE JUROR NO. 260: No.

8 THE COURT: Do you agree that if you are chosen to serve  
9 as a juror in this case, that you will honor your duty to be completely  
10 fair and impartial and to listen carefully to all the evidence?

11 PROSPECTIVE JUROR NO. 260: Yes.

12 THE COURT: Thank you, sir.

13 Hi.

14 PROSPECTIVE JUROR NO. 261: Hi.

15 THE COURT: Could you state your name and your badge  
16 number, please?

17 PROSPECTIVE JUROR NO. 261: Of course. Manuela  
18 Gayhart, 261.

19 THE COURT: Thank you. And how long have you lived in  
20 Clark County, Nevada?

21 PROSPECTIVE JUROR NO. 261: Fifteen years.

22 THE COURT: And how far did you go in school?

23 PROSPECTIVE JUROR NO. 261: College degree.

24 THE COURT: And where was that from, ma'am?

25 PROSPECTIVE JUROR NO. 261: Germany.

1 THE COURT: Germany?  
2 PROSPECTIVE JUROR NO. 261: Yeah, uh-huh.  
3 THE COURT: Very good. And what is your occupation?  
4 PROSPECTIVE JUROR NO. 261: Pit supervisor.  
5 THE COURT: Okay. And are you married?  
6 PROSPECTIVE JUROR NO. 261: I am.  
7 THE COURT: And what is the occupation of your spouse?  
8 PROSPECTIVE JUROR NO. 261: It's supervisor, as well.  
9 THE COURT: Sorry.  
10 PROSPECTIVE JUROR NO. 261: It's supervisor, as well.  
11 THE COURT: Do you have any children?  
12 PROSPECTIVE JUROR NO. 261: I do not.  
13 THE COURT: Have you ever served as a juror before?  
14 PROSPECTIVE JUROR NO. 261: No.  
15 THE COURT: Have you ever testified as a witness in a  
16 criminal case?  
17 PROSPECTIVE JUROR NO. 261: No.  
18 THE COURT: Have you or a close family member ever  
19 been convicted of a crime?  
20 PROSPECTIVE JUROR NO. 261: No.  
21 THE COURT: Have you or a close family member ever  
22 been the victim of a crime?  
23 PROSPECTIVE JUROR NO. 261: No.  
24 THE COURT: Besides what you already have told me, do  
25 you have any close relatives or close friends who ever -- who have

1 ever been engaged in law enforcement?

2 PROSPECTIVE JUROR NO. 261: No.

3 THE COURT: It is anticipated that certain law enforcement  
4 officers will testify in this case. Will you give more credibility to their  
5 testimony by the mere fact that they are law enforcement officers?

6 PROSPECTIVE JUROR NO. 261: No.

7 THE COURT: Do you agree that if you are chosen to serve  
8 as a juror in this case, that you will honor your duty to be completely  
9 fair and impartial and to listen carefully to all of the evidence?

10 PROSPECTIVE JUROR NO. 261: I agree.

11 THE COURT: Thank you.

12 PROSPECTIVE JUROR NO. 261: Thank you.

13 THE COURT: Could You pass the microphone, please?

14 Sir, please state your name and badge number.

15 PROSPECTIVE JUROR NO. 272: Timothy Paul, 272.

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

18 PROSPECTIVE JUROR NO. 272: Forty years.

19 THE COURT: And how far did you go in school, sir?

20 PROSPECTIVE JUROR NO. 272: High school diploma.

21 THE COURT: And was that here in Clark County, Nevada?

22 PROSPECTIVE JUROR NO. 272: Yes. Chaparral High  
23 School.

24 THE COURT: And what is your occupation?

25 PROSPECTIVE JUROR NO. 272: I'm a field supervisor for

1 Cox Communications.

2 THE COURT: And what is your marital status?

3 PROSPECTIVE JUROR NO. 272: Married, four kids.

4 THE COURT: And what is your spouse's occupation?

5 PROSPECTIVE JUROR NO. 272: She is a library aid,  
6 elementary school.

7 THE COURT: In what elementary school?

8 PROSPECTIVE JUROR NO. 272: MJ Christianson.

9 THE COURT: And you said you had four children?

10 PROSPECTIVE JUROR NO. 272: Yes. Four beautiful kids.

11 THE COURT: And how old are they, sir?

12 PROSPECTIVE JUROR NO. 272: 26, 22, 18, and 11.

13 THE COURT: And as to the adult children, where do they  
14 live?

15 PROSPECTIVE JUROR NO. 272: They all live -- well, the  
16 two oldest ones -- 26, Mackenzie lives in Las Vegas; Madison lives in  
17 Las Vegas; Evan, Fort Benning, Georgia, military; and the youngest  
18 boy, Tyler, with us in Las Vegas.

19 THE COURT: Okay. So the 18-year-old is at Fort Benning?

20 PROSPECTIVE JUROR NO. 272: Yes.

21 THE COURT: Thank you. And what -- as far as the adult  
22 children, what is their occupation?

23 PROSPECTIVE JUROR NO. 272: Mackenzie I like to call my  
24 modern day hippie. She is a millennial, so she doesn't really have a  
25 job, so -- and Mackenzie is a -- Madison is a full-time mom at our

1 house. We are grandparents now, so --

2 THE COURT: And the youngest is in school still?

3 PROSPECTIVE JUROR NO. 272: Yes. He's only 11, so --

4 THE COURT: Have you ever served as a juror before?

5 PROSPECTIVE JUROR NO. 272: No, sir.

6 THE COURT: Have you ever testified as a witness in a  
7 criminal case?

8 PROSPECTIVE JUROR NO. 272: No, sir.

9 THE COURT: Have you ever -- have you or a close family  
10 member ever been convicted of a crime?

11 PROSPECTIVE JUROR NO. 272: No, sir.

12 THE COURT: Have you or a close family member ever  
13 been the victim of a crime?

14 PROSPECTIVE JUROR NO. 272: No, sir.

15 THE COURT: Do you have any close relatives or close  
16 friends who have ever been engaged in law enforcement?

17 PROSPECTIVE JUROR NO. 272: No, sir.

18 THE COURT: It is anticipated that certain law enforcement  
19 officers will testify in this case. Will you give more credibility to their  
20 testimony by the mere fact that they are law enforcement officers?

21 PROSPECTIVE JUROR NO. 272: No, sir.

22 THE COURT: Do you agree that if you are chosen to serve  
23 as a juror in this case, you will be -- you will honor your duty to be  
24 completely fair and impartial and to listen carefully to all the  
25 evidence, sir?



1 PROSPECTIVE JUROR NO. 272: Yes, sir.  
2 THE COURT: Thank you. If you could pass the  
3 microphone.  
4 Hi.  
5 PROSPECTIVE JUROR 273: Hello.  
6 THE COURT: If you could state your name and badge  
7 number for me.  
8 PROSPECTIVE JUROR NO. 273: Chelsea Hazlett, Badge  
9 No. 273.  
10 THE COURT: Thank you. How long have you lived in Clark  
11 County, Nevada?  
12 PROSPECTIVE JUROR NO. 273: \$25 years.  
13 THE COURT: And how far did you go in school?  
14 PROSPECTIVE JUROR NO. 273: I took some college  
15 courses.  
16 THE COURT: Okay. And was that here in Las Vegas?  
17 PROSPECTIVE JUROR NO. 273: Yes.  
18 THE COURT: And you graduated from high school in  
19 Las Vegas?  
20 PROSPECTIVE JUROR NO. 273: Yes.  
21 THE COURT: What high school?  
22 PROSPECTIVE JUROR NO. 273: Liberty High School.  
23 THE COURT: And what is your occupation?  
24 PROSPECTIVE JUROR NO. 273: I am a shift manager at  
25 Taco Bell.

1 THE COURT: Okay. And are you -- and what is your  
2 marital status?

3 PROSPECTIVE JUROR NO. 273: Single.

4 THE COURT: Do you have any children?

5 PROSPECTIVE JUROR NO. 273: No.

6 THE COURT: Okay. Have you ever served as a juror  
7 before?

8 PROSPECTIVE JUROR NO. 273: No.

9 THE COURT: Okay. Have you ever testified as a witness in  
10 a criminal case?

11 PROSPECTIVE JUROR NO. 273: No.

12 THE COURT: Have you or a close family member ever  
13 been convicted of a crime?

14 PROSPECTIVE JUROR NO. 273: Yes. My brother and my  
15 uncle.

16 THE COURT: Okay. As to your brother, what's your  
17 brother's name?

18 PROSPECTIVE JUROR NO. 273: Joshua.

19 THE COURT: Same last name?

20 PROSPECTIVE JUROR NO. 273: Yes.

21 THE COURT: And what crime was he convicted of?

22 PROSPECTIVE JUROR NO. 273: I'm not sure of the exact  
23 charges. I just know it was drug related.

24 THE COURT: And was it here in Clark County, Nevada?

25 PROSPECTIVE JUROR NO. 273: Yes.

1 THE COURT: And is his case completed?  
2 PROSPECTIVE JUROR NO. 273: Yes.  
3 THE COURT: Okay. Do you know if he was convicted of a  
4 felony, gross misdemeanor, or --  
5 PROSPECTIVE JUROR NO. 273: I believe it was a gross  
6 misdemeanor.  
7 THE COURT: And I believe you said you had another  
8 relative.  
9 PROSPECTIVE JUROR NO. 273: Yes, my uncle.  
10 THE COURT: What's his name?  
11 PROSPECTIVE JUROR NO. 273: Eric.  
12 THE COURT: And same last name?  
13 PROSPECTIVE JUROR NO. 273: Yes.  
14 THE COURT: And what was he convicted of?  
15 PROSPECTIVE JUROR NO. 273: There's a list. I believe  
16 arson, assault, domestic violence. I'm not sure. It -- it's been years.  
17 THE COURT: Are these all separate cases?  
18 PROSPECTIVE JUROR NO. 273: All separate. Some are  
19 together, some are single instant -- incidents, and some are other  
20 cases.  
21 THE COURT: And was that here in Clark County, Nevada?  
22 PROSPECTIVE JUROR NO. 273: Yes. They all were.  
23 THE COURT: And do you believe the experiences with  
24 your relatives would make it difficult for you to be fair and impartial  
25 to both sides in this case?

1 PROSPECTIVE JUROR NO. 273: No.

2 THE COURT: Have you or a close family member ever  
3 been the victim of a crime?

4 PROSPECTIVE JUROR NO. 273: Yes. My grandmother was  
5 assaulted by my uncle.

6 THE COURT: By your uncle?

7 PROSPECTIVE JUROR NO. 273: Yes.

8 THE COURT: Okay. And that -- did that lead to  
9 prosecution?

10 PROSPECTIVE JUROR NO. 273: I don't believe so. I just -- I  
11 don't think she pressed charges against him, but he did do it.

12 THE COURT: Do you think she reported it to the police?

13 PROSPECTIVE JUROR NO. 273: Yeah. He got arrested.  
14 But I just don't think it went to court or anything.

15 THE COURT: And that was because she chose not to press  
16 charges?

17 PROSPECTIVE JUROR NO. 273: I believe so. She kind of  
18 babies him.

19 THE COURT: Do you believe that experience would make it  
20 difficult for you to be fair and impartial to both sides in this case?

21 PROSPECTIVE JUROR NO. 273: No.

22 THE COURT: Do you have any close relatives or close  
23 friends who have ever been engaged in law enforcement?

24 PROSPECTIVE JUROR NO. 273: Yes.

25 THE COURT: And who is that, ma'am?

1 PROSPECTIVE JUROR NO. 273: My mother's childhood  
2 friend -- her husband -- well, ex-husband now -- was a -- is a  
3 Metropolitan police officer. And I used to babysit for him for four  
4 years.

5 THE COURT: What is his name?

6 PROSPECTIVE JUROR NO. 273: Andreas Rodriguez.

7 THE COURT: Okay. And did you talk to that person about  
8 his job ever?

9 PROSPECTIVE JUROR NO. 273: Yeah. When I babysat for  
10 him, he would tell me stories.

11 THE COURT: And what kind of things would he tell you?

12 PROSPECTIVE JUROR NO. 273: Just, you know, silly  
13 things that happened on the job and, like, when he would go to  
14 training and stuff.

15 THE COURT: All right. Would your knowledge about that  
16 person's job affect your ability to be fair and impartial in this case?

17 PROSPECTIVE JUROR NO. 273: No.

18 THE COURT: It is anticipated that certain law enforcement  
19 officers will testify in this case. Will you give more credibility to their  
20 testimony by the mere fact that they are law enforcement officers?

21 PROSPECTIVE JUROR NO. 273: No.

22 THE COURT: Do you agree that if you are chosen to serve  
23 as a juror in this case, you will honor your duty to be completely fair  
24 and impartial and to listen carefully to all of the evidence?

25 PROSPECTIVE JUROR NO. 273: Yes.

1 THE COURT: If you could pass the microphone, please.

2 Sir, what is your name and badge number?

3 PROSPECTIVE JUROR NO. 279: My name is Jack Yeh,  
4 number is 279.

5 THE COURT: And how long have you lived in Clark County,  
6 Nevada, sir?

7 PROSPECTIVE JUROR NO. 279: Twenty-three years.

8 THE COURT: And how far did you go in school?

9 PROSPECTIVE JUROR NO. 279: High school in Taiwan.

10 THE COURT: Okay. And what is your occupation?

11 PROSPECTIVE JUROR NO. 279: A cook for Mandalay Bay  
12 Buffet.

13 THE COURT: And what is your marital status?

14 PROSPECTIVE JUROR NO. 279: Married.

15 THE COURT: And what is your spouse's occupation?

16 PROSPECTIVE JUROR NO. 279: She is a table game dealer,  
17 working for Cosmopolitan.

18 THE COURT: Okay. Do you have any children, sir?

19 PROSPECTIVE JUROR NO. 279: Two: one daughter and  
20 one son.

21 THE COURT: I'm sorry?

22 PROSPECTIVE JUROR NO. 279: A daughter and son.

23 THE COURT: And how old are your children?

24 PROSPECTIVE JUROR NO. 279: 15 and 12.

25 THE COURT: And do they reside with you and your wife?

1 PROSPECTIVE JUROR NO. 279: Yes.

2 THE COURT: Okay. Have you ever served as a juror  
3 before?

4 PROSPECTIVE JUROR NO. 279: No.

5 THE COURT: Okay. Have you ever testified as a witness in  
6 a criminal case?

7 PROSPECTIVE JUROR NO. 279: No.

8 THE COURT: Have you or a close family member ever  
9 been convicted of a crime?

10 PROSPECTIVE JUROR NO. 279: No.

11 THE COURT: Have you or a close family member ever  
12 been the victim of a crime?

13 PROSPECTIVE JUROR NO. 279: No.

14 THE COURT: Do you have any close relatives or close  
15 friends who have ever been engaged in law enforcement?

16 PROSPECTIVE JUROR NO. 279: No, sir.

17 THE COURT: Okay. It is anticipated that certain law  
18 enforcement officers will testify in this case. Will you give more  
19 credibility to their testimony by the mere fact that they are law  
20 enforcement officers?

21 PROSPECTIVE JUROR NO. 279: No.

22 THE COURT: Okay. Do you agree that if you are chosen to  
23 serve as a juror in this case, that you will honor your duty to be  
24 completely fair and impartial and to listen carefully to all the  
25 evidence, sir?

1 PROSPECTIVE JUROR NO. 279: Yes, sir.

2 THE COURT: Thank you. If you could pass the

3 microphone.

4 PROSPECTIVE JUROR NO. 281: Hello, Your Honor. My

5 name is Barbara Huber, Badge No. 281.

6 THE COURT: You know what I'm going to ask you.

7 PROSPECTIVE JUROR NO. 281: Yes, sir.

8 THE COURT: How long have you lived in Clark County,

9 Nevada?

10 PROSPECTIVE JUROR NO. 281: Twenty-seven years.

11 THE COURT: And how far did you go in school?

12 PROSPECTIVE JUROR NO. 281: I have a bachelor of

13 science degree from Cal State Northridge in California.

14 THE COURT: And what is your occupation, ma'am?

15 PROSPECTIVE JUROR NO. 281: Assistant director of

16 housekeeping for the Wynn and Encore Hotel.

17 THE COURT: And what is your marital status?

18 PROSPECTIVE JUROR NO. 281: Divorced.

19 THE COURT: And what did your former spouse do?

20 PROSPECTIVE JUROR NO. 281: Computer salesman.

21 THE COURT: Here in Las Vegas?

22 PROSPECTIVE JUROR NO. 281: Correct.

23 THE COURT: Okay. And what was the name of the

24 company he worked for? Do you recall?

25 PROSPECTIVE JUROR NO. 281: Best Buy.



1 THE COURT: And do you have any children?  
2 PROSPECTIVE JUROR NO. 281: I do.  
3 THE COURT: And how old are they?  
4 PROSPECTIVE JUROR NO. 281: 35 years old.  
5 THE COURT: They are both 35?  
6 PROSPECTIVE JUROR NO. 281: No. One child, 35.  
7 THE COURT: You have one child?  
8 PROSPECTIVE JUROR NO. 281: Correct.  
9 THE COURT: Thank you.  
10 PROSPECTIVE JUROR NO. 281: One daughter, 35.  
11 THE COURT: Thank you. And where does your adult child  
12 live?  
13 PROSPECTIVE JUROR NO. 281: She lives here in Las  
14 Vegas.  
15 THE COURT: And what is her occupation?  
16 PROSPECTIVE JUROR NO. 281: She's an intensive care --  
17 pediatric intensive care nurse at Sunrise and professor of nursing at  
18 UNLV.  
19 THE COURT: Very good. Well, thank you. And have you  
20 ever served as a juror before?  
21 PROSPECTIVE JUROR NO. 281: No.  
22 THE COURT: Have you ever testified as a witness in a  
23 criminal case?  
24 PROSPECTIVE JUROR NO. 281: No.  
25 THE COURT: Have you or a close family member ever

1 been convicted of a crime?

2 PROSPECTIVE JUROR NO. 281: No.

3 THE COURT: Have you or a close family member ever  
4 been the victim of a crime?

5 PROSPECTIVE JUROR NO. 281: Yes.

6 THE COURT: And could you explain, please?

7 PROSPECTIVE JUROR NO. 281: Sure. I have a paternal  
8 uncle who was 86 years old. Three years ago he was mugged by a  
9 group of young people and he was killed. And this was in Florida.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 281: Both of my sisters who  
12 worked here in town were robbed at gunpoint while working. One  
13 worked for Sav-on and one worked for Bullock's department stores.

14 THE COURT: Okay. And do you believe those experiences  
15 make it difficult for you to be fair and impartial to both sides in this  
16 case?

17 PROSPECTIVE JUROR NO. 281: No.

18 THE COURT: Besides anything you've already told me, do  
19 you have any close relatives or close friends who have ever been  
20 engaged in law enforcement?

21 PROSPECTIVE JUROR NO. 281: Yes.

22 THE COURT: And who is that, ma'am?

23 PROSPECTIVE JUROR NO. 281: My son-in-law. He  
24 graduated from the police academy in Seattle and served as deputy  
25 sheriff. However, he -- they moved back here to Las Vegas, And he

1 worked for the Air Force test base -- he was the shooting instructor  
2 until recently. And he is now at home, a stay-at-home dad.

3 THE COURT: Okay. When he was in law enforcement in  
4 Seattle -- is that correct?

5 PROSPECTIVE JUROR NO. 281: Yes.

6 THE COURT: And did you discuss with him his job?

7 PROSPECTIVE JUROR NO. 281: I did.

8 THE COURT: And do you recall what you would discuss  
9 regarding his job?

10 PROSPECTIVE JUROR NO. 281: I do.

11 THE COURT: What did you discuss?

12 PROSPECTIVE JUROR NO. 281: He was called quite often  
13 to marital issues at home. And it was quite upsetting to him.

14 THE COURT: Okay. Does your knowledge about this  
15 person's job affect your ability to be fair and impartial in this case in  
16 any way?

17 PROSPECTIVE JUROR NO. 281: No.

18 THE COURT: Okay. It is anticipated that certain law  
19 enforcement officers will testify in this case. Will you give more  
20 credibility to their testimony by the mere fact that they are law  
21 enforcement officers?

22 PROSPECTIVE JUROR NO. 281: Yes.

23 THE COURT: Okay. And could you explain why?

24 PROSPECTIVE JUROR NO. 281: I believe that the officers  
25 are sworn to protect. And I'm being honest --

1 THE COURT: I want you to be honest.

2 PROSPECTIVE JUROR NO. 281: -- I would believe them --  
3 believe them probably more than I would the defendant.

4 THE COURT: Okay. Do you agree that if you are chosen to  
5 serve as a juror in this case, however, that you will honor your duty to  
6 be completely fair and impartial and to listen carefully to all the  
7 evidence?

8 PROSPECTIVE JUROR NO. 281: I would agree to be  
9 impartial as best as I could.

10 THE COURT: Okay. Thank you.

11 PROSPECTIVE JUROR NO. 289: Hi.

12 THE COURT: Could you state your name and badge  
13 number for me, please?

14 PROSPECTIVE JUROR NO. 289: Ellen Westbay, 289.

15 THE COURT: Thank you. How long have you lived in Clark  
16 County, Nevada?

17 PROSPECTIVE JUROR NO. 289: 39 years.

18 THE COURT: And how far did you go in school?

19 PROSPECTIVE JUROR NO. 289: GED.

20 THE COURT: And what is your occupation, ma'am?

21 PROSPECTIVE JUROR NO. 289: Custodian at the  
22 Convention Center.

23 THE COURT: I'm sorry.

24 PROSPECTIVE JUROR NO. 289: Custodian at the Las Vegas  
25 Convention Center.

1 THE COURT: Thank you. And what is your marital status?  
2 PROSPECTIVE JUROR NO. 289: Divorced.  
3 THE COURT: Okay. And what occupation -- what was your  
4 former spouse's occupation?  
5 PROSPECTIVE JUROR NO. 289: He works in the casino.  
6 THE COURT: And do you have any children?  
7 PROSPECTIVE JUROR NO. 289: Three.  
8 THE COURT: And what are their ages?  
9 PROSPECTIVE JUROR NO. 289: My twins are 19 and my  
10 oldest is 27.  
11 THE COURT: Okay. And where does your adult child live,  
12 the 27-year-old?  
13 PROSPECTIVE JUROR NO. 289: In Las Vegas.  
14 THE COURT: Las Vegas? And is it your son is 27?  
15 PROSPECTIVE JUROR NO. 289: Yes.  
16 THE COURT: And what is his occupation?  
17 PROSPECTIVE JUROR NO. 289: He is not employed right  
18 now.  
19 THE COURT: What about the 19-year-olds, the twins?  
20 PROSPECTIVE JUROR NO. 289: They do road construction.  
21 THE COURT: Okay. Have you ever served as a juror  
22 before?  
23 PROSPECTIVE JUROR NO. 289: No.  
24 THE COURT: Have you ever been -- have you ever testified  
25 as a witness in a criminal case?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROSPECTIVE JUROR NO. 289: No.

THE COURT: Have you or a close family member ever been convicted of a crime?

PROSPECTIVE JUROR NO. 289: Yes.

THE COURT: And who is that, ma'am?

PROSPECTIVE JUROR NO. 289: My oldest son.

THE COURT: What crime was he convicted of?

PROSPECTIVE JUROR NO. 289: Assault and battery.

THE COURT: And was that in Las Vegas, Nevada?

PROSPECTIVE JUROR NO. 289: Yes.

THE COURT: Do you believe that experience would make it difficult for you to be fair and impartial to both sides in this case?

PROSPECTIVE JUROR NO. 289: No.

THE COURT: Have you or a close family member ever been the victim of a crime?

PROSPECTIVE JUROR NO. 289: Yes.

THE COURT: And who is that, ma'am?

PROSPECTIVE JUROR NO. 289: Me. House burglary.

THE COURT: A burglary? Were you home at the time?

PROSPECTIVE JUROR NO. 289: Yes.

THE COURT: Okay. Was that person caught?

PROSPECTIVE JUROR NO. 289: No. I slept through the whole thing.

THE COURT: I'm sorry.

PROSPECTIVE JUROR NO. 289: No. They weren't. I slept

1 through the whole thing.

2 THE COURT: Did you report it to the police?

3 PROSPECTIVE JUROR NO. 289: Yes.

4 THE COURT: Okay. And I think you testified that the  
5 person was never caught?

6 PROSPECTIVE JUROR NO. 289: No.

7 THE COURT: Okay. Do you believe that experience would  
8 make it difficult for you to be fair and impartial to both sides in this  
9 case?

10 PROSPECTIVE JUROR NO. 289: No.

11 THE COURT: Okay. Do you have any close relatives or  
12 close friends who are engaged in law enforcement?

13 PROSPECTIVE JUROR NO. 289: I had a former boyfriend  
14 that was law enforcement. He retired. He passed away this year.

15 THE COURT: Okay. And where was he in law  
16 enforcement?

17 PROSPECTIVE JUROR NO. 289: New Jersey.

18 THE COURT: Okay. And was he a police officer?

19 PROSPECTIVE JUROR NO. 289: Yes.

20 THE COURT: Okay. And did you discuss with him  
21 anything about his job?

22 PROSPECTIVE JUROR NO. 289: All the time.

23 THE COURT: And what did you -- do you remember the  
24 type of things he would tell you?

25 PROSPECTIVE JUROR NO. 289: Offhand, I'm drawing a

1 blank. But we talked about it.

2 THE COURT: Does your knowledge about this person's job  
3 affect your ability to be fair and impartial in this case?

4 PROSPECTIVE JUROR NO. 289: No.

5 THE COURT: It is anticipated that certain law enforcement  
6 officers will testify in this case. Will you give more credibility to their  
7 testimony by the mere fact that they are law enforcement officers?

8 PROSPECTIVE JUROR NO. 289: No.

9 THE COURT: Do you agree that if you are chosen to serve  
10 as a juror in this case, that you will honor your duty to be completely  
11 fair and impartial and to listen carefully to all the evidence?

12 PROSPECTIVE JUROR NO. 289: Do I agree? Yes.

13 THE COURT: You agree? Thank you. Could you pass the  
14 microphone, please?

15 Sir, what is your name and badge number?

16 PROSPECTIVE JUROR NO. 300: Stephen Louis Caldonetti,  
17 0300.

18 THE COURT: And how long have you lived in Clark County,  
19 Nevada?

20 PROSPECTIVE JUROR NO. 300: About two years and four  
21 months.

22 THE COURT: How far did you go in school?

23 PROSPECTIVE JUROR NO. 300: I'm currently pursuing my  
24 bachelor's.

25 THE COURT: Okay. And where are you pursuing your



1 bachelor's at?

2 PROSPECTIVE JUROR NO. 300: UNLV.

3 THE COURT: Okay. And what is your occupation?

4 PROSPECTIVE JUROR NO. 300: I'm doing my internship as  
5 an addictions counselor right now at Salvation Army. I'm also retired  
6 from the U.S. Navy.

7 THE COURT: All right. And what is your marital status?

8 PROSPECTIVE JUROR NO. 300: I'm married.

9 THE COURT: And what is the occupation of your spouse?

10 PROSPECTIVE JUROR NO. 300: She works in the  
11 accounting department at the Tropicana.

12 THE COURT: Okay. And do you have any children, sir?

13 PROSPECTIVE JUROR NO. 300: No, sir.

14 THE COURT: Okay. Have you ever served as a juror  
15 before?

16 PROSPECTIVE JUROR NO. 300: No, sir.

17 THE COURT: Have you ever testified as a witness in a  
18 criminal case?

19 PROSPECTIVE JUROR NO. 300: No, sir.

20 THE COURT: Have you or a close family member ever  
21 been convicted of a crime?

22 PROSPECTIVE JUROR NO. 300: Yes, sir. I had a DUI back  
23 in 1998 or '97.

24 THE COURT: And that was a misdemeanor DUI?

25 PROSPECTIVE JUROR NO. 300: I can't remember. It was --

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 300: -- a long time ago.

3 THE COURT: All right. And do you believe that experience

4 would make it difficult for you to be fair and impartial to both sides in

5 this case?

6 PROSPECTIVE JUROR NO. 300: No, sir.

7 THE COURT: Thank you. So you could be fair and

8 impartial?

9 PROSPECTIVE JUROR NO. 300: Yes, sir.

10 THE COURT: And was that DUI in Las Vegas, Nevada?

11 PROSPECTIVE JUROR NO. 300: No, sir. It was in Hawaii.

12 THE COURT: Have you or a close family member ever

13 been the victim of a crime?

14 PROSPECTIVE JUROR NO. 300: No, sir.

15 THE COURT: Do you have any close relatives or close

16 friends who have ever been engaged in law enforcement?

17 PROSPECTIVE JUROR NO. 300: Yes, sir. I have an uncle

18 who is retired from Pennsylvania Police Department, and one of my

19 childhood friends is a sheriff out here in Clark County.

20 THE COURT: Las Vegas Metropolitan Police Department?

21 PROSPECTIVE JUROR NO. 300: No. He's in the sheriff's

22 department.

23 THE COURT: Do you know which -- it's in Clark County,

24 though?

25 PROSPECTIVE JUROR NO. 300: Yeah. It's -- yes, sir.

1 THE COURT: And do you speak to those individuals you  
2 just identified?

3 PROSPECTIVE JUROR NO. 300: I talk to my uncle rarely.  
4 But I talked to my friend just the other day.

5 THE COURT: What's your friend's name?

6 PROSPECTIVE JUROR NO. 300: Joshua Vinoya [phonetic].

7 THE COURT: Okay. And do you talk to him about his job?

8 PROSPECTIVE JUROR NO. 300: Yes, sir. He was trying to  
9 get me interested into working with them.

10 THE COURT: Okay. But you do talk to him about his job  
11 and what happens --

12 PROSPECTIVE JUROR NO. 300: Yes, sir.

13 THE COURT: -- and things of that nature?

14 On a regular basis?

15 PROSPECTIVE JUROR NO. 300: Oh, just a couple times so  
16 far.

17 THE COURT: And does your knowledge about this  
18 person's job affect your ability to be fair and impartial in this case?

19 PROSPECTIVE JUROR NO. 300: No, sir.

20 THE COURT: Okay. It is anticipated that certain law  
21 enforcement officers will testify in this case. Will you give more  
22 credibility to their testimony by the mere fact that they are law  
23 enforcement officers?

24 PROSPECTIVE JUROR NO. 300: No, sir.

25 THE COURT: Do you agree that if you are chosen to serve

1 as a juror in this case, that you will honor your duty to be completely  
2 fair and impartial and to listen carefully to all the evidence?

3 PROSPECTIVE JUROR NO. 300: Yes, sir.

4 THE COURT: If you could hand the microphone to the  
5 marshal, please.

6 Counsel, approach. Hold on one second.

7 [Bench conference was had and transcribed as follows:]

8 THE COURT: Do you want to take a break now or do you  
9 want me to finish the jury question -- [indiscernible] take a break and  
10 then let you guys ask your questions. Okay?

11 MR. LEXIS: Sure.

12 MS. BONAVENTURE: Okay.

13 THE COURT: I'm going to tell the jurors anything, so --

14 MR. LEXIS: Okay. That's fine.

15 MS. BONAVENTURE: Okay.

16 THE COURT: Okay.

17 [Bench conference was concluded.]

18 THE COURT: We've been going for a little bit of time.

19 What I'd like to do is finish the general questions to the entire panel.

20 And then we'll take a break. And then I'm going to let the attorneys  
21 ask some questions. Is that okay? Okay.

22 Well, ma'am, if you could state your name and your badge  
23 number.

24 PROSPECTIVE JUROR NO. 304: Maria Escalona, badge  
25 number is 288.

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

3 PROSPECTIVE JUROR NO. 304: 13 years.

4 THE COURT: All right. And how far did you go in school?

5 PROSPECTIVE JUROR NO. 304: Finished my associate  
6 degree in the Philippines.

7 THE COURT: Okay. And what is your occupation?

8 PROSPECTIVE JUROR NO. 304: I am a cook at the assisted  
9 living.

10 THE COURT: Okay. And what is your marital status?

11 PROSPECTIVE JUROR NO. 304: I'm married.

12 THE COURT: And what is the occupation of your spouse?

13 PROSPECTIVE JUROR NO. 304: He's a retired aide at the  
14 same company where I work.

15 THE COURT: He has worked for the same company now.  
16 And he's -- he's retired?

17 PROSPECTIVE JUROR NO. 304: Yes.

18 THE COURT: And do you have any children?

19 PROSPECTIVE JUROR NO. 304: Yes.

20 THE COURT: And how old are your children?

21 PROSPECTIVE JUROR NO. 304: 36, 34, 33, 32.

22 THE COURT: And where do your adult children live right  
23 now?

24 PROSPECTIVE JUROR NO. 304: My -- my oldest is in  
25 Australia. She's a nurse. And the second, she's a nurse too. She's

1 working at UMC. And the third one, he's in Golden Nugget. And  
2 the -- my youngest is a nurse too. He's working in a rehab.

3 THE COURT: In Las Vegas, Nevada.

4 PROSPECTIVE JUROR NO. 304: Yes.

5 THE COURT: Have you ever served as a juror before?

6 PROSPECTIVE JUROR NO. 304: No.

7 THE COURT: Have you ever testified as a witness in a  
8 criminal case?

9 PROSPECTIVE JUROR NO. 304: No.

10 THE COURT: Have you or a close family member ever  
11 been convicted of a crime?

12 PROSPECTIVE JUROR NO. 304: No, sir.

13 THE COURT: Have you or a close family member ever  
14 been the victim of a crime?

15 PROSPECTIVE JUROR NO. 304: No, sir.

16 THE COURT: Do you have any close friends or relatives  
17 who have been -- ever been engaged in law enforcement?

18 PROSPECTIVE JUROR NO. 304: No, sir.

19 THE COURT: No? Okay. It is anticipated that certain law  
20 enforcement officers will testify in this case. Will you give more  
21 credibility to their testimony by the mere fact that they're a law  
22 enforcement officer?

23 PROSPECTIVE JUROR NO. 304: No, sir.

24 THE COURT: Do you agree that if you are chosen to serve  
25 as a juror in this case that you will honor your duty to be completely

1 fair and impartial and to listen carefully to all of the evidence? You  
2 agree to that?

3 PROSPECTIVE JUROR NO. 304: Yes.

4 THE COURT: Okay. Thank you. If you could pass the  
5 microphone, please.

6 Sir, what is your name and badge number?

7 PROSPECTIVE JUROR NO. 309: Scott Russell, 309.

8 THE COURT: And how long have you lived in Clark County,  
9 Nevada.

10 PROSPECTIVE JUROR NO. 309: 25 years will be in  
11 January.

12 THE COURT: And how far did you go in school?

13 PROSPECTIVE JUROR NO. 309: Four years of college, no  
14 degree.

15 THE COURT: Four years of college?

16 PROSPECTIVE JUROR NO. 309: Didn't graduate.

17 THE COURT: Never too late.

18 PROSPECTIVE JUROR NO. 309: Thank you.

19 THE COURT: And what is your occupation, sir?

20 PROSPECTIVE JUROR NO. 309: I'm the research director  
21 for the LVCVA.

22 THE COURT: And your marital status?

23 PROSPECTIVE JUROR NO. 309: Married, two children, 30  
24 and 28.

25 THE COURT: Thank you. And what is the occupation of

1 your spouse?

2 PROSPECTIVE JUROR NO. 309: She's in business  
3 development with a local architectural firm.

4 THE COURT: Do you know the name of the firm?

5 PROSPECTIVE JUROR NO. 309: PGAL.

6 THE COURT: Okay. And you have adult children?

7 PROSPECTIVE JUROR NO. 309: Yes, sir.

8 THE COURT: And where do they live?

9 PROSPECTIVE JUROR NO. 309: My son, 30, lives in LA.  
10 He's a film editor. My daughter is 28. She lives in Reno as a  
11 schoolteacher.

12 THE COURT: Have you ever served as a juror before?

13 PROSPECTIVE JUROR NO. 309: No, sir.

14 THE COURT: Have you ever testified as a witness in a  
15 criminal case?

16 PROSPECTIVE JUROR NO. 309: No, sir.

17 THE COURT: All right. Have you or a close family member  
18 ever been convicted of a crime?

19 PROSPECTIVE JUROR NO. 309: No, sir.

20 THE COURT: Have you or a close family member ever  
21 been the victim of a crime?

22 PROSPECTIVE JUROR NO. 309: No, sir.

23 THE COURT: You made a face.

24 PROSPECTIVE JUROR NO. 309: I -- I have -- a -- a home  
25 invasion. I had left the garage door open, got a couple things stolen.



1 It's minor.

2 THE COURT: Thank you. Did you report it to the police?

3 PROSPECTIVE JUROR NO. 309: I did, sir. It was less than a  
4 thousand dollars. Home insurance covered it. It was --

5 THE COURT: Okay. Did they ever find the individual and  
6 prosecute --

7 PROSPECTIVE JUROR NO. 309: No, sir.

8 THE COURT: -- him or her?

9 PROSPECTIVE JUROR NO. 309: No, sir.

10 THE COURT: No? Besides -- have you -- do you have any  
11 close relatives or close friends who have ever been engaged in law  
12 enforcement?

13 PROSPECTIVE JUROR NO. 309: No, sir.

14 THE COURT: It is anticipated that certain law enforcement  
15 officers will testify in this case. Will you give more credibility to their  
16 testimony by the mere fact that they are law enforcement officers?

17 PROSPECTIVE JUROR NO. 309: Again, I'm sorry for the  
18 face. But probably. I was brought up always believing that people in  
19 uniform, whether they're military, fire, or law enforcement, I believe  
20 them first. But --

21 THE COURT: No. That's fine.

22 PROSPECTIVE JUROR NO. 309: Yeah.

23 THE COURT: So you would give them more credibility, just  
24 by the mere that their law enforcement officers?

25 PROSPECTIVE JUROR NO. 309: Yeah. I would give them

1 the benefit of the doubt of telling the truth first, similar to the woman  
2 behind me.

3 THE COURT: And having said that, can you agree that if  
4 you are chosen to serve as a juror in this case that you will set that  
5 aside and that you will honor your duty to be completely fair and  
6 impartial and to listen carefully to all the evidence before you made  
7 up your mind?

8 PROSPECTIVE JUROR NO. 309: I would, sir.

9 THE COURT: If you could pass the microphone, please.

10 PROSPECTIVE JUROR NO. 309: Thank you.

11 PROSPECTIVE JUROR NO. 312: Jeremy Varney, Badge  
12 312.

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

15 PROSPECTIVE JUROR NO. 312: 19 years.

16 THE COURT: And how far did you go in school?

17 PROSPECTIVE JUROR NO. 312: High school.

18 THE COURT: Is that locally?

19 PROSPECTIVE JUROR NO. 312: Yes. Bonanza High  
20 School.

21 THE COURT: What high school did you go to? What high  
22 school --

23 PROSPECTIVE JUROR NO. 312: Bonanza High School.

24 THE COURT: Bonanza. And what is your occupation, sir?

25 PROSPECTIVE JUROR NO. 312: I'm an overnight stocker at

1 Wal-Mart.

2 THE COURT: Okay. And are you married?

3 PROSPECTIVE JUROR NO. 312: No.

4 THE COURT: Do you have any children?

5 PROSPECTIVE JUROR NO. 312: Yes.

6 THE COURT: How old are your children?

7 PROSPECTIVE JUROR NO. 312: I have one son, and he's  
8 two years old.

9 THE COURT: Okay. Are you divorced?

10 PROSPECTIVE JUROR NO. 312: No.

11 THE COURT: Okay. And have you ever served as a juror  
12 before?

13 PROSPECTIVE JUROR NO. 312: No.

14 THE COURT: And have you ever testified in a criminal case  
15 as a witness?

16 PROSPECTIVE JUROR NO. 312: No, sir.

17 THE COURT: Have you or a close family member ever  
18 been convicted of a crime?

19 PROSPECTIVE JUROR NO. 312: No, sir.

20 THE COURT: Have you or a close family member ever  
21 been the victim of a crime?

22 PROSPECTIVE JUROR NO. 312: No, sir.

23 THE COURT: Okay. You took a deep breath.

24 PROSPECTIVE JUROR NO. 312: Small. It was like him.  
25 Like, I had a moped stolen from me once a few years back, but --

1 THE COURT: Did you report it to the police?

2 PROSPECTIVE JUROR NO. 312: I did. But they couldn't do  
3 anything, because I didn't have the title, so yeah.

4 THE COURT: Did that experience in any way -- would it  
5 make it more difficult to be fair and impartial to both sides in this  
6 case?

7 PROSPECTIVE JUROR NO. 312: No, sir.

8 THE COURT: Do you have any close relatives or close  
9 friends who have ever been engaged in law enforcement?

10 PROSPECTIVE JUROR NO. 312: No, sir.

11 THE COURT: Okay. It is anticipated that certain law  
12 enforcement officers will testify in this case. Will you make it -- will  
13 you give more credibility to their testimony by the mere fact that they  
14 are law enforcement officers?

15 PROSPECTIVE JUROR NO. 312: No, sir.

16 THE COURT: Do you agree that if you are chosen to serve  
17 as a juror in this case that you will honor your duty to be completely  
18 fair and impartial and to listen carefully to all of the evidence before  
19 you make up your mind?

20 PROSPECTIVE JUROR NO. 312: Yes, sir.

21 THE COURT: Thank you. State your name and your badge  
22 number, please.

23 PROSPECTIVE JUROR NO. 340: Abigail Quidachay, 0340.

24 THE COURT: Okay. And how long have you lived in Clark  
25 County, Nevada?

1 PROSPECTIVE JUROR NO. 340: Seven years.  
2 THE COURT: And how far did you go in school?  
3 PROSPECTIVE JUROR NO. 340: High school.  
4 THE COURT: Was that here in Las Vegas?  
5 PROSPECTIVE JUROR NO. 340: Yes. Palo Verde High  
6 School.  
7 THE COURT: And what is your occupation?  
8 PROSPECTIVE JUROR NO. 340: I'm a retail store manager  
9 for a women's shoe store.  
10 THE COURT: For what?  
11 PROSPECTIVE JUROR NO. 340: A women's shoe store.  
12 THE COURT: What's the name of the shoe --  
13 PROSPECTIVE JUROR NO. 340: Chinese Laundry.  
14 THE COURT: Okay.  
15 PROSPECTIVE JUROR NO. 340: Yeah.  
16 THE COURT: And what is your marital status?  
17 PROSPECTIVE JUROR NO. 340: Single.  
18 THE COURT: Do you have any children?  
19 PROSPECTIVE JUROR NO. 340: I do.  
20 THE COURT: And --  
21 PROSPECTIVE JUROR NO. 340: She's a two-year-old.  
22 THE COURT: Two-year-old?  
23 PROSPECTIVE JUROR NO. 340: Daughter, yes. And one  
24 on the way.  
25 THE COURT: One on the way. Congratulations.

1 PROSPECTIVE JUROR NO. 340: Thank you.  
2 THE COURT: And the two-year-old resides with you?  
3 PROSPECTIVE JUROR NO. 340: Yes.  
4 THE COURT: Okay. Have you ever served as a juror  
5 before?  
6 PROSPECTIVE JUROR NO. 340: I have not.  
7 THE COURT: Have you ever testified as a witness at a  
8 criminal case?  
9 PROSPECTIVE JUROR NO. 340: No.  
10 THE COURT: Have you or a close family member ever  
11 been convicted of a crime?  
12 PROSPECTIVE JUROR NO. 340: No.  
13 THE COURT: Have you or a close family member ever  
14 been the victim of a crime?  
15 PROSPECTIVE JUROR NO. 340: No.  
16 THE COURT: Do you have any close relatives or close  
17 friends who have ever been engaged in law enforcement?  
18 PROSPECTIVE JUROR NO. 340: I do.  
19 THE COURT: And who is that, ma'am?  
20 PROSPECTIVE JUROR NO. 340: My dad and a lot of uncles  
21 and cousins.  
22 THE COURT: Okay.  
23 PROSPECTIVE JUROR NO. 340: Yes.  
24 THE COURT: And is that locally or --  
25 PROSPECTIVE JUROR NO. 340: Yeah. Five of them are

1 local, and the rest are back where I'm from.

2 THE COURT: Okay. And where are you from?

3 PROSPECTIVE JUROR NO. 340: I'm from Guam.

4 THE COURT: Okay. And the five that are local, do you  
5 know what agent -- law enforcement agency they work for?

6 PROSPECTIVE JUROR NO. 340: Yeah. For Metro.

7 THE COURT: They're all Las Vegas Metropolitan police  
8 officers?

9 PROSPECTIVE JUROR NO. 340: Yes, uh-huh.

10 THE COURT: And they're family members?

11 PROSPECTIVE JUROR NO. 340: Yeah.

12 THE COURT: Aunts -- I mean, uncles, aunts, or --

13 PROSPECTIVE JUROR NO. 340: Yeah. My -- I have my  
14 dad, his brother, and then three of my -- four of my uncles, yeah.

15 THE COURT: Okay. And I assume you talk to them  
16 regularly?

17 PROSPECTIVE JUROR NO. 340: I do.

18 THE COURT: Do you ever talk to them about their jobs?

19 PROSPECTIVE JUROR NO. 340: No. I stray away from it.

20 THE COURT: Okay. Does your knowledge about your  
21 relatives' jobs affect your ability to be fair and impartial in this case?

22 PROSPECTIVE JUROR NO. 340: No, it doesn't.

23 THE COURT: Okay. And it is anticipated that certain law  
24 enforcement officers will testify in this case. Will you give more  
25 credibility to their testimony by the mere fact that they are law

1 enforcement officers?

2 PROSPECTIVE JUROR NO. 340: No.

3 THE COURT: Do you agree that if you are chosen to serve  
4 as a juror in this case that you will honor your duty to be completely  
5 fair and impartial and to listen carefully to all of the evidence before  
6 you make up your mind?

7 PROSPECTIVE JUROR NO. 340: Yes.

8 THE COURT: Pass the microphone, please.

9 Hi.

10 PROSPECTIVE JUROR NO. 341: Hello.

11 THE COURT: And your name and badge number, please.

12 PROSPECTIVE JUROR NO. 341: Roshani Rahe, 341.

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

15 PROSPECTIVE JUROR NO. 341: For 12 years.

16 THE COURT: And how far did you go in school?

17 PROSPECTIVE JUROR NO. 341: Bachelor's in Human  
18 Resources from UNLV.

19 THE COURT: And what is your occupation?

20 PROSPECTIVE JUROR NO. 341: I work for Seven Hills  
21 Hospital for human resources department.

22 THE COURT: Okay. What is your marital status?

23 PROSPECTIVE JUROR NO. 341: I'm married.

24 THE COURT: And what occupation -- what is your spouse's  
25 occupation?



1 PROSPECTIVE JUROR NO. 341: He's a police officer for  
2 Clark County School District.

3 THE COURT: And do you have any children?  
4 PROSPECTIVE JUROR NO. 341: Yes, two.

5 THE COURT: And how old are they?  
6 PROSPECTIVE JUROR NO. 341: Five and two.

7 THE COURT: And do they live with you and your husband?  
8 PROSPECTIVE JUROR NO. 341: Yes, correct.

9 THE COURT: And have you ever served as a juror before?  
10 PROSPECTIVE JUROR NO. 341: No.

11 THE COURT: Have you ever testified as a witness in a  
12 criminal case?

13 PROSPECTIVE JUROR NO. 341: No.

14 THE COURT: Have you or a close family member ever  
15 been convicted of a crime?

16 PROSPECTIVE JUROR NO. 341: No.

17 THE COURT: Have you or a close family member ever  
18 been the victim of a crime?

19 PROSPECTIVE JUROR NO. 341: Yes.

20 THE COURT: And what -- can you explain the  
21 circumstances?

22 PROSPECTIVE JUROR NO. 341: I was assaulted at Aria.  
23 THE COURT: At the Aria?  
24 PROSPECTIVE JUROR NO. 341: Uh-huh.  
25 THE COURT: And how long ago was that?

1 PROSPECTIVE JUROR NO. 341: This was, I think, in 2010  
2 or '11. I can't remember.

3 THE COURT: And did you report it to the police?

4 PROSPECTIVE JUROR NO. 341: Yes.

5 THE COURT: And were they able to prosecute that case?

6 PROSPECTIVE JUROR NO. 341: Yes.

7 THE COURT: And was that person convicted?

8 PROSPECTIVE JUROR NO. 341: He -- she pleaded guilty  
9 because we had the videotape of her assaulting.

10 THE COURT: And did that experience make it -- do you  
11 believe that experience would make it difficult for you to be fair and  
12 impartial to both sides in this case?

13 PROSPECTIVE JUROR NO. 341: Yes.

14 THE COURT: And could you explain, please?

15 PROSPECTIVE JUROR NO. 341: Just because of my  
16 personal experience that had happened. I think that would be very  
17 difficult for me to --

18 THE COURT: Okay. So you don't think you could be fair  
19 and impartial? You don't think you could sit here, set your personal  
20 experiences aside, and just listen to the evidence and be fair and  
21 impartial?

22 PROSPECTIVE JUROR NO. 341: I think it would be very  
23 hard for me. I'm sorry.

24 THE COURT: And that's because you were the victim of an  
25 assault?

1 PROSPECTIVE JUROR NO. 341: Yes, correct.

2 THE COURT: It is anticipated that certain law enforcement  
3 officers will testify in this case. Will you give more credibility to their  
4 testimony by the mere fact that they are law enforcement officers?

5 PROSPECTIVE JUROR NO. 341: No.

6 THE COURT: And you kind of already answered this one,  
7 but you can't agree that if you are chosen to serve as a juror that you  
8 would honor your duty to be completely fair and impartial and to  
9 listen carefully to all the evidence? You can't agree to that?

10 PROSPECTIVE JUROR NO. 341: No, I can't.

11 THE COURT: And that's because you were the victim?

12 PROSPECTIVE JUROR NO. 341: Yes. Correct.

13 THE COURT: And you can't set that aside and just weigh  
14 the evidence and make a decision based purely on the evidence?  
15 You don't think you can set that aside?

16 PROSPECTIVE JUROR NO. 341: No. I -- I'm sorry. It's -- it's  
17 been a very difficult experience.

18 THE COURT: No. I understand.

19 PROSPECTIVE JUROR NO. 341: Sorry.

20 THE COURT: If you could pass the microphone, please.

21 Sir, what is your name and badge number?

22 PROSPECTIVE JUROR NO. 344: Hileman Stone, 344.

23 THE COURT: And how long have you lived in Clark County,  
24 Nevada?

25 PROSPECTIVE JUROR NO. 344: Fifteen years.

1 THE COURT: And how far did you go in school?  
2 PROSPECTIVE JUROR NO. 344: Bachelor's in accounting  
3 from Utah State.  
4 THE COURT: And what is your occupation, sir?  
5 PROSPECTIVE JUROR NO. 344: I am in sales. I work for  
6 the Mike Ferry Organization.  
7 THE COURT: And what is your marital status?  
8 PROSPECTIVE JUROR NO. 344: Divorced.  
9 THE COURT: And what does your former spouse do?  
10 PROSPECTIVE JUROR NO. 344: My former spouse is an  
11 RN.  
12 THE COURT: Registered nurse?  
13 PROSPECTIVE JUROR NO. 344: Registered nurse.  
14 THE COURT: And is she -- is locally in Las Vegas?  
15 PROSPECTIVE JUROR NO. 344: I'm not sure anymore. I'm  
16 not sure.  
17 THE COURT: Do you have any children?  
18 PROSPECTIVE JUROR NO. 344: I have a son. He's eight  
19 years old.  
20 THE COURT: And do you have custody of your child or  
21 does your former spouse?  
22 PROSPECTIVE JUROR NO. 344: My son is now with my  
23 former spouse. My son's mother is a nurse practitioner here in  
24 Vegas.  
25 THE COURT: Okay. You know, I may have jumped the gun

1 here.

2 PROSPECTIVE JUROR NO. 344: Sorry.

3 THE COURT: Is it -- is your child with your former spouse  
4 or --

5 PROSPECTIVE JUROR NO. 344: No. My child is not with  
6 my former spouse.

7 THE COURT: Okay. So --

8 PROSPECTIVE JUROR NO. 344: My child is another lady.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 344: She's a nurse -- yeah.

11 THE COURT: I apologize. I thought maybe it was with your  
12 former spouse. So your child does live here in Las Vegas?

13 PROSPECTIVE JUROR NO. 344: Yes.

14 THE COURT: Have you ever served as a juror?

15 PROSPECTIVE JUROR NO. 344: No.

16 THE COURT: Have you ever testified as a witness in a  
17 criminal case?

18 PROSPECTIVE JUROR NO. 344: My own.

19 THE COURT: Your own? So we're going to get to that.  
20 Okay. Have you or a close family member ever been convicted of a  
21 crime?

22 PROSPECTIVE JUROR NO. 344: I have, yes.

23 THE COURT: And what were you convicted of, sir?

24 PROSPECTIVE JUROR NO. 344: When I was younger, I was  
25 convicted of three alcohol-related crimes.

1 THE COURT: Ask and they were --

2 PROSPECTIVE JUROR NO. 344: All misdemeanors.

3 THE COURT: Misdemeanors? Okay. Do you believe that  
4 experience would make it difficult for you to be fair and impartial to  
5 both sides in this case?

6 PROSPECTIVE JUROR NO. 344: No.

7 THE COURT: Okay. Now, you kind of alluded to this, but  
8 I'm going to ask the question. Have you or a close family member  
9 ever been the victim of a crime?

10 PROSPECTIVE JUROR NO. 344: I have.

11 THE COURT: Okay. And can you explain the  
12 circumstances?

13 PROSPECTIVE JUROR NO. 344: In 2012, my house was  
14 robbed.

15 THE COURT: Okay. Were you home at the time?

16 PROSPECTIVE JUROR NO. 344: No, I was not.

17 THE COURT: Okay. And did you report it to the police?

18 PROSPECTIVE JUROR NO. 344: I did.

19 THE COURT: And were they able to apprehend the  
20 perpetrator?

21 PROSPECTIVE JUROR NO. 344: No.

22 THE COURT: Okay. But you said you testified as a witness  
23 at a criminal case?

24 PROSPECTIVE JUROR NO. 344: Oh, I'm sorry. I thought  
25 you asked me if I ever testified. I guess I testified in my own case.

1 THE COURT: Okay. Oh, I see. So as to the cases that you  
2 were convicted of, you actually testified in those cases?

3 PROSPECTIVE JUROR NO. 344: Well, the judge asked me  
4 questions. I didn't -- is that testifying?

5 THE COURT: Did it go to trial?

6 PROSPECTIVE JUROR NO. 344: I pled guilty.

7 THE COURT: Okay. When you were the victim of a crime,  
8 do you believe that experience would make it difficult for you to be  
9 fair and impartial to both sides in this case?

10 PROSPECTIVE JUROR NO. 344: No.

11 THE COURT: And when you were convicted of a crime, do  
12 you believe that experience would make it difficult for you to be fair  
13 and impartial to both sides in the case?

14 PROSPECTIVE JUROR NO. 344: No.

15 THE COURT: And do you have any close friends or relative  
16 who have ever been engaged in law enforcement?

17 PROSPECTIVE JUROR NO. 344: No, I don't.

18 THE COURT: Okay. It is anticipate that certain law  
19 enforcement officers will testify in this case. Will you give more  
20 credibility to their testimony by the mere fact that they are law  
21 enforcement officers?

22 PROSPECTIVE JUROR NO. 344: No.

23 THE COURT: Okay. Do you agree that you're -- that if you  
24 are chosen to serve as a juror in this case that you will honor your  
25 duty to be completely fair and impartial and to listen carefully to all of

1 the evidence before you make a decision?

2 PROSPECTIVE JUROR NO. 344: I do.

3 THE COURT: Could you pass the microphone, please.

4 We know it's Halloween today or -- isn't today Halloween?

5 [Chorus of yeses.]

6 THE COURT: Okay. Would you state your name and your  
7 badge number, please?

8 PROSPECTIVE JUROR NO. 350: Grace Aguilar, 350.

9 THE COURT: Okay. And how long have you lived in Clark  
10 County, Nevada?

11 PROSPECTIVE JUROR NO. 350: 20 plus years, on and off.

12 THE COURT: And how far did you go in school?

13 PROSPECTIVE JUROR NO. 350: I'm in college.

14 THE COURT: And what is your occupation?

15 PROSPECTIVE JUROR NO. 350: I work at a grocery store.

16 THE COURT: And are you married?

17 PROSPECTIVE JUROR NO. 350: No.

18 THE COURT: Do you have any children?

19 PROSPECTIVE JUROR NO. 350: No.

20 THE COURT: Have you ever served as a juror before?

21 PROSPECTIVE JUROR NO. 350: No.

22 THE COURT: Have you ever testified as a witness in a  
23 criminal case?

24 PROSPECTIVE JUROR NO. 350: Repeat that.

25 THE COURT: Have you ever testified as a witness in a



1 criminal case?

2 PROSPECTIVE JUROR NO. 350: No.

3 THE COURT: Have you or a close family member ever  
4 been convicted of a crime?

5 PROSPECTIVE JUROR NO. 350: No.

6 THE COURT: Have you or a close family member ever  
7 been the victim of a crime?

8 PROSPECTIVE JUROR NO. 350: No.

9 THE COURT: Okay. Do you have any close friends or  
10 relatives who have ever been engaged in law enforcement?

11 PROSPECTIVE JUROR NO. 350: No.

12 THE COURT: It is anticipate that certain law enforcement  
13 officers will testify in this case. Will you give more credibility to their  
14 testimony by the mere fact that they are law enforcement officers?  
15 No, ma'am? Is that no? I didn't hear you. Is that no?

16 PROSPECTIVE JUROR NO. 350: I'm sorry. Can you say  
17 that again?

18 THE COURT: Do you -- was that a no to that question?

19 PROSPECTIVE JUROR NO. 350: Can you repeat yourself?

20 THE COURT: Sure. It is anticipated that certain law  
21 enforcement officers will testify in this case. Will you give more  
22 credibility to their testimony by the mere fact that they are law  
23 enforcement officers?

24 PROSPECTIVE JUROR NO. 350: No.

25 THE COURT: And I just couldn't hear you; that's why I

1 repeated it.

2 PROSPECTIVE JUROR NO. 350: Okay. Sorry.

3 THE COURT: Do you agree that if you are chosen to serve  
4 as a juror in this case that you will honor your commit -- duty to be  
5 completely fair and impartial and to listen carefully to all of the  
6 evidence?

7 PROSPECTIVE JUROR NO. 350: Yes.

8 THE COURT: Okay. If you could pass the microphone,  
9 please.

10 Hi.

11 PROSPECTIVE JUROR NO. 357: Hi.

12 THE COURT: What's your name and badge number,  
13 please?

14 PROSPECTIVE JUROR NO. 357: Hi. Barbara Baynes, 350.

15 THE COURT: And how long have you lived in Clark County,  
16 Nevada?

17 PROSPECTIVE JUROR NO. 357: Eighteen years.

18 THE COURT: And how far did you go in school?

19 PROSPECTIVE JUROR NO. 357: Master's.

20 THE COURT: Is that locally or what university?

21 PROSPECTIVE JUROR NO. 357: New York. State  
22 University of New York at Stony Brook. Labor management and  
23 relations.

24 THE COURT: All right. And what is your occupation?

25 PROSPECTIVE JUROR NO. 357: I'm in charge of a local

1 federal agency.

2 THE COURT: All right. And what is your marital status?

3 PROSPECTIVE JUROR NO. 357: Married. Excuse me.

4 THE COURT: And what's the occupation of your spouse?

5 PROSPECTIVE JUROR NO. 357: Clark County fire

6 inspector.

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

8 PROSPECTIVE JUROR NO. 357: Two: a 9-year-old and a

9 12-year-old.

10 THE COURT: Okay. And they live at home?

11 PROSPECTIVE JUROR NO. 357: Yes.

12 THE COURT: Have you ever served as a juror before?

13 PROSPECTIVE JUROR NO. 357: Yes.

14 THE COURT: And what type case was it? Was it a civil or a  
15 case criminal? Do you remember?

16 PROSPECTIVE JUROR NO. 357: It was against Costco, a  
17 slip-and-fall case.

18 THE COURT: Okay. And without telling me what the  
19 verdict was, did the jury reach a verdict in that case?

20 PROSPECTIVE JUROR NO. 357: Oh, my gosh. That was  
21 long ago. That was like 12 years ago, I think.

22 THE COURT: Okay. If you don't recall, that's fine.

23 PROSPECTIVE JUROR NO. 357: I don't recall.

24 THE COURT: All right. Were you the foreperson of the  
25 jury?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROSPECTIVE JUROR NO. 357: No.

THE COURT: Is there anything about that experience that would affect your ability to be fair and impartial in this case?

PROSPECTIVE JUROR NO. 357: No.

THE COURT: Have you ever testified as a witness in a criminal case?

PROSPECTIVE JUROR NO. 357: No.

THE COURT: Have you or a close family member ever been convicted of a crime?

PROSPECTIVE JUROR NO. 357: Yes. My brother, a criminal gun possession.

THE COURT: Criminal possession.

PROSPECTIVE JUROR NO. 357: Of a gun.

THE COURT: A drug case?

PROSPECTIVE JUROR NO. 357: No.

THE COURT: A weapons?

PROSPECTIVE JUROR NO. 357: Illegal weapon.

THE COURT: A weapons?

PROSPECTIVE JUROR NO. 357: Yeah.

THE COURT: And was that here in Clark County, Nevada?

PROSPECTIVE JUROR NO. 357: New York.

THE COURT: Okay. Do you believe that experience involving your brother would make it difficult for you to be fair and impartial to both sides in this case?

PROSPECTIVE JUROR NO. 357: No.

1 THE COURT: Have you or a close friend ever been the  
2 victim of a crime?

3 PROSPECTIVE JUROR NO. 357: No.

4 THE COURT: You looked up and kind of smiled.

5 PROSPECTIVE JUROR NO. 357: I had to think about it. No,  
6 no, no.

7 THE COURT: All right. It is anticipated that certain law  
8 enforcement officers will testify in this case. Will you give more  
9 credibility to their testimony by the mere fact that they are law  
10 enforcement officers?

11 PROSPECTIVE JUROR NO. 357: No.

12 THE COURT: Do you agree that if you are chosen to serve  
13 as a juror in this case that you will honor your duty to be completely  
14 fair and impartial and to listen carefully to all of the evidence?

15 PROSPECTIVE JUROR NO. 357: Yes.

16 THE COURT: If you could pass the microphone, please.  
17 Everybody is glad to hear from you because we're going to take a  
18 break right after I ask the questions. So if you could state your name  
19 and your badge number.

20 PROSPECTIVE JUROR NO. 359: Robyn Gates, 359.

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

23 PROSPECTIVE JUROR NO. 359: Eleven years.

24 THE COURT: And how far did you go in school?

25 PROSPECTIVE JUROR NO. 359: Master's.

1 THE COURT: And where from, ma'am?

2 PROSPECTIVE JUROR NO. 359: I'm sorry. What?

3 THE COURT: Where from?

4 PROSPECTIVE JUROR NO. 359: Here at Touro University.

5 THE COURT: Okay. And what is your occupation?

6 PROSPECTIVE JUROR NO. 359: I'm a physical education

7 teacher.

8 THE COURT: And where is that at?

9 PROSPECTIVE JUROR NO. 359: Ferron Elementary.

10 THE COURT: What is your marital status?

11 PROSPECTIVE JUROR NO. 359: Married.

12 THE COURT: And what is the occupation of your spouse?

13 PROSPECTIVE JUROR NO. 359: He's a manager at a mini

14 mart.

15 THE COURT: What mini mart?

16 PROSPECTIVE JUROR NO. 359: It's independently owned.

17 It's just called the Food Mart.

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

19 PROSPECTIVE JUROR NO. 359: Yes, I do.

20 THE COURT: How old are your children?

21 PROSPECTIVE JUROR NO. 359: I have a 13-year-old,

22 2-year-old, and then I'm currently pregnant.

23 THE COURT: Oh, congratulations.

24 PROSPECTIVE JUROR NO. 359: Thank you.

25 THE COURT: And they all reside with you and your

1 husband?

2 PROSPECTIVE JUROR NO. 359: Yes.

3 THE COURT: Have you ever served as a juror before?

4 PROSPECTIVE JUROR NO. 359: No.

5 THE COURT: Have you ever testified as a witness in a  
6 criminal case?

7 PROSPECTIVE JUROR NO. 359: No.

8 THE COURT: Have you or a close family member ever  
9 been convicted of a crime?

10 PROSPECTIVE JUROR NO. 359: Yes.

11 THE COURT: And who is that, ma'am?

12 PROSPECTIVE JUROR NO. 359: My husband.

13 THE COURT: And what crime was he convicted of?

14 PROSPECTIVE JUROR NO. 359: DUI and domestic  
15 violence.

16 THE COURT: Misdemeanors?

17 PROSPECTIVE JUROR NO. 359: Yes.

18 THE COURT: And was that here in Clark County, Nevada?

19 PROSPECTIVE JUROR NO. 359: No. California.

20 THE COURT: California. Have you ever -- have you or a  
21 close family member ever been the victim of a crime?

22 PROSPECTIVE JUROR NO. 359: No.

23 THE COURT: Do you have any close relatives or close  
24 friends who have ever been engaged in law enforcement?

25 PROSPECTIVE JUROR NO. 359: No.

1 THE COURT: It is anticipated that certain law enforcement  
2 officers will testify in this case. Will you give more credibility to their  
3 testimony by the mere fact that they are law enforcement officers?

4 PROSPECTIVE JUROR NO. 359: No.

5 THE COURT: Do you agree that if you are chosen to serve  
6 as a juror in this case you will honor your duty to be completely fair  
7 and impartial and to listen carefully to all the evidence?

8 PROSPECTIVE JUROR NO. 359: Yes.

9 THE COURT: Okay. I'm going to read an admonishment to  
10 you. You're going to -- if you're selected as a juror, you're going to  
11 hear this admonishment a lot. We're going to take about a 15-minute  
12 recess.

13 During the recess, you are admonished not to talk or  
14 converse among yourselves or with anyone else on any subject  
15 connected with this trial or read or watch to any report, commentary  
16 on the trial, or any person connected with this trial by any medium of  
17 information, including without limitation, social media, texts,  
18 newspapers, television, the Internet, radio. Do not do any posting or  
19 communication on any social network sites or do any independent  
20 research, including Internet searches or form or express any opinion  
21 on any subject connected with this trial until the case is submitted if  
22 you are selected as a juror.

23 This will be the admonishment if you are the jurors in this  
24 case, but I just need to -- don't discuss about anything we've  
25 discussed about while we're on the recess. Okay?



1 All right. We'll take a 15-minute recess.

2 [Outside the presence of the prospective jury panel.]

3 THE COURT: All right. We'll be in recess for 15 minutes.

4 [Recess taken from 3:36 p.m. until 3:42 p.m.]

5 THE COURT: Okay. We're calling Case No. C-16-318255,  
6 State of Nevada versus Ronald Allen, without the presence of the jury  
7 panel.

8 My marshal has informed me that Juror No. 1 has advised  
9 him that his two-year-old child -- or her two-year-old child was with a  
10 babysitter, and she just has been notified that the babysitter has left  
11 and left the two-year-old child alone and she needs to leave.

12 I was going to excuse her.

13 MR. LEXIS: I would also like it noted that she has been  
14 sleeping all throughout this process, as well.

15 THE COURT: Do you want me to bring her in to verify  
16 these facts, or you just want me to excuse her?

17 MR. LEXIS: No. I would ask that she be excused,  
18 Your Honor.

19 THE COURT: Counsel for the defense?

20 MS. BONAVENTURE: That's fine, Your Honor.

21 THE COURT: You agree to excuse her?

22 Bring that juror in.

23 MS. BONAVENTURE: Well, if we could just for the record  
24 verify or just get her to --

25 THE COURT: I'm going to bring her and --

1 MS. BONAVENTURE: Yeah, great.

2 MR. HAUSER: Great. That's fine.

3 MS. BONAVENTURE: Thank you, Judge.

4 THE COURT: -- verify.

5 Hi, ma'am.

6 PROSPECTIVE JUROR NO. 114: Hi.

7 THE COURT: Could you state your name and badge  
8 number?

9 PROSPECTIVE JUROR NO. 114: Corine Lewis, 120.

10 THE COURT: And it's -- my marshal has advised me you've  
11 just been notified that your babysitter has left your two-year-old child  
12 alone?

13 PROSPECTIVE JUROR NO. 114: Yeah. She -- it's horrible. I  
14 just tried to call my brother and two other people to try to go over  
15 there. Unfortunately, my brother has to go to work right now at  
16 Bahama Breeze. My mom, she's in a wheelchair, so she can't go get  
17 her. The person that has my child is giving me until 4 o'clock, and  
18 she's not going to lose her job.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 114: And I'm, like, begging her  
21 not to leave my kid there.

22 THE COURT: Okay. Can you -- State, do you agree to  
23 release her?

24 MR. LEXIS: Yes, Your Honor.

25 THE COURT: Defense, do you agree to release her?

1 MS. BONAVENTURE: With those representations, Judge,  
2 we have no objection.

3 MR. HAUSER: Yeah.

4 THE COURT: Ma'am, you're released from the jury and  
5 you're excused.

6 PROSPECTIVE JUROR NO. 114: Okay. So I don't come  
7 back or --

8 THE COURT: You don't have to come back.

9 PROSPECTIVE JUROR NO. 114: Oh, okay. All right. Thank  
10 you, Judge.

11 THE COURT: Okay. Randy, I'm sorry. When we come  
12 back -- where's -- call the next one in order. And then I have to ask all  
13 those questions. And then I'm going to open up for counsel to ask  
14 questions. Okay?

15 MS. BONAVENTURE: At what point do you want to do  
16 strikes for cause, Judge?

17 THE COURT: Huh?

18 MS. BONAVENTURE: At what point do you want to do  
19 strikes for cause?

20 THE COURT: Well, I was going to let you ask the questions  
21 first.

22 MS. BONAVENTURE: Okay.

23 THE COURT: Unless you want to do them now, if you're so  
24 finished. I mean, I just asked general questions. I was going to let  
25 you ask follow-up questions of any jurors that you want. And then I

1 was going to excuse the jury once that's been completed. And then  
2 we were going to do challenges for cause off the --

3 MS. BONAVENTURE: Sure.

4 MR. LEXIS: After both sides were done?

5 THE COURT: After you both have an opportunity to --

6 MR. LEXIS: Okay. Sounds good.

7 THE COURT: -- question the jurors.

8 MR. LEXIS: Sounds good.

9 THE COURT: So I was going to open it up when they get  
10 back, but we have to do -- seat the next juror. And then if any -- if one  
11 of the -- if any of the two that have the issue regarding language, I'm  
12 going to let you voir dire them on that one.

13 MS. BONAVENTURE: Great.

14 MR. LEXIS: But only if they're [indiscernible]; right?

15 THE COURT: Yeah. That's correct.

16 So whoever the next one in order, Alan, would you  
17 [indiscernible] it looks like it's going to be Badge No. 369. So when  
18 she comes in, if you would put her in Seat No. 1.

19 All right. We're in recess until the jury reconvenes.

20 MS. BONAVENTURE: Thank you, Your Honor.

21 [Recess taken from 3:46 p.m. until 3:53 p.m.]

22 THE COURT: Let's bring the jury panel back in.

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

24 THE COURT: Let the record reflect counsel for the  
25 prosecution, counsel for the defendant, as well as the defendant, and

1 the jury panel are all now present in the court.

2 Please be seated.

3 Hi, ma'am. Would you state your name and badge number  
4 for me, please?

5 PROSPECTIVE JUROR NO. 369: Badge No. 369, Josephine  
6 Cervantes.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 369: Oh, can you hear me?

9 THE COURT: How long have you lived in Clark County,  
10 Nevada?

11 PROSPECTIVE JUROR NO. 369: Twenty-two years.

12 THE COURT: How far did you go in school?

13 PROSPECTIVE JUROR NO. 369: Two years in college.

14 THE COURT: Okay. And what is your occupation?

15 PROSPECTIVE JUROR NO. 369: I'm retired.

16 THE COURT: And before you retired, what did you do?

17 PROSPECTIVE JUROR NO. 369: I work in the hospitality  
18 industry.

19 THE COURT: In Las Vegas?

20 PROSPECTIVE JUROR NO. 369: Yes, sir.

21 THE COURT: In the hotels?

22 PROSPECTIVE JUROR NO. 369: Yes, Las Vegas Hilton.

23 THE COURT: Okay. And what is your marital status?

24 PROSPECTIVE JUROR NO. 369: Marriage.

25 THE COURT: And what does your spouse do? What's his

1 occupation?

2 PROSPECTIVE JUROR NO. 369: He's retired. And USAF,  
3 Air Force.

4 THE COURT: And do you have any children?

5 PROSPECTIVE JUROR NO. 369: Yes, two.

6 THE COURT: And how old are they, ma'am?

7 PROSPECTIVE JUROR NO. 369: 46 and 47.

8 THE COURT: And where do your adult children live?

9 PROSPECTIVE JUROR NO. 369: My son lives in Iowa, and  
10 my daughter lives in Hawaii.

11 THE COURT: And what does your son do?

12 PROSPECTIVE JUROR NO. 369: He's been management  
13 with some automotive shop store.

14 THE COURT: And what about your daughter?

15 PROSPECTIVE JUROR NO. 369: My daughter works a lot  
16 for Hawaii Five-0 back in Hawaii.

17 THE COURT: Police department?

18 PROSPECTIVE JUROR NO. 369: No. No. No. No. No. No.  
19 The show.

20 THE COURT: The show. The television show. Oh, okay.

21 PROSPECTIVE JUROR NO. 369: With McGarrett.

22 THE COURT: Oh. Have you ever served as a juror before?

23 PROSPECTIVE JUROR NO. 369: No.

24 THE COURT: Okay. Have you ever testified as a witness in  
25 a criminal case?

1 PROSPECTIVE JUROR NO. 369: I'm sorry.

2 THE COURT: Have you ever testified as a witness in a  
3 criminal case?

4 PROSPECTIVE JUROR NO. 369: No.

5 THE COURT: Have you or a close family member ever  
6 been convicted of a crime?

7 PROSPECTIVE JUROR NO. 369: No.

8 THE COURT: Have you or a close family member ever  
9 been the victim of a crime?

10 PROSPECTIVE JUROR NO. 369: No.

11 THE COURT: Do you have any close relatives or close  
12 friends who have ever been engaged in law enforcement?

13 PROSPECTIVE JUROR NO. 369: Four nephews, all in law  
14 enforcement.

15 THE COURT: Okay. And you have four nephews all in law  
16 enforcement? And what agency, what law enforcement agency?

17 PROSPECTIVE JUROR NO. 369: Jimmy is with Metro  
18 here -- MVPD.

19 THE COURT: And what was the second one?

20 PROSPECTIVE JUROR NO. 369: The second -- my second  
21 nephew is a U.S. marshal back in Orange County.

22 THE COURT: And is -- go ahead.

23 PROSPECTIVE JUROR NO. 369: My one -- my other  
24 nephew -- excuse me, can you -- can you hear me if I --

25 THE COURT: I sure can.

1 PROSPECTIVE JUROR NO. 369: I'm just so --  
2 THE COURT: That's okay.  
3 PROSPECTIVE JUROR NO. 369: -- uncomfortable.  
4 THE COURT: You're doing fine.  
5 My other nephew is a correctional officer.  
6 THE COURT: Here in Las Vegas, Nevada?  
7 PROSPECTIVE JUROR NO. 369: In Ventura.  
8 THE COURT: Ventura?  
9 PROSPECTIVE JUROR NO. 369: All in -- in California. And  
10 my other nephew is an instructor -- security instructor for the Air  
11 Force. He's a sniper.  
12 THE COURT: Okay.  
13 PROSPECTIVE JUROR NO. 369: Yeah.  
14 THE COURT: And do you ever talk with your nephews  
15 about their jobs in law enforcement?  
16 PROSPECTIVE JUROR NO. 369: Yes, yes. They tell me  
17 what's going on.  
18 THE COURT: Okay.  
19 PROSPECTIVE JUROR NO. 369: We're very close. So --  
20 THE COURT: And does your knowledge about these  
21 persons' job affect your ability to be fair and impartial in this case?  
22 PROSPECTIVE JUROR NO. 369: Yes.  
23 THE COURT: And how does it affect your ability to be fair  
24 and impartial?  
25 PROSPECTIVE JUROR NO. 369: I would be open.



1 THE COURT: I'm sorry.

2 PROSPECTIVE JUROR NO. 369: I would be open.

3 THE COURT: I'm -- I apologize. I -- I didn't hear that. How  
4 would it affect your ability to be fair and impartial?

5 PROSPECTIVE JUROR NO. 369: I would be fair.

6 THE COURT: You would be fair and impartial?

7 PROSPECTIVE JUROR NO. 369: I would be fair, yes.

8 THE COURT: Okay. Thank you. It is anticipated that  
9 certain law enforcement officers will testify in this case. Will you give  
10 more credibility to their testimony by the mere fact that they are law  
11 enforcement officers?

12 PROSPECTIVE JUROR NO. 369: Yes.

13 THE COURT: You would give more credibility to them --

14 PROSPECTIVE JUROR NO. 369: Yes.

15 THE COURT: -- just because they're law enforcement  
16 officers?

17 PROSPECTIVE JUROR NO. 369: Yes.

18 THE COURT: But can you set that aside? Can you set aside  
19 that they're law enforcement officers and still be completely fair and  
20 impartial, listen carefully to all the evidence before you make up your  
21 mind?

22 PROSPECTIVE JUROR NO. 369: I will.

23 THE COURT: You can do that?

24 PROSPECTIVE JUROR NO. 369: I can.

25 THE COURT: Okay. At this time I'm going to allow the

1 attorneys to ask questions.

2 I'm going to start with the State of Nevada, the  
3 prosecution.

4 MR. LEXIS: Good afternoon, folks. I'll try to be brief here.

5 At the end of this case, you're going to be asked to cast a  
6 judgment on the defendant, whether he's guilty or not guilty.

7 Does anybody here have anything in their background that  
8 is going to prevent them, whether it's religious or something that's  
9 happened in their past, that's going to prevent them or going to be  
10 uncomfortable for them to go back and deliberate and cast judgment  
11 upon this person?

12 Let the record reflect no response.

13 And I've got to say that every time, folks, because it's being  
14 recorded, just so you --

15 Does anyone here think that the District Attorney's Office  
16 can pick who becomes victims of crime?

17 Let the record reflect no response.

18 Does anyone here think we can pick who becomes  
19 defendants or witnesses?

20 Let the record reflect no response.

21 Folks, let's say that there's two separate victims. One's a  
22 doctor in Summerlin and the other one is a homeless, drug addict,  
23 gang member. The same crime is committed against both of them.  
24 Does anyone here think the District Attorney's Office should  
25 prosecute the crime that happened against the doctor more

1 aggressively than the homeless drug addict?

2 Let the record reflect no response.

3 As the judge told you, if -- the judge basically says, State,  
4 call your first witness, and we say, We have no witnesses, you would  
5 have to find not guilty. Does anyone disagree with that?

6 Let the record reflect no response.

7 On the same side, the defendant has a right not to testify.  
8 That's his right. In addition, all -- you will be instructed that all the  
9 evidence in the case is going to come from right here -- the evidence.

10 Now, at the same token, as the judge will explain and the  
11 law allows, that let's say the State presents one witness. And you  
12 believe that witness beyond a reasonable doubt that the defendant  
13 committed the crimes against that person. Is there anyone here that  
14 says, You know what, if it's just one witness on the stand, I need  
15 more? I am not going to be able to find somebody guilty, even  
16 though the law allows it -- I'm not going to be able to find somebody  
17 guilty just based on one person.

18 Let the record reflect no response.

19 THE COURT: Does anyone believe that these crime scene  
20 shows like CSI and et cetera is how it works in the real world?

21 Let the record reflect no response.

22 Where is the microphone at? Can you just pass it to  
23 anyone, please?

24 Badge number, ma'am?

25 PROSPECTIVE JUROR NO. 369: 369.

1 MR. LEXIS: 369. In a county of over 2 million people, do  
2 you think every time a crime is committed that you're going to have  
3 the team of detectives, a crime scene van, and a helicopter roll up,  
4 like in shows, to investigate the scene?

5 PROSPECTIVE JUROR NO. 369: No.

6 MR. LEXIS: Okay. Now, along those same lines, okay,  
7 when I asked the question about just one witness taking the stand.  
8 Will you pass it -- pass the mic forward or back. Sir, your badge  
9 number?

10 PROSPECTIVE JUROR NO. 242: 242.

11 MR. LEXIS: Can you tell me an example of a crime where  
12 there might be just the defendant and one witness?

13 PROSPECTIVE JUROR NO. 242: Domestic violence.

14 MR. LEXIS: All right. And in those situations, a lot of time  
15 it's only spouse and husband or significant others; correct?

16 PROSPECTIVE JUROR NO. 242: Right.

17 MR. LEXIS: And maybe there's a child and sometimes that  
18 child is not even in the room; is that true?

19 PROSPECTIVE JUROR NO. 242: Yes.

20 MR. LEXIS: Or maybe not even in the same room?

21 PROSPECTIVE JUROR NO. 242: Right.

22 MR. LEXIS: Okay. So in those type of situations, would  
23 you agree that the State is left with just one witness?

24 PROSPECTIVE JUROR NO. 242: Yes.

25 MR. LEXIS: And along those same lines, you would --

1 would you agree sometimes there's no other evidence, as far as not  
2 only no other physical evidence or eyewitnesses, but they might not  
3 even have a mark on them?

4 PROSPECTIVE JUROR NO. 242: Right.

5 MR. LEXIS: And let's say that's the situation, where  
6 there's -- someone calls the police and says they were battered by  
7 their significant other. Cops show up, and there's no physical  
8 injuries. Do you believe that crime can still be proven in a court of  
9 law, if you find that person guilty beyond a reasonable doubt?

10 PROSPECTIVE JUROR NO. 242: I wouldn't -- I don't know.

11 MR. LEXIS: Well, let --

12 PROSPECTIVE JUROR NO. 242: I do not know. Sorry.

13 MR. LEXIS: Let me rephrase it. If that person took the  
14 stand, would you -- and you believed that person beyond a  
15 reasonable doubt that the defendant committed the crimes against  
16 that person, would you be able to find guilty, even though you don't  
17 have any eyewitness or physical evidence, as far as photographs of  
18 the injuries, et cetera, et cetera?

19 PROSPECTIVE JUROR NO. 242: I would have to say no.

20 MR. LEXIS: Okay. And that's why I tried to flesh it out,  
21 because I asked this question two minutes ago.

22 PROSPECTIVE JUROR NO. 242: Right.

23 MR. LEXIS: And I got no response.

24 So, sir, in a situation like that, you gave the example of DV  
25 situations. So a -- let's say a man, he batters a woman. Cops show

1 up. There's no kids in the room. There's nobody else in the house.  
2 And that -- that woman has no marks on her. Do you believe that's a  
3 case where the District Attorney's Office should just say we can't --  
4 we're not going to prosecute because we're not going to be able to  
5 prove it in a court of law because all we're relying on is one witness?

6 PROSPECTIVE JUROR NO. 242: Well, I would think if  
7 there's battery to that extent, there would be marks or something.  
8 You'd see them.

9 MR. LEXIS: Okay.

10 PROSPECTIVE JUROR NO. 242: Right there, they -- you  
11 know, they may fade after a few days. But right then and there you  
12 should be seeing it.

13 MR. LEXIS: Okay. You're going to be instructed on the  
14 law, sir, and a battery does not mean -- you don't need to -- it's not a  
15 situation where you need to leave marks. But on those type of  
16 situations, are -- first of all, let me ask you this. Do you believe you  
17 could be battered and not leave a mark?

18 PROSPECTIVE JUROR NO. 242: Not necessarily.

19 MR. LEXIS: Okay. Give me a situation. If a male comes up  
20 to --

21 PROSPECTIVE JUROR NO. 242: You know, if I scratch my  
22 arm, it's going to leave a mark. I'm sorry. You know, I don't even  
23 have to do that hard.

24 MR. LEXIS: Okay. A male goes up to a female, grabs him,  
25 shoves him down on the couch. Is that a battery?

1 PROSPECTIVE JUROR NO. 242: Yes, it is.

2 MR. LEXIS: Okay. And cops show up and don't see any  
3 marks on this woman. Is that a situation where you think the district  
4 attorney's office should say, no, we can't. We're just going to dismiss  
5 this case, because we can't move this case beyond -- in a court of  
6 law?

7 I just want your honest opinion, sir.

8 PROSPECTIVE JUROR NO. 242: Right. No.

9 MR. LEXIS: I'm not --

10 PROSPECTIVE JUROR NO. 242: Those are -- it's a tough  
11 situation, obviously. You know, it's very hard to take one side  
12 consistently.

13 MR. LEXIS: Okay.

14 PROSPECTIVE JUROR NO. 242: Yeah.

15 MR. LEXIS: So you agree with me that if you -- that woman  
16 took the stand and you believed her beyond a reasonable doubt, even  
17 though there's no other witnesses or no other physical marks on her,  
18 would you be able to find guilty?

19 PROSPECTIVE JUROR NO. 242: Yes.

20 MR. LEXIS: Along the same lines as this gentleman, does  
21 anyone have any hesitation on what -- you get -- you got to know  
22 what I'm trying to get at. Does anyone have any hesitation on that?

23 Go ahead. Pass the mic down.

24 Yes, sir. Badge number.

25 PROSPECTIVE JUROR NO. 250: Badge No. 250.

1 MR. LEXIS: Okay. Yes, sir.

2 PROSPECTIVE JUROR NO. 250: I would just like to, you  
3 know, at least make sure I see evidence, just -- just somebody's  
4 testimony, just somebody saying I was batterized wouldn't be good  
5 enough for me to tell somebody, you know, to take away -- strip  
6 somebody of their rights. I would think that would be bad.

7 MR. LEXIS: Okay. Can you give me another example,  
8 ma'am -- excuse me, sir -- of the situation where it's just one-on-one,  
9 where a crime is committed against that person?

10 PROSPECTIVE JUROR NO. 250: I'm sure it happens all the  
11 time. I can't think of a specific example.

12 MR. LEXIS: Okay. You're -- someone's walking out to their  
13 car at night.

14 PROSPECTIVE JUROR NO. 250: Okay.

15 MR. LEXIS: Say there's no cameras around.

16 PROSPECTIVE JUROR NO. 250: Okay.

17 MR. LEXIS: And no other eyewitnesses. Someone comes  
18 up and snatches the purse off of some lady's shoulder and runs off.

19 PROSPECTIVE JUROR NO. 250: Okay.

20 MR. LEXIS: There's not going to be any physical injuries in  
21 that situation; right?

22 PROSPECTIVE JUROR NO. 250: Okay.

23 MR. LEXIS: And that -- is that a type of situation where  
24 you -- she took the stand and you believed her beyond a reasonable  
25 doubt, -- and I -- again, I just want your honest opinion, would you be,



1 like, no, I -- even though I believe her beyond a reasonable doubt, I'm  
2 not going to be able to just take her testimony --

3 PROSPECTIVE JUROR NO. 250: Absolutely. Absolutely. If  
4 I don't have any evidence -- any other evidence showing, you know --  
5 if there's nobody else that can tell me, yes, this person was spotted  
6 here. If I'm just going 100 percent off of a testimony, I'm not going to  
7 condemn somebody.

8 MR. LEXIS: Okay. And even though that's the law that the  
9 State can just put one person on the stand and convict somebody?

10 PROSPECTIVE JUROR NO. 250: Even if that's the law,  
11 that's my --

12 MR. LEXIS: And so that -- on that type of situations where  
13 people are mugged and there's no one else around or a DV situation  
14 or -- we could go on and on and on. Those type of situations, you  
15 believe the District Attorney's Office should just dismiss the case?

16 PROSPECTIVE JUROR NO. 250: Without evidence, yes.

17 MR. LEXIS: Okay. Do you understand that you'll be  
18 instructed testimony is evidence. The evidence is going to come  
19 from right here.

20 PROSPECTIVE JUROR NO. 250: Right.

21 MR. LEXIS: And testimony is evidence.

22 PROSPECTIVE JUROR NO. 250: And it's all hearsay; right?

23 MR. LEXIS: Okay. No. That's not hearsay.

24 PROSPECTIVE JUROR NO. 250: When somebody -- when  
25 I'm just going off of somebody's -- off of somebody's opinion, like

1 that's -- I just --

2 MR. LEXIS: No. You'll be instructed on that. Sir, you're --  
3 the -- let's say the person that takes the stand is the actual victim.

4 PROSPECTIVE JUROR NO. 250: Okay.

5 MR. LEXIS: They're not coming in -- they're not testifying,  
6 oh, I heard from sally that she got mugged in the parking lot. No,  
7 you're going to hear from the actual victim.

8 PROSPECTIVE JUROR NO. 250: Right.

9 MR. LEXIS: So it's not hearsay. This is the evidence. The  
10 evidence, you'll be instructed, comes from this stand. Testimony out  
11 of their mouth is evidence. So that type of evidence, you're still  
12 saying you would not be able to convict?

13 PROSPECTIVE JUROR NO. 250: Correct.

14 MR. LEXIS: Does anyone else feel that way?

15 Has anyone here in general had any negative contact with  
16 law enforcement?

17 Can you please pass the mic to Juror 289? Right here,  
18 ma'am.

19 Ma'am, you state that the District Attorney's Office has  
20 prosecuted your son?

21 PROSPECTIVE JUROR NO. 289: Yes.

22 MR. LEXIS: Is that currently going on?

23 PROSPECTIVE JUROR NO. 289: Yes. He is in jail right  
24 now.

25 MR. LEXIS: Okay. But I mean, is the case still pending or

1 has he already been convicted or did he take a plea?

2 PROSPECTIVE JUROR NO. 289: He's been convicted.

3 MR. LEXIS: Okay. So there's no active case?

4 PROSPECTIVE JUROR NO. 289: No.

5 MR. LEXIS: Okay. And you believe you could be fair and  
6 impartial to both the State and the defense?

7 PROSPECTIVE JUROR NO. 289: Yes.

8 MR. LEXIS: Do you believe your son was treated fairly?

9 PROSPECTIVE JUROR NO. 289: Yeah, he was.

10 MR. LEXIS: Thank you, ma'am.

11 You also will be instructed -- and I'm going to pass the mic  
12 here in a second -- as we stated, evidence comes from up here. And  
13 you're not to -- you'll be instructed not to check your common sense  
14 at the door. You're able to bring in your common sense and  
15 experience. And as these people take the stand, there's one person  
16 that takes the stand -- two, three -- doesn't matter -- who has the mic?

17 Ma'am, again, 289 has the mic.

18 Do you understand that even if a homeless drug addict  
19 takes the stand or a doctor takes the stand, you're the one that's  
20 ultimately going to be responsible for weighing their credibility?

21 PROSPECTIVE JUROR NO. 289: Yes.

22 MR. LEXIS: And you understand that it's you that are not  
23 supposed to preconceive any notions prior to them testifying?

24 PROSPECTIVE JUROR NO. 289: Yes, I understand that.

25 MR. LEXIS: Okay. Even though it's a rocket scientist that

1 takes the stand, if he's trying to convince you that the ocean looks red  
2 on a certain day, you're to weigh -- you're not to take his word as  
3 gospel. You're to weigh what's coming out of his mouth with the  
4 evidence at hand?

5 PROSPECTIVE JUROR NO. 289: Yes.

6 MR. LEXIS: Same type of notion as what the judge was  
7 asking before. Just because a certain profession takes the stand,  
8 whether it's a doctor, a lawyer, a firefighter, an officer, you're to hold  
9 off and weigh their credibility and determine what's coming out of  
10 their mouth is backed by the evidence?

11 PROSPECTIVE JUROR NO. 289: Yes.

12 MR. LEXIS: Okay. So can you please pass it over one?  
13 28 -- excuse me -- to 281, to your left.

14 Ma'am, do you understand what I'm saying?

15 PROSPECTIVE JUROR NO. 281: I do.

16 MR. LEXIS: And you were asked before -- again, you're not  
17 to check your common sense at the door. But just because an officer  
18 takes the stand, you are not to take everything out of his mouth as  
19 gospel.

20 PROSPECTIVE JUROR NO. 281: Correct.

21 MR. LEXIS: Okay. You're to wait and judge his credibility  
22 and see if what he is saying is reasonable and makes sense.

23 PROSPECTIVE JUROR NO. 281: That's correct.

24 MR. LEXIS: Are you going to be able to do that?

25 PROSPECTIVE JUROR NO. 281: Yes.

1 MR. LEXIS: Or are you going to -- I say State calls Officer  
2 Smith. And you're automatically going to be like, oh, whatever  
3 Officer Smith is saying, I'm going to take as gospel. I don't care if it  
4 doesn't make sense or is not reasonable.

5 PROSPECTIVE JUROR NO. 281: I would be able to, for the  
6 last ten years, working for the Wynn, I was responsible for  
7 investigating many cases which resulted in terminations and  
8 nonterminations. So I actually was in a judging type of position to  
9 look at all the evidence and put the evidence together --

10 MR. LEXIS: Okay.

11 PROSPECTIVE JUROR NO 281: -- [indiscernible]  
12 terminations.

13 MR. LEXIS: And some security guards over there probably  
14 got fired as well.

15 PROSPECTIVE JUROR NO. 281: Not within my jurisdiction.

16 MR. LEXIS: But you would agree that it's possible; right?

17 PROSPECTIVE JUROR NO. 281: That's correct.

18 MR. LEXIS: Okay. And so as the prosecutor and as the  
19 judge is telling you, as the Court's telling you, you understand why  
20 you are to wait until you hear what's coming out of their mouth and  
21 weigh it against everything that you've heard?

22 PROSPECTIVE JUROR NO. 281: That's correct.

23 MR. LEXIS: You're not going to automatically preconceive  
24 what they're saying is the truth?

25 PROSPECTIVE JUROR NO. 281: That is correct.

1 MR. LEXIS: Thank you, ma'am.

2 Juror 309, down here at the bottom.

3 PROSPECTIVE JUROR NO. 309: Yes.

4 MR. LEXIS: Sir, I'm sure you understand why I'm -- the  
5 mike is back at you; correct?

6 PROSPECTIVE JUROR NO. 309: I do, sir.

7 MR. LEXIS: Okay. And in your own words, do you  
8 understand what I'm saying?

9 PROSPECTIVE JUROR NO. 309: I do, sir.

10 MR. LEXIS: Okay. And explain that.

11 PROSPECTIVE JUROR NO. 309: That the person giving  
12 evidence at the stand, depends -- not -- not depending on what  
13 they're wearing, just who they are, I'm to value whatever they're  
14 saying, make that judgment on my own, whether it's truthful or not.

15 MR. LEXIS: Okay. And again, you're -- to use your own  
16 common sense. If we call a witness and the person starts passing out  
17 on the stand and appears high to you as a kite, you're to weigh your  
18 own common sense when you go back there and weigh their  
19 credibility.

20 PROSPECTIVE JUROR NO. 309: Correct.

21 MR. LEXIS: Okay. Just like an officer takes the stand or  
22 whoever takes the stand, you are to hold off and weigh their  
23 credibility. Are you going to be able to do that?

24 PROSPECTIVE JUROR NO. 309: Yes.

25 MR. LEXIS: Okay. Can you please pass the mike to -- three

1 over, please.

2 Ma'am, I believe you're 341.

3 PROSPECTIVE JUROR NO. 341: Yes.

4 MR. LEXIS: And you said that you were a victim of assault?

5 PROSPECTIVE JUROR NO. 341: Yes, correct.

6 MR. LEXIS: Can you explain what kind of assault?

7 PROSPECTIVE JUROR NO. 341: It was at Aria, and I was  
8 walking from the casino to the parking lot. And this woman just  
9 came from behind, unknown woman. I've never met or seen her  
10 before. She started having a conversation with me. And then later  
11 on, she was behind me, behind me and my friends in the escalator.  
12 And she started, like, touching me inappropriately.

13 After letting her know not to do that, she kept on doing  
14 that. And then I said, I will call the police if you do not stop doing  
15 this. And then she all of a sudden went violent and started hitting  
16 me, kicking me, and she started chasing me up to the fourth floor in  
17 Aria, the parking lot, and started punching and kicking -- kicking me.  
18 And at that point, my friend -- I screamed to call 911. And then after  
19 that, I told my friend to videotape this assault going on.

20 And then after 10 or 15 minutes, the Metro showed up and  
21 she was arrested. And later I was informed that the person who  
22 assaulted me was a prostitute. And she was high -- I mean, she was  
23 drunk or something like that. So --

24 MR. LEXIS: Okay. And you previously heard the questions  
25 about being fair and impartial?

1 PROSPECTIVE JUROR NO. 341: Yes.

2 MR. LEXIS: And you -- and I believe you said that you  
3 cannot be fair and impartial because of that incident?

4 PROSPECTIVE JUROR NO. 341: Correct.

5 MR. LEXIS: Do you -- would you agree with me that  
6 probably most people in this room have had some life experiences --  
7 I'm not saying the same exact thing, but situations in their past where  
8 it's going to affect them for the rest of their life and they're never  
9 going to forget it?

10 PROSPECTIVE JUROR NO. 341: Yes.

11 MR. LEXIS: Okay. And again, we're not telling you to  
12 check your common sense at the door. You can bring in your life  
13 experiences and common sense with you back there. But do you also  
14 understand the importance of a fair and impartial jury on both sides?

15 PROSPECTIVE JUROR NO. 341: Yes.

16 MR. LEXIS: And the importance of calling witnesses to the  
17 stand and them -- something coming out of their mouth and  
18 automatically you say, oh, this is taking me right back to where I was?

19 What I'm getting at, ma'am, is you understand that this is --  
20 this case is totally separate from your case back then?

21 PROSPECTIVE JUROR NO. 341: Yes. But an assault is an  
22 assault for me. You don't touch anybody.

23 MR. LEXIS: Even if the -- even if it's not backed by any  
24 evidence? You wouldn't be able to sit here and weigh the evidence at  
25 all?



1                   PROSPECTIVE JUROR NO. 341: Maybe. I don't know. It's  
2 too cloudy for me right now to even go there. Like, I just don't want  
3 to even go -- want to go visit that part of my life.

4                   MR. LEXIS: Any other question that I didn't ask or anything  
5 that you think is out there that I should know about, as far as being  
6 fair and impartial?

7                   Thank you very much.

8                   THE COURT: Defense counsel?

9                   MS. BONAVENTURE: Thank you, Judge.

10                  Thank you, guys, all for being here. I know this has been a  
11 very long day, and it's been a very long afternoon. But I do really  
12 appreciate you guys being here. It's a very important process that  
13 you're a part of.

14                  I especially want to thank all the moms and dads with  
15 two-years-old here. I know that you must be super tired. I know  
16 there's about five of you here. I have one. I'm as exhausted as you  
17 are, so please bear with me. I will try to be brief -- or as brief as  
18 possible.

19                  I do want to talk to a couple individual people first, and  
20 then I'm going to hit on some larger things. So just bear with me.  
21 And if for whatever reason I don't ask you personally a specific  
22 question, don't be offended. It's just I didn't need any clarification  
23 based on my answers that you gave previously. Okay? So don't take  
24 it the wrong way. All right?

25                  I would like to start with Josephine Cervantes. Ma'am, I

1 don't want to ask you too many questions. I know you said your jaw  
2 is uncomfortable. So please --

3 PROSPECTIVE JUROR NO. 369: I don't have anything here.

4 MS. BONAVENTURE: Yeah. So you said your surgery is  
5 for your jaw.

6 PROSPECTIVE JUROR NO. 369: Yes. Well, the whole  
7 thing. I have vacations made over here. So it's so hard for me even  
8 to talk.

9 MS. BONAVENTURE: Is this a permanent condition?

10 PROSPECTIVE JUROR NO. 369: No. I'm going to  
11 reconstruction right now.

12 MS. BONAVENTURE: Okay. And you did say you have a  
13 biopsy, I think, on Tuesday?

14 PROSPECTIVE JUROR NO. 369: On -- [indiscernible] my  
15 cancer, and now it's in my lungs.

16 MS. BONAVENTURE: Okay. That's fine. Thank you so  
17 much. Don't -- don't worry about this.

18 PROSPECTIVE JUROR NO. 369: No. I'm okay. I'm okay. I  
19 want to do this.

20 MS. BONAVENTURE: Okay.

21 PROSPECTIVE JUROR NO. 369: I want to do it.

22 MS. BONAVENTURE: Okay. All right. I just wanted to  
23 make sure you were going to be okay, because you're doing to have  
24 to talk a lot back there.

25 PROSPECTIVE JUROR NO. 369: I just want a day off on my

1 surgery, okay?

2 MS. BONAVENTURE: Okay. When is your surgery?

3 PROSPECTIVE JUROR NO. 369: To get there.

4 MS. BONAVENTURE: It was on the 7th?

5 PROSPECTIVE JUROR NO. 369: I have one on the 7th. I  
6 have one on the 17th.

7 MS. BONAVENTURE: I don't think you're going to have to  
8 worry about that.

9 PROSPECTIVE JUROR NO. 369: Okay. Good.

10 MS. BONAVENTURE: Okay. So good. I'm glad. I'm glad  
11 you told me that. And -- and what you're a part of is extremely  
12 important, so I'm glad that you do want to be a part of it.

13 PROSPECTIVE JUROR NO. 369: I want to be.

14 MS. BONAVENTURE: Good. Let's see. Mr. Fox, I don't  
15 have any questions for you.

16 PROSPECTIVE JUROR NO. 242: I'm a little disappointed.

17 MS. BONAVENTURE: Oh, I'm sorry. Let's go on.

18 Mr. Tyler, nothing for you. Let me check my other chart.

19 Mr. Gerdes.

20 PROSPECTIVE JUROR NO. 248: Gerdes.

21 MS. BONAVENTURE: Gerdes, sorry. You said that you  
22 were previously convicted of two misdemeanors for shooting at signs  
23 in 1989 or --

24 PROSPECTIVE JUROR NO. 248: Correct.

25 MS. BONAVENTURE: Okay. You were a juvenile or -- or

1 20 years [indiscernible].

2 PROSPECTIVE JUROR NO. 248: I think I was 20-something,  
3 yes.

4 MS. BONAVENTURE: For something stupid.

5 PROSPECTIVE JUROR NO. 248: Exactly.

6 MS. BONAVENTURE: Did you have a good or bad  
7 experience with the criminal justice system?

8 PROSPECTIVE JUROR NO. 248: No. I was pretty much  
9 pleaded out before -- we didn't even go to court.

10 MS. BONAVENTURE: Okay. So you really weren't terribly  
11 affected by the entire system?

12 PROSPECTIVE JUROR NO. 248: No, not really.

13 MS. BONAVENTURE: Okay. And you took a plea, you said.

14 PROSPECTIVE JUROR NO. 248: Yes.

15 MS. BONAVENTURE: So you didn't go to trial?

16 PROSPECTIVE JUROR NO. 248: Correct.

17 MS. BONAVENTURE: Okay. Great. Let's see. Mr. Smith,  
18 okay, you said your neighbor was a police officer for 20 years.

19 PROSPECTIVE JUROR NO. 249: Yeah. 23 years.

20 MS. BONAVENTURE: Okay. 23 years. Okay. And you've  
21 been his neighbor for 20 years, you said?

22 PROSPECTIVE JUROR NO. 249: Yes.

23 MS. BONAVENTURE: Okay. You guys are real good  
24 friends?

25 PROSPECTIVE JUROR NO. 249: Yes.

1 MS. BONAVENTURE: Okay. Now, you mentioned your  
2 occupation. What was that?

3 PROSPECTIVE JUROR NO. 249: I'm the Las Vegas area  
4 manager for computer tomography for the Valley Health System,  
5 basically.

6 MS. BONAVENTURE: What does that mean? What do you  
7 do?

8 PROSPECTIVE JUROR NO. 249: Radiology.

9 MS. BONAVENTURE: Okay. Radiology.

10 PROSPECTIVE JUROR NO. 249: Diagnostic medicine.

11 MS. BONAVENTURE: Okay. Because when you said  
12 topography, I thought it's like maps or something. But maps of your  
13 body maybe; right?

14 PROSPECTIVE JUROR NO. 249: Yes.

15 MS. BONAVENTURE: Okay. Okay. Great. So you have  
16 your neighbor -- obviously, you've had a lot of conversations with  
17 your buddy, buddy neighbor. Nothing that he's ever told you would  
18 influence your decision -- or your ability to be impartial?

19 PROSPECTIVE JUROR NO. 249: No. We've been impartial  
20 to each other for 20 years.

21 MS. BONAVENTURE: Okay. Okay. All right. Well, good.  
22 And do you always agree with your neighbor?

23 PROSPECTIVE JUROR NO. 249: I don't.

24 MS. BONAVENTURE: Do you sometimes disagree over  
25 some of the things you talk about?

1 PROSPECTIVE JUROR NO. 249: Yes.

2 MS. BONAVENTURE: Even lawn care?

3 PROSPECTIVE JUROR NO. 249: Yes.

4 MS. BONAVENTURE: Okay. Okay. Great.

5 Mr. Silva, you said your father worked for the Las Vegas

6 Metro?

7 PROSPECTIVE JUROR NO. 250: Yes.

8 MS. BONAVENTURE: What did he do?

9 PROSPECTIVE JUROR NO. 250: He was a director of the

10 radio -- radio bureau I believe they opened up later on.

11 MS. BONAVENTURE: What -- what's the radio -- is that

12 dispatch?

13 PROSPECTIVE JUROR NO. 250: No. He built this -- he

14 ended being a part of this system that ended up connecting all the

15 radio systems together. I don't know. It was this --

16 MS. BONAVENTURE: Okay.

17 PROSPECTIVE JUROR NO. 250: It was like a desk -- it was a

18 desk job. He was in patrol first and then he got -- he transitioned out

19 of that.

20 MS. BONAVENTURE: Oh. So he originally joined

21 Las Vegas Metro as a police officer?

22 PROSPECTIVE JUROR NO. 250: As a cadet, yes.

23 MS. BONAVENTURE: Oh, okay. But then he kind of

24 transitioned to more of a --

25 PROSPECTIVE JUROR NO. 250: He did more like desk

1 work.

2 MS. BONAVENTURE: Okay.

3 PROSPECTIVE JUROR NO. 250: Internal Affairs, stuff like  
4 that.

5 MS. BONAVENTURE: Okay. And how long was he on  
6 patrol?

7 PROSPECTIVE JUROR NO. 250: I can't -- I can't remember.  
8 I can't say. I was young.

9 MS. BONAVENTURE: Okay. And -- but you said you talked  
10 to your father a lot of the times?

11 PROSPECTIVE JUROR NO. 250: Yeah, yes.

12 MS. BONAVENTURE: And I imagine in his job as  
13 Las Vegas Metro, he heard a lot of war stories on his own; right?

14 PROSPECTIVE JUROR NO. 250: Oh, yeah.

15 MS. BONAVENTURE: Okay. And he told you a lot about  
16 them?

17 PROSPECTIVE JUROR NO. 250: Yeah, I'm sure. Yeah.

18 MS. BONAVENTURE: Okay. But nothing that has ever  
19 impacted you so much that you don't think you would be able to be a  
20 fair and impartial juror?

21 PROSPECTIVE JUROR NO. 250: Oh, no, not at all.

22 MS. BONAVENTURE: Okay. All right. Let's see.

23 Ms. Busalacki.

24 PROSPECTIVE JUROR NO. 252: Yes.

25 MS. BONAVENTURE: You're friends with the Chief of

1 Police in Missouri?

2 PROSPECTIVE JUROR NO. 252: Right.

3 MS. BONAVENTURE: Okay. How long have you been  
4 friends with the Chief of Police in Missouri?

5 PROSPECTIVE JUROR NO. 252: Since 2000.

6 MS. BONAVENTURE: Since 2000. Okay. And so you say  
7 you kind of stay in contact a lot. I believe you said you speak --

8 PROSPECTIVE JUROR NO. 252: We do. We just moved  
9 here --

10 MS. BONAVENTURE: Okay.

11 PROSPECTIVE JUROR NO. 252: -- like six years ago. And  
12 he was the Chief of Police of our town.

13 MS. BONAVENTURE: Uh-huh.

14 PROSPECTIVE JUROR NO. 252: He was our next-door  
15 neighbor.

16 MS. BONAVENTURE: Uh-huh.

17 PROSPECTIVE JUROR NO. 252: And then he left that town  
18 and went to the city of St. Louis.

19 MS. BONAVENTURE: Uh-huh. Okay.

20 PROSPECTIVE JUROR NO. 252: And now he's a detective  
21 out there.

22 MS. BONAVENTURE: Okay. Oh, so he's still working for --

23 PROSPECTIVE JUROR NO. 252: Just a different county. I  
24 mean, we were out in a rural area.

25 MS. BONAVENTURE: Okay.



1 PROSPECTIVE JUROR NO. 252: And he's since left that  
2 and is down in the city now.

3 MS. BONAVENTURE: Okay. And did you ever have  
4 every -- any really negative conversations with him that would lead  
5 you to be --

6 PROSPECTIVE JUROR NO. 252: No.

7 MS. BONAVENTURE: -- be unable to be impartial?

8 PROSPECTIVE JUROR NO. 252: No.

9 MS. BONAVENTURE: Okay. All right. Let me see if I have  
10 any other questions for you. No more questions for you, ma'am.

11 Let's see. Mr. Sanchez. You said your brother has a  
12 pending case --

13 PROSPECTIVE JUROR NO. 260: Yeah.

14 MS. BONAVENTURE: -- open?

15 PROSPECTIVE JUROR NO. 260: Yeah.

16 MS. BONAVENTURE: Okay. And how do you feel he's  
17 been treated in the system?

18 PROSPECTIVE JUROR NO. 260: I mean, it's been pretty  
19 fair. I mean, it was kind of dumb for his friend or whatever to have  
20 that on them.

21 MS. BONAVENTURE: Uh-huh.

22 PROSPECTIVE JUROR NO. 260: So I mean, it's been fair.

23 MS. BONAVENTURE: Okay. So far, from what you've  
24 dealt with your brother and what you see here today, you kind of  
25 have a positive outlook?

1 PROSPECTIVE JUROR NO. 260: Yeah, yeah.

2 MS. BONAVENTURE: Okay. And nothing that's happening  
3 to your brother has negatively affected you as to what's going on?

4 PROSPECTIVE JUROR NO. 260: No, no.

5 MS. BONAVENTURE: Okay. Okay. So you believe you'd  
6 be fair and impartial?

7 PROSPECTIVE JUROR NO. 260: Yeah.

8 MS. BONAVENTURE: Okay. Fantastic.

9 Let's see. Thank you. So, Ms. Gayhart, you said you're a  
10 supervisor?

11 PROSPECTIVE JUROR NO. 261: Yes.

12 MS. BONAVENTURE: What kind of super -- what --

13 PROSPECTIVE JUROR NO. 261: Table games.

14 MS. BONAVENTURE: Oh, table games.

15 PROSPECTIVE JUROR NO. 261: Uh-huh.

16 MS. BONAVENTURE: Okay. I think it was really hard for us  
17 to understand what you -- you said big supervisor?

18 PROSPECTIVE JUROR NO. 261: Was I whispering? I said  
19 pit.

20 MS. BONAVENTURE: Oh, pit supervisor.

21 PROSPECTIVE JUROR NO. 261: Uh-huh.

22 MS. BONAVENTURE: Okay. That makes a lot more sense.  
23 Okay. I wanted to clarify that. You're originally from Germany.

24 PROSPECTIVE JUROR NO. 261: I'm originally from  
25 Romania, went to college in Germany, and then lived here for

1 15 years.

2 MS. BONAVENTURE: Okay. What did you -- what you  
3 were you educated in in Germany?

4 PROSPECTIVE JUROR NO. 261: In foreign language  
5 correspondent.

6 MS. BONAVENTURE: Okay. So you have no problems  
7 with the English language?

8 PROSPECTIVE JUROR NO. 261: Not at all.

9 MS. BONAVENTURE: Okay. I just wanted to double check  
10 that because it's nice to be [indiscernible].

11 PROSPECTIVE JUROR NO. 261: Of course.

12 MS. BONAVENTURE: Okay. Let's see. Mr. Paul, so you  
13 said you have lots of kid -- or I wrote that you have lots of kids.

14 PROSPECTIVE JUROR NO. 272: Yes, I have four of them.

15 MS. BONAVENTURE: How many? Four?

16 PROSPECTIVE JUROR NO. 272: Four.

17 MS. BONAVENTURE: Okay. That's a good amount.

18 PROSPECTIVE JUROR NO. 272: It's enough, yeah.

19 MS. BONAVENTURE: You said one of them works in the  
20 military?

21 PROSPECTIVE JUROR NO. 272: Yeah. He's at  
22 Fort Benning, Georgia. He's going to be strike force air assault. So  
23 he's going to be stationed in Fort Campbell, Kentucky.

24 MS. BONAVENTURE: Okay. So he's not in any law  
25 enforcement capacity?

1 PROSPECTIVE JUROR NO. 272: No.

2 MS. BONAVENTURE: Okay. Let's see. And you're a new  
3 grandparent, so congratulations, right?

4 PROSPECTIVE JUROR NO. 272: Yes. Thank you. Yeah.

5 MS. BONAVENTURE: I had that also. And you're -- oh,  
6 your spouse works for the libraries. And you're a supervisor for Cox  
7 Communications.

8 PROSPECTIVE JUROR NO. 272: Cox Communications, yes.

9 MS. BONAVENTURE: Okay. Okay. Is there anything that  
10 you think would make it unfair -- or make you unable to be an  
11 impartial juror?

12 PROSPECTIVE JUROR NO. 272: No, not at all.

13 MS. BONAVENTURE: No? Okay. Good. Okay. Perfect.  
14 Ms. Hazlett?

15 PROSPECTIVE JUROR NO. 273: Uh-huh.

16 MS. BONAVENTURE: Okay. So you said your uncle has  
17 been in the system quite a bit?

18 PROSPECTIVE JUROR NO. 273: Oh, yeah.

19 MS. BONAVENTURE: Okay. Do you hold any animosity  
20 toward your uncle --

21 PROSPECTIVE JUROR NO. 273: No.

22 MS. BONAVENTURE: -- because he's been in the system?

23 PROSPECTIVE JUROR NO. 273: No.

24 MS. BONAVENTURE: Okay.

25 PROSPECTIVE JUROR NO. 273: I don't really have

1 anything to do with him.

2 MS. BONAVENTURE: Okay. So you're not really in contact  
3 with him?

4 PROSPECTIVE JUROR NO. 273: No. Only when I have to.

5 MS. BONAVENTURE: Okay. And so his -- all your  
6 conversations with him or your interactions with him, you don't  
7 really -- do you have an overall negative view of maybe somebody  
8 who is being accused of a crime?

9 PROSPECTIVE JUROR NO. 273: No.

10 MS. BONAVENTURE: No? Okay. So you would be able to  
11 be fair and impartial?

12 PROSPECTIVE JUROR NO. 273: Yes.

13 MS. BONAVENTURE: Okay. So in your view, as  
14 Mr. Ronald Allen sits there, is he innocent or guilty?

15 PROSPECTIVE JUROR NO. 273: We don't know yet.

16 MS. BONAVENTURE: Well, he's actually --

17 PROSPECTIVE JUROR NO. 273: He's innocent, yes.

18 MS. BONAVENTURE: Exactly. He's actually innocent as he  
19 sits there; right?

20 PROSPECTIVE JUROR NO. 273: Right. Innocent until  
21 proven guilty, yes.

22 MS. BONAVENTURE: So -- exactly. And it's proven guilty  
23 beyond a reasonable doubt; right?

24 PROSPECTIVE JUROR NO. 273: Uh-huh.

25 MS. BONAVENTURE: So the State's burden, because he

1 sits there innocent, their burden is to prove that he is 100 percent  
2 guilty, beyond a reasonable doubt guilty.

3 PROSPECTIVE JUROR NO. 273: Uh-huh.

4 MS. BONAVENTURE: We've all seen it on TV. Beyond a  
5 reasonable doubt he was guilty of the crime he's been accused of;  
6 correct?

7 PROSPECTIVE JUROR NO. 273: Uh-huh.

8 MS. BONAVENTURE: So that's exactly what they have to  
9 prove. Okay. And you don't -- because you have a family member  
10 with a criminal history, you don't just prejudge him; right?

11 PROSPECTIVE JUROR NO. 273: No.

12 MS. BONAVENTURE: Just because you're accused of  
13 something doesn't mean that you've done what you've done unless  
14 they can provide proof; correct?

15 PROSPECTIVE JUROR NO. 273: Right.

16 MS. BONAVENTURE: Okay. All right. And your best  
17 friend's husband is an LVMPD officer?

18 PROSPECTIVE JUROR NO. 273: My mom's friend's  
19 husband.

20 MS. BONAVENTURE: Your mom's friend's husband.  
21 Okay.

22 PROSPECTIVE JUROR NO. 273: But I've babysat for them  
23 for four years, so --

24 MS. BONAVENTURE: Okay. How long ago was that?

25 PROSPECTIVE JUROR NO. 273: Four years ago.

1 MS. BONAVENTURE: Oh, okay. So you don't really have  
2 any interaction with them?

3 PROSPECTIVE JUROR NO. 273: Not as much, no.

4 MS. BONAVENTURE: Okay. And there's nothing -- no  
5 conversation, nothing negative in that --

6 PROSPECTIVE JUROR NO. 273: No.

7 MS. BONAVENTURE: -- those communications that would  
8 make you not impartial?

9 PROSPECTIVE JUROR NO. 273: No.

10 MS. BONAVENTURE: All right. Thank you.

11 THE COURT: Counsel, could you approach the bench?

12 MS. BONAVENTURE: Yes.

13 [Bench conference was had and transcribed as follows:]

14 THE COURT: Randy, can you stand over by the jury? I'm  
15 going to -- it's 4:30.

16 MS. BONAVENTURE: Uh-huh.

17 THE COURT: It's obvious to me we're not going to get a  
18 jury today. So I'm going to let you continue your voir dire.

19 [Indiscernible] the challenges for cause. So we can --

20 MR. LEXIS: Judge, I would ask that we go right up until  
21 5:00, so --

22 THE COURT: No. We're going to go right up till 5:00. But  
23 it's obvious to me --

24 The other thing I wanted to point out to you, the people in  
25 the front row, you're so close to them, they don't know where to

1 look --

2 MS. BONAVENTURE: Oh.

3 THE COURT: -- because you're right in front of them.

4 MS. BONAVENTURE: Okay. Well, I'm sorry.

5 THE COURT: I mean, they're [indiscernible]. So you might  
6 want to just give them, like, about two feet, three feet.

7 MR. HAUSER: And I think we might -- [indiscernible] zero  
8 mar has only been up there ten minutes [indiscernible].

9 MS. BONAVENTURE: Yeah. I'm, like, halfway through.

10 MR. HAUSER: We're speeding through it, but --

11 THE COURT: No. I think you're right. We'll probably get  
12 the challenges for cause, but then I've got to reseal people, go over  
13 the questions. So we're not going to get a jury today, I'm pretty sure.  
14 But we'll [indiscernible] at least until 5 o'clock.

15 But I also wanted to point out to you, I'm looking at their  
16 faces, and the people -- you're only about a foot away from them,  
17 so --

18 MS. BONAVENTURE: Oh, okay.

19 THE COURT: -- they don't know where to look.

20 MS. BONAVENTURE: Okay.

21 THE COURT: And you know, they're --

22 MS. BONAVENTURE: Down.

23 THE COURT: -- look at your belly, yeah, yeah.

24 MS. BONAVENTURE: Yeah.

25 THE COURT: You know, I'm just saying you might want to



1 give the people in the front row --

2 MS. BONAVENTURE: Okay. Absolutely.

3 THE COURT: -- [indiscernible] of maybe like four feet, four  
4 feet.

5 MS. BONAVENTURE: Uh-huh, sure. Yeah. Absolutely.  
6 Thank you.

7 THE COURT: Okay.

8 MS. BONAVENTURE: I didn't even notice.

9 THE COURT: That's okay.

10 MS. BONAVENTURE: Obviously.

11 [Bench conference was concluded.]

12 MS. BONAVENTURE: I apologize if I've gotten too close to  
13 you guys. The judge pointed out that you guys didn't know where to  
14 look. So I do apologize if I've been getting too close.

15 So Jack Yeh -- hi, Mr. Yeh, how are you?

16 PROSPECTIVE JUROR NO. 279: Fine. Thank you.

17 MS. BONAVENTURE: So I noticed you said that you are  
18 from Taiwan, originally.

19 PROSPECTIVE JUROR NO. 279: Yes.

20 MS. BONAVENTURE: Okay. And is English your second  
21 language?

22 PROSPECTIVE JUROR NO. 279: Second.

23 MS. BONAVENTURE: Second language. But you feel very  
24 comfortable in your ability to understand and speak the English  
25 language?

1 PROSPECTIVE JUROR NO. 279: Yeah. If I don't  
2 understand, I can listen -- if I don't understand, still listen, you know.  
3 I -- I --

4 MS. BONAVENTURE: I'm sorry.

5 PROSPECTIVE JUROR NO. 279: I don't understand how  
6 things, but I try to listen, you know.

7 MS. BONAVENTURE: Uh-huh okay. And so because when  
8 you get back into the jury room, you're -- if you're -- well, if you're left  
9 here to be part of our jury, you know, there's going to be a lot of  
10 contention. There's going to be a lot of people arguing about what  
11 they believe to be true and what they don't believe to be true, who  
12 they believe and who they don't believe. Do you think that your -- the  
13 fact that English is your second language and maybe you don't feel  
14 as comfortable as everybody else as expressing your opinion, that  
15 you would still be able to hold fast to your beliefs and listen to  
16 everybody else and be able to communicate to them what you  
17 believe and what you don't believe to be true and to participate?

18 PROSPECTIVE JUROR NO. 279: Before I understand whole  
19 thing, I won't say anything yes or no or, you know, because I just, you  
20 know, can't say anything before I understand whole thing.

21 MS. BONAVENTURE: Okay. And so you have understood  
22 that's been going on today?

23 PROSPECTIVE JUROR NO. 279: Just about half.

24 MS. BONAVENTURE: About half? Okay. Do you think that  
25 if we were to proceed with trial, that you would be able to understand

1 everything that's going on?

2 PROSPECTIVE JUROR NO. 279: Probably not.

3 MS. BONAVENTURE: Probably not?

4 PROSPECTIVE JUROR NO. 279: Yeah.

5 MS. BONAVENTURE: Okay. Okay. Okay. And -- okay. So  
6 I see that you do work for Mandalay Bay as a cook. I am sorry for  
7 what happened at Mandalay Bay. But you don't interact with people  
8 on a daily basis, as far as like customers or practice your language  
9 skills every day?

10 PROSPECTIVE JUROR NO. 279: That kind of conversations,  
11 because we talk -- I mean, all the time, so we can understand -- I  
12 mean, I can understand, you know, more than like this kind of  
13 conversation. This kind of, you know, things I don't really can go in  
14 because I don't, you know -- I don't really touch that much kind of  
15 thing.

16 MS. BONAVENTURE: Okay. Okay. All right. Thank you,  
17 Mr. Yeh.

18 Ms. Huber, is that how you pronounce your name?

19 PROSPECTIVE JUROR NO. 281: Yes.

20 MS. BONAVENTURE: Hi. So on -- when the judge was  
21 asking questions, I definitely made a note of the fact that you said  
22 that you do not believe that you would be able to be fair and  
23 impartial.

24 PROSPECTIVE JUROR NO. 281: I don't believe I said that.

25 MS. BONAVENTURE: Okay.

1 PROSPECTIVE JUROR NO. 281: I believe I -- what the  
2 question was is my feelings about the officers, police, and would I  
3 consider their -- them as more truthful or -- and I said yes, I would.

4 MS. BONAVENTURE: Okay.

5 PROSPECTIVE JUROR NO. 281: But then the question was,  
6 could I be impartial based on evidence? And the answer is yes.

7 MS. BONAVENTURE: Okay. So you wouldn't just take  
8 somebody's word for whatever is coming out of the mouth, whether  
9 they had a uniform on or not?

10 PROSPECTIVE JUROR NO. 281: Correct. I would not.

11 MS. BONAVENTURE: Okay. So you would like something  
12 to substantiate what they're saying.

13 PROSPECTIVE JUROR NO. 281: Yes.

14 MS. BONAVENTURE: Whether it be medical documents,  
15 another witness, something to that effect?

16 PROSPECTIVE JUROR NO. 281: Yes.

17 MS. BONAVENTURE: Okay. So but you -- then you do  
18 believe that you could be a fair and impartial juror?

19 PROSPECTIVE JUROR NO. 281: Correct.

20 MS. BONAVENTURE: Okay.

21 PROSPECTIVE JUROR NO. 281: I could.

22 MS. BONAVENTURE: Okay. So if Mr. Allen took the stand,  
23 you wouldn't just not believe him, correct, based on the fact that he  
24 was not in uniform?

25 PROSPECTIVE JUROR NO. 281: Correct. I would listen to

1 the evidence presented.

2 MS. BONAVENTURE: Okay.

3 PROSPECTIVE JUROR NO. 281: And make the decision  
4 based on that.

5 MS. BONAVENTURE: Okay. So if an officer took the stand  
6 and said one thing that contradicted what Mr. Allen said, obviously  
7 you would have to take all the information into account, but just  
8 because the officer was wearing a uniform, you wouldn't just take his  
9 version of events, would you?

10 PROSPECTIVE JUROR NO. 281: No.

11 MS. BONAVENTURE: Okay.

12 PROSPECTIVE JUROR NO. 281: Of course not.

13 MS. BONAVENTURE: Okay. So you would look at  
14 everything holistically and look at the big picture?

15 PROSPECTIVE JUROR NO. 281: Correct.

16 MS. BONAVENTURE: Okay. Okay. Thank you.

17 Ms. Westbay? Okay. I don't know how common the last  
18 name Westbay is, but are you related to a Stephanie Westbay?

19 PROSPECTIVE JUROR NO. 289: Yes.

20 MS. BONAVENTURE: Is she currently a clerk in --

21 PROSPECTIVE JUROR NO. 289: Well, she's my  
22 ex-husband's ex-wife.

23 MS. BONAVENTURE: Okay. So your ex -- oh, your  
24 ex-husband's ex-wife? Okay. And have you ever had any  
25 communications with her?

1 PROSPECTIVE JUROR NO. 289: Yes.

2 MS. BONAVENTURE: Okay. Are you guys on good terms  
3 or bad terms?

4 PROSPECTIVE JUROR NO. 289: They're not good.

5 MS. BONAVENTURE: They're not good? So you don't  
6 communicate with her? Okay.

7 PROSPECTIVE JUROR NO. 289: I try not to.

8 MS. BONAVENTURE: Okay. And do you know what she --  
9 she does as an occupation?

10 PROSPECTIVE JUROR NO. 289: Yes.

11 MS. BONAVENTURE: Okay. Does that -- or has that ever  
12 affected your view of the criminal justice system?

13 PROSPECTIVE JUROR NO. 289: No, not based on her, no.

14 MS. BONAVENTURE: Okay. Okay. So you wouldn't -- that  
15 wouldn't color anything that you would see here in making your  
16 decision?

17 PROSPECTIVE JUROR NO. 289: No.

18 MS. BONAVENTURE: Okay. So now, I see here that you've  
19 received a doctorate degree; is that correct?

20 PROSPECTIVE JUROR NO. 289: Huh-uh.

21 MS. BONAVENTURE: Okay. Then that must be wrong,  
22 because it says that right here for level of education.

23 You -- what was your level of education?

24 PROSPECTIVE JUROR NO. 289: GED.

25 MS. BONAVENTURE: A GED? Okay. And I know you said

1 that your boyfriend -- is this a current boyfriend was a cop or an  
2 ex-boyfriend?

3 PROSPECTIVE JUROR NO. 289: He passed away this  
4 month.

5 MS. BONAVENTURE: Oh, he -- I'm so sorry for your loss.  
6 He passed away this very month?

7 PROSPECTIVE JUROR NO. 289: Yes.

8 MS. BONAVENTURE: Okay.

9 PROSPECTIVE JUROR NO. 289: The 25th.

10 MS. BONAVENTURE: Okay. All right. Thank you,  
11 Ms. Westbay.

12 And I actually don't have any questions for you,  
13 Mr. Caldonetti.

14 Ms. Escalona, how are you?

15 PROSPECTIVE JUROR NO. 300: I'm good.

16 MS. BONAVENTURE: Good. I'll try to be brief with you,  
17 but I do want to address any language barriers that we may have.  
18 Are you originally from the United States?

19 PROSPECTIVE JUROR NO. 300: Yes.

20 MS. BONAVENTURE: Okay. Is English your first language?

21 PROSPECTIVE JUROR NO. 300: Yes.

22 MS. BONAVENTURE: Oh, okay.

23 PROSPECTIVE JUROR NO. 300: No, second.

24 MS. BONAVENTURE: It's your second language?

25 PROSPECTIVE JUROR NO. 300: Yes.

1 MS. BONAVENTURE: Okay. What's your first language?  
2 PROSPECTIVE JUROR NO. 300: Tagalog.  
3 MS. BONAVENTURE: Tagalog? Okay. And have you been  
4 able to understand everything that's been going on today?  
5 PROSPECTIVE JUROR NO. 300: Little bit.  
6 MS. BONAVENTURE: Oh, only a little bit? How have --  
7 like, if you could give me a percentage, is there a certain percentage?  
8 PROSPECTIVE JUROR NO. 300: Yes.  
9 MS. BONAVENTURE: So how much do you think you've  
10 been understanding? 50 percent? 60 percent?  
11 PROSPECTIVE JUROR NO. 300: 80 percent.  
12 MS. BONAVENTURE: 80 percent?  
13 PROSPECTIVE JUROR NO. 300: Yes.  
14 MS. BONAVENTURE: Okay. That's not so bad. Because  
15 I -- and I asked you because I know you -- you were really quiet.  
16 You're like the only person quieter than the judge, I think. So I --  
17 that's why your English skills are probably a lot better than I thought,  
18 because I don't think I could hear you.  
19 Okay. Great. So do you think that you would be able to  
20 understand at least the majority of what's going on [indiscernible]?  
21 PROSPECTIVE JUROR NO. 300: Yes.  
22 MS. BONAVENTURE: Okay. And do you think you'd be  
23 able to stand your ground if there was something you believed was  
24 true or not true when you go back to argue, because essentially you  
25 guys will all be discussing and debating the facts of this case to come



1 to a verdict, be it guilty or not guilty. If you had a certain -- a  
2 conviction, do you think that you would be able to stand by that  
3 conviction and not feel overwhelmed by people just because you may  
4 not understand 100 percent of what's going on around you?

5 PROSPECTIVE JUROR NO. 300: No, I don't.

6 MS. BONAVENTURE: You don't think you'd be able to  
7 stand your ground? You can be absolutely honest. That's why I'm  
8 asking the question. You don't think you could stand your ground?  
9 You think you might be a little bit intimidated by the people around  
10 you?

11 PROSPECTIVE JUROR NO. 300: Yes.

12 MS. BONAVENTURE: Yeah. I mean, you're shrugging like  
13 this, so I -- I believe when you say yes. Okay. All right. Thank you,  
14 Ms. Escalona.

15 Mr. Russell.

16 PROSPECTIVE JUROR NO. 309: Good afternoon.

17 MS. BONAVENTURE: So you know I'm going to pick on  
18 you.

19 PROSPECTIVE JUROR NO. 309: Sure. Go ahead.

20 MS. BONAVENTURE: Okay. So I know you said that you  
21 trust cops, that they're sworn an oath, that they're supposed to be  
22 honest. And, of course, they're supposed to be, a majority of them  
23 are, but cops aren't infallible; correct?

24 PROSPECTIVE JUROR NO. 309: Probably true.

25 MS. BONAVENTURE: Yeah.

1 PROSPECTIVE JUROR NO. 309: Yeah.

2 MS. BONAVENTURE: And that's -- that may not even be an  
3 issue in this case.

4 PROSPECTIVE JUROR NO. 309: But they're -- they're  
5 human.

6 MS. BONAVENTURE: Right. So they're human and they  
7 can -- they might perceive something differently than somebody else  
8 from the fact that they're human; correct?

9 PROSPECTIVE JUROR NO. 309: They're human.

10 MS. BONAVENTURE: So it's always possible for -- even a  
11 police officer to make a mistake?

12 PROSPECTIVE JUROR NO. 309: Yes.

13 MS. BONAVENTURE: Okay. And like I said, that may not  
14 even be at issue here in this case, but I just wanted to -- to hear you  
15 say it.

16 PROSPECTIVE JUROR NO. 309: [Indiscernible.]

17 MS. BONAVENTURE: Okay. Let's see. Mr. Varney, I do  
18 not have any questions for you.

19 You are Ms. Quidachay?

20 PROSPECTIVE JUROR NO. 340: Quidachay.

21 MS. BONAVENTURE: Quidachay.

22 PROSPECTIVE JUROR NO. 340: Yes.

23 MS. BONAVENTURE: Okay. Ms. Quidachay. So you have  
24 five police officers in your family?

25 PROSPECTIVE JUROR NO. 340: Locally, yes.

1 MS. BONAVENTURE: Okay.

2 PROSPECTIVE JUROR NO. 340: Here in Vegas. It's kind of  
3 a family thing.

4 MS. BONAVENTURE: Okay.

5 PROSPECTIVE JUROR NO. 340: Police officer, yes.

6 MS. BONAVENTURE: Okay. You know what, I'm pretty  
7 sure I don't have anything for you either.

8 PROSPECTIVE JUROR NO. 340: Okay.

9 MS. BONAVENTURE: Okay. Thank you.

10 PROSPECTIVE JUROR NO. 340: Uh-huh.

11 MS. BONAVENTURE: And you're all -- your husband is a  
12 police officer for the Clark County School District?

13 PROSPECTIVE JUROR NO. 340: Yes.

14 MS. BONAVENTURE: Okay. So he deals primarily with  
15 what age students?

16 PROSPECTIVE JUROR NO. 340: He's at the high school.

17 MS. BONAVENTURE: Oh, he deal -- okay. So he deals with  
18 high school students. Does he come into contact with any criminal  
19 behavior when it comes -- well, obviously, he's a police officer -- with  
20 the high school students. But is there anything -- well, he's gone into  
21 a loath of this, so I'm not going to beat this horse. So if you want to  
22 just pass this -- the --

23 PROSPECTIVE JUROR NO. 340: Thank you.

24 MS. BONAVENTURE: I'm not going to --

25 PROSPECTIVE JUROR NO. 340: Thank you.

1 MS. BONAVENTURE: Yeah. You're welcome.  
2 So Mr. Hileman --  
3 PROSPECTIVE JUROR NO. 344: Stone is the last name.  
4 MS. BONAVENTURE: Oh, Stone.  
5 PROSPECTIVE JUROR NO. 344: Yeah. Hileman is my first  
6 name.  
7 MS. BONAVENTURE: Okay. What's your first name?  
8 PROSPECTIVE JUROR NO. 344: Hileman is my first name.  
9 MS. BONAVENTURE: Hileman.  
10 PROSPECTIVE JUROR NO. 344: Yeah.  
11 MS. BONAVENTURE: Okay. I did pronounce it right.  
12 Okay. Mr. Stone, you said that you actually were convicted of these  
13 misdemeanor alcohol related offenses?  
14 PROSPECTIVE JUROR NO. 344: That's right.  
15 MS. BONAVENTURE: And I don't point this out again to --  
16 to embarrass you, but you did say that you testified at your own trial;  
17 correct?  
18 PROSPECTIVE JUROR NO. 344: Well, I don't know. I guess  
19 I pleaded guilty so -- to all three offenses.  
20 MS. BONAVENTURE: Oh, okay. So they didn't have a trial  
21 like this? Or -- or in the misdemeanor sense, they didn't have a trial?  
22 PROSPECTIVE JUROR NO. 344: Yeah. You went to court  
23 and you pled and -- like whatever you are, I just pled guilty, so --  
24 MS. BONAVENTURE: Okay. So then you didn't testify.  
25 You just take -- or you were charged with something and you took a

1 plea?

2 PROSPECTIVE JUROR NO. 344: I guess.

3 MS. BONAVENTURE: Okay.

4 PROSPECTIVE JUROR NO. 344: [Indiscernible.]

5 MS. BONAVENTURE: So you didn't testify. Having been in  
6 that situation, though, you do know that you have a right not to  
7 testify against yourself; right?

8 PROSPECTIVE JUROR NO. 344: Yes.

9 MS. BONAVENTURE: Not to give any evidence that would  
10 be contrary to any of your best interests, that's the fifth amendment  
11 to the constitution; correct?

12 PROSPECTIVE JUROR NO. 344: Yes, it is.

13 MS. BONAVENTURE: Okay. So you realize that as  
14 Mr. Allen sits there, he has no -- absolutely no obligation to get on  
15 that stand and say a word?

16 PROSPECTIVE JUROR NO. 344: Yes, I understand that.

17 MS. BONAVENTURE: And can you think of any reasons  
18 why he wouldn't do that?

19 PROSPECTIVE JUROR NO. 344: Well, he doesn't have to.

20 MS. BONAVENTURE: Exactly. And maybe I told him don't  
21 do it. You know what I mean? Maybe I don't think the State's proved  
22 their case, and I've said, Don't get up there; right? Because there's  
23 nothing good can come of it; right?

24 PROSPECTIVE JUROR NO. 344: Okay.

25 MS. BONAVENTURE: So there's a lot of reasons why

1 maybe he wouldn't take the stand. Maybe he's really nervous, you  
2 know? I know a lot of you sitting here get a little bit nervous, even  
3 just being asked questions. So imagine if you were being charged  
4 with something and asked extremely sensitive things and anything  
5 that came out of your mouth could be taken apart and analyzed and  
6 potentially -- and not potentially, but absolutely used against you.  
7 You might elect not to put yourself in that situation.

8 And I don't have questions for you, but I like your costume.

9 Ms. Baynes, you said that you work for a local federal  
10 agency, what's that?

11 PROSPECTIVE JUROR NO. 357: National Labor Relations  
12 Board.

13 MS. BONAVENTURE: National Labor Relations Board.

14 Okay. And in what capacity do you work for them?

15 PROSPECTIVE JUROR NO. 357: I'm in charge of the office.

16 MS. BONAVENTURE: Of the office?

17 PROSPECTIVE JUROR NO. 357: Yes.

18 MS. BONAVENTURE: Okay.

19 PROSPECTIVE JUROR NO. 357: We investigate and  
20 prosecute companies and unions.

21 MS. BONAVENTURE: Oh, you investigate and prosecute --

22 PROSPECTIVE JUROR NO. 357: So -- and prosecute  
23 companies and unions who violate labor law.

24 MS. BONAVENTURE: Oh, okay. Gotcha there. And you  
25 said your spouse is a fine inspector?

1 PROSPECTIVE JUROR NO. 357: Fire inspector.  
2 MS. BONAVENTURE: A fire inspector?  
3 PROSPECTIVE JUROR NO. 357: Yeah.  
4 MS. BONAVENTURE: Oh, great. Okay.  
5 PROSPECTIVE JUROR NO. 357: I probably need the mic to  
6 speak up.  
7 MS. BONAVENTURE: And you have participated in a civil  
8 juror -- as a civil juror?  
9 PROSPECTIVE JUROR NO. 357: Yes.  
10 MS. BONAVENTURE: Okay. And you've -- and do you --  
11 you realize that the burden of proof is different at different -- in civil  
12 versus criminal cases; correct?  
13 PROSPECTIVE JUROR NO. 357: Yes.  
14 MS. BONAVENTURE: Do you remember what the burden  
15 of proof is?  
16 PROSPECTIVE JUROR NO. 357: No. But if you tell me, I  
17 can pretty much apply.  
18 MS. BONAVENTURE: Well, here it's beyond a reasonable  
19 doubt. I think over there it's --  
20 MALE SPEAKER: Preponderance of the evidence.  
21 MS. BONAVENTURE: There you go, preponderance of the  
22 evidence. Okay. So there is a very big difference between a civil and  
23 a criminal trial. Here it's beyond a reasonable doubt. The State has  
24 to put forth their case to a point where you can sit there and say that  
25 he's guilty beyond a reasonable doubt, without any doubt in your

1 mind that he could potentially be innocent. Okay?

2 Ms. Cervantes?

3 PROSPECTIVE JUROR NO. 359: Gates.

4 MS. BONAVENTURE: Ms. Gates, Robyn Gates. Okay. I  
5 don't think I have any questions for you either. And I believe I  
6 touched on the major things that I wanted to touch upon when I was  
7 talking to individual jurors.

8 Is there anybody that feels that there's something stirring  
9 deep inside that they really want to say that I didn't ask about and  
10 that Mr. Lexis didn't ask about?

11 I see no hands.

12 Yes, sir.

13 PROSPECTIVE JUROR NO. 242: Can we define protected  
14 person now or is that going to come out later?

15 MS. BONAVENTURE: The -- well, for the record, can you  
16 state your name and your badge number?

17 PROSPECTIVE JUROR NO. 242: Stephen Fox, 242.

18 MS. BONAVENTURE: Okay. And that will absolutely be  
19 addressed during the trial.

20 PROSPECTIVE JUROR NO. 242: Okay.

21 MS. BONAVENTURE: So everything that pertains to the  
22 law will -- should be addressed, and if not, you do have the ability to  
23 ask questions and the judge will go through that with you at the  
24 beginning of the trial and even right before deliberations.

25 So thank you, guys, so much for all your honesty.



1 THE COURT: Counsel approach.

2 [Bench conference was had and transcribed as follows:]

3 THE COURT: Do you have any -- stay there. Do you have  
4 any challenges for cause?

5 MS. BONAVENTURE: Yes.

6 MR. LEXIS: Yes.

7 MR. HAUSER: Judge, why don't you [indiscernible] just go  
8 through all our challenges for cause and get those hammered out, so  
9 we're ready to go tomorrow.

10 THE COURT: Okay.

11 MR. HAUSER: And [indiscernible].

12 THE COURT: That's fine. Let's -- I want to make a  
13 complete record, so --

14 MR. HAUSER: Yeah.

15 THE COURT: I agree.

16 [Bench conference was concluded.]

17 THE COURT: Ladies and gentlemen, we're going to take  
18 our evening recess. You all are going to be required to come back  
19 tomorrow afternoon. We're going to reconvene at 1 o'clock in this  
20 courtroom.

21 So where do they need to come back? They're all going to  
22 have to come back tomorrow. Where do you want them to -- out in  
23 the hallway or where do you want them?

24 And I don't know who or will be on the jury. I do want you  
25 to know there was one person I believe had concerns. She prepared

1 payroll. The schedule is going to be -- we're going to -- on  
2 Wednesday we're going to start at 1 o'clock. So you would have your  
3 mornings to do whatever you need to do. And then Thursday we're  
4 probably going to start either late morning or more probably  
5 1 o'clock. And then if it does go over the Friday, we would start  
6 Friday morning, probably around 9 o'clock. But for the Wednesdays  
7 and Thursdays, we're probably not going to start until 1 o'clock in the  
8 afternoon each day. So I just wanted to try to give you a schedule,  
9 because I know you have other commitments and things of that  
10 nature. You would be able to fulfill those other commitments and  
11 then be here in the afternoon.

12 So I just wanted -- yes, ma'am.

13 A JUROR: When will we know if we're on the --

14 THE COURT: Tomorrow.

15 A JUROR: Oh, okay. Thank you.

16 THE COURT: We need to do some housekeeping matters  
17 and then probably have some more voir dire regarding the jury  
18 tomorrow. And then probably have a jury sometime early afternoon.

19 MR. LEXIS: Your Honor, can we approach briefly?

20 THE COURT: Sure.

21 [Bench conference was had and transcribed as follows:]

22 MR. LEXIS: Can you please tell them 12:45 or 12:40,  
23 because there are going to be some stragglers anyway.

24 THE COURT: Absolutely.

25 MR. LEXIS: And let's be ready to go.

1 THE COURT: Thank you.

2 MR. LEXIS: All right. Thank you.

3 MR. HAUSER: Judge, I don't know if -- I don't know if you  
4 wanted to keep them for, like, 20 minutes while we hash out for-cause  
5 challenges.

6 THE COURT: No, I'm going to let them go. It's 10 till 5:00.

7 MR. HAUSER: Okay.

8 THE COURT: Okay.

9 [Bench conference was concluded.]

10 THE COURT: You know what, a good point was raised, if I  
11 tell you to be here at 1 o'clock, we may have a couple of stragglers.  
12 So be here at 12:40. Okay? So if you could be here at 12:40, I'd like  
13 to start at 1 o'clock. So it's going to take a while to, you know, get  
14 everybody together and get back into the courtroom. So if you could  
15 be here at 12:40 tomorrow, I'd appreciate it.

16 Okay. So I need to do this little admonishment that you're  
17 going to hear if you're picked as a juror.

18 During the overnight recess, you are admonished not to  
19 talk or converse among yourselves or with anyone else on any  
20 subject connected with this trial, or read or watch to any report or --  
21 of or commentary on the trial, or any person connected with this trial  
22 by any medium of information, including, without limitation,  
23 newspaper, television, radio, or Internet or form -- express any  
24 opinion on any subject connected with the trial until the case is  
25 submitted to you.

1                   And please do not do any posting or communication on  
2 any social networking sites or do any independent research, including  
3 Internet searches or form or express any opinion of any subject  
4 matter with the trial.

5                   Anything else that needs to be brought to my attention  
6 before I excuse the jury?

7                   MR. LEXIS: No, Your Honor.

8                   MR. HAUSER: No, Your Honor.

9                   THE COURT: See you all tomorrow.

10                  [Outside the presence of the prospective jury panel.]

11                  THE COURT: All right. Here's the situation, Counsel. It's 5  
12 till 5:00. I'm going to break now. We'll do our challenges -- what time  
13 can you get here? I was thinking, maybe, can we -- 12:30 tomorrow?

14                  MR. LEXIS: I have [indiscernible] if you could just --

15                  THE COURT: Okay. Tell me who you're challenge -- well,  
16 I'm going to -- I need to break at 5 o'clock, so --

17                  MR. LEXIS: I think we're in agreement. But the lady,  
18 50 percent speaks English, but that's not going to be sufficient.

19                  THE COURT: I need badge numbers and name.

20                  MR. LEXIS: 279 is the 50 percent.

21                  THE COURT: Okay. And what's her name? Can you give  
22 me her name?

23                  THE CLERK: I'm going to have to go through --

24                  MS. BONAVENTURE: Your Honor, Jack Yeh, Badge No.  
25 279.

1 THE COURT: What's the name?  
2 THE CLERK: Jack Yeh.  
3 THE COURT: Do both parties agree that he can be excused  
4 for cause?  
5 MR. HAUSER: Yes, Your Honor.  
6 THE COURT: Okay. So Badge No. 279, Jack Yeh.  
7 Who is the next one?  
8 MR. LEXIS: 341, I think both sides agree, and she said she  
9 can't be fair and impartial.  
10 THE COURT: And what that -- what's that person's name.  
11 MS. BONAVENTURE: Roshani Rahe.  
12 THE COURT: Huh?  
13 MS. BONAVENTURE: Roshani Rahe.  
14 MR. HAUSER: No objection, Your Honor.  
15 THE COURT: Okay. Well, I just want to -- so counsel for  
16 the State, you agree that that person can be excused for cause?  
17 MR. LEXIS: Yes, Your Honor.  
18 THE COURT: And defense, do you agree that Badge No.  
19 341 can be excused for cause?  
20 Counsel?  
21 MR. HAUSER: Oh, sorry. We have no objection to that  
22 strike, Your Honor. Apologies.  
23 THE COURT: On Badge 341?  
24 MR. HAUSER: That's correct, Your Honor.  
25 THE COURT: Okay. Next one.

1 MR. LEXIS: 2 -- I mean, excuse me -- 250, which is  
2 Christopher Silva-Barnbeck. I mean, he was clear as day, saying he --  
3 even though the law allows for one witness to take the stand and  
4 believe that witness beyond a reasonable doubt a person could be  
5 found guilty, he flat out said he doesn't believe in that, even though  
6 the law allows that.

7 THE COURT: Okay. So you're -- you're challenging him for  
8 cause?

9 MR. LEXIS: Yes.

10 THE COURT: And defense, do you agree to the challenge  
11 for cause?

12 MR. HAUSER: No, Your Honor. We don't agree.

13 THE COURT: Okay. What's the next one?

14 MR. LEXIS: I'll let the defense go.

15 THE COURT: Does the State have any more challenges for  
16 cause?

17 MR. LEXIS: No, Your Honor.

18 THE COURT: Okay. So the only one that the defense  
19 doesn't agree with is Badge No. 250; is that correct?

20 MR. HAUSER: Yes, Your Honor. The Court's very brief  
21 indulgence.

22 MR. LEXIS: [Indiscernible], yeah. The other lady that  
23 couldn't speak English, I guess, yes.

24 MR. HAUSER: Oh, yeah. That's what we were just talking  
25 about as well.

1 MS. BONAVENTURE: And that's what you were about to  
2 point out, yeah.

3 THE COURT: Okay. Does the defense have any challenges  
4 for cause?

5 MS. BONAVENTURE: Well, she -- I think they're making  
6 that challenge as well. So I think [indiscernible] --

7 MR. HAUSER: Yeah, they're [indiscernible] that challenge.

8 MS. BONAVENTURE: -- to Badge No. 304, Maria Escalona.

9 THE COURT: Okay. What's her name? Maria?

10 MS. BONAVENTURE: Escalona, E-S-C-A-L-O-N-A.

11 THE COURT: Okay. And you're challenging Badge No. 304  
12 for cause?

13 MR. HAUSER: Yes, Your Honor.

14 THE COURT: State, do you have any objection to dismiss --  
15 excusing her for cause?

16 MR. LEXIS: No, Your Honor.

17 THE COURT: Defense, do you have any other challenges  
18 for cause?

19 MR. HAUSER: No, Your Honor.

20 THE COURT: Okay. So the only one -- so right now we're  
21 dismissing Badge No. 279, Jack Yeh; Badge No. 341, Roshani --  
22 what's the last name?

23 THE CLERK: Rahe, R-A-H-E.

24 THE COURT: R-A-H-E. And Badge No. 304, Maria Escobar?

25 MR. LEXIS: Correct.

1 THE CLERK: Escalona.

2 MS. BONAVENTURE: Yes.

3 MR. HAUSER: Yes, Your Honor.

4 THE COURT: Escalona. Okay. As to the State's challenge  
5 of No. 250, Christopher Silva, what's the basis of your opposition to  
6 the challenge for cause, Counsel?

7 MR. HAUSER: Your Honor, I don't think it was as clear as  
8 the State's saying. I think there were a lot of questions thrown at  
9 him, and I don't think he was well educated on the law coming in that  
10 just because a witness takes the stand you believe them beyond a  
11 reasonable doubt that you can convict. I think that is kind of  
12 counterintuitive to the way we teach criminal law as a society. You're  
13 expected to have evidence. You're expected to have additional  
14 witnesses. It's not absurd for someone to come in here and make  
15 those claims.

16 He at no point indicated that he could not follow  
17 Your Honor's instructions. He at no point indicated that he could not  
18 follow the law. He was expressing his beliefs, mistaken as they may  
19 be, that that was the law in those particular cases. It doesn't mean he  
20 can't be fair. It doesn't mean he can't be impartial. It's not enough  
21 for cause in this case.

22 THE COURT: Okay. State, any response?

23 MR. LEXIS: I flat out asked him if that was the law, that the  
24 State would just put one witness on the stand, do you believe beyond  
25 a reasonable doubt can you find guilty? He unequivocally said no.



1 THE COURT: Okay. But that was in the hypothetical  
2 situation. I'm going to instruct him on the law and he's going to hear  
3 the facts. He had informed the Court that he could be fair and  
4 impartial and that he would follow my instructions. I'm not going to  
5 dismiss him for cause. I'm not going to -- I'm sorry, I'm not going to  
6 excuse him for cause.

7 So we're going to need to seat three new jurors tomorrow,  
8 go through the questions.

9 MR. LEXIS: And, Your Honor, I -- I asked him, if that was  
10 the law, would you be able -- the State asked you to follow up with  
11 them and say -- flat out say, if I instruct you that the State just needs  
12 one witness and if you prove -- they prove beyond a reasonable  
13 doubt defendant's guilty, can you find guilty? And --

14 THE COURT: Okay. But that was a hypothetical, Counsel.  
15 That isn't -- I'm going to instruct him on what the law is. I'm going to  
16 give him jury instructions.

17 You were giving him a hypothetical, and without him  
18 hearing and he was equivocal. I did not hear him say that he was not  
19 going to be fair and impartial or that he would not follow the law.  
20 You were giving hypotheticals as to what the law was and what the  
21 facts may be. I'm not going to dismiss him for cause -- I mean,  
22 excuse me -- I'm not going to excuse him for cause.

23 Anything else?

24 MR. LEXIS: No, Your Honor.

25 MR. HAUSER: No, Your Honor. We'll see you tomorrow.

1 MR. LEXIS: Just so the --

2 THE COURT: I'm sorry, Counsel.

3 MR. LEXIS: Just so the Court knows, we put some exhibits  
4 to be marked. They're the photos.

5 THE COURT: Let me just verify one thing, make sure I'm  
6 thinking of the right badge number. Give me your notes on 250.

7 [Pause in proceedings.]

8 THE COURT: I'm going to ask him some follow-up  
9 questions tomorrow. It appears -- you were giving him hypotheticals  
10 that I think confused him, quite frankly, Counsel. I'm going to do  
11 some follow-up questions tomorrow. But as of right now, I'm not  
12 going to excuse him for cause.

13 I'll do some follow-up questions. I'll give you an  
14 opportunity to do some follow-up questions. But at this point, I'm not  
15 going to excuse him for cause.

16 MR. LEXIS: And, Judge, for the record, and also defense  
17 counsel too, because I just found more -- there's pictures, there's  
18 medical records, and then there's also a body cam clip. And I edited  
19 the clip, obviously to stop any -- a lot of prior bad act stuff that's said  
20 on the body cam in the continuing investigation of what was going  
21 on. So I cut out the audio, and I only have it up to basically a little bit  
22 after the officer gets there -- him getting there, and then a little bit  
23 until after.

24 THE COURT: Okay. And this --

25 MR. LEXIS: I did --

1 THE COURT: Go ahead. I'm sorry, Counsel.

2 MR. LEXIS: I did that for the benefit of the defendant and  
3 to keep stuff out like that. The only thing I would ask is that the Court  
4 instruct the jury that when we do play it, that it is -- was edited at the  
5 Court's request, so they don't think any side is hiding anything.

6 If they want to bring in the entire body cam, that's fine with  
7 me. But again, I -- it's edited for the protection of the defendant. And  
8 so that's all I would just ask the Court to say it was edited at the  
9 Court's request.

10 THE COURT: Okay. Provide me with the limiting  
11 instruction you want me to give.

12 And has this been provided to defense counsel through  
13 discovery?

14 MR. LEXIS: Yes, Your Honor.

15 MS. BONAVENTURE: The entire video was provided to us,  
16 not the uncut -- or not the cut version of it.

17 MR. LEXIS: And I will provide them a copy of that as --

18 THE COURT: Okay. You need to review it. Tell me if you  
19 have any objections.

20 MS. BONAVENTURE: Okay.

21 THE COURT: Obviously, you are entitled to have the full  
22 video played if that's what you want.

23 MS. BONAVENTURE: Okay.

24 THE COURT: I mean, you didn't file any type of motion to  
25 suppress the video, anything of that nature; correct?

1 MS. BONAVENTURE: No. There was no motion to  
2 suppress the body cam video.

3 THE COURT: Okay. So again --

4 MR. LEXIS: But with that said, I mean, I told Xiomara  
5 ahead of time, I'm not going to try to back door any --

6 THE COURT: I understand. Well, you're -- again, the State  
7 has said that you can provide an alternate edited version or you can  
8 request that the entire body cam be played.

9 MR. LEXIS: Okay. One last thing, Judge, is that this case  
10 was subsequent to the defendant committing multiple crimes on his  
11 mother. And that case already went up a few months ago, and he  
12 was convicted.

13 I told defense, and we basically agreed that we're going to  
14 get the cops there by saying that there was a -- pretty much a  
15 domestic disturbance between a male and a female at the time. I'm  
16 just telling you ahead of time where we're going to be directing these  
17 witnesses to go so they don't start out with --

18 THE COURT: Yeah. Well, I'll need a stipulation on the  
19 record between counsel as to what you're doing to tell the jury as to  
20 why law enforcement was there. Obviously, you know --

21 MR. LEXIS: Well, that's what we talked about.

22 [Indiscernible.]

23 THE COURT: Okay. Well, I need a stipulation on the record  
24 then, so there's no issue regarding other bad acts.

25 MS. BONAVENTURE: And I think we have to further refine

1 that stipulation, but I do realize that it's past 5 o'clock, Judge. If you  
2 want to -- if we can address this as we leave, but we can also address  
3 this on the record tomorrow.

4 THE COURT: [Indiscernible] it is. Why don't we reconvene  
5 at 12:45 tomorrow. And we'll address some of the additional issues.

6 But again, I expected -- I didn't do the calendar call, but if  
7 you were in my courtroom at calendar call, this should have been  
8 already hammered out. That's one of the things I require in my  
9 department. The videotape should have already been resolved; the  
10 stipulations should have been resolve and submitted to the Court. I  
11 did get the jury instructions. I appreciate that. And I've reviewed  
12 them and pulled the case laws that supports them.

13 So again, you have the rest of this evening to meet and  
14 confer regarding any stipulations, regarding evidence or exhibits,  
15 including the videotape. We'll reconvene tomorrow at 12:45, and the  
16 jury will be here at 1:00. I'd like to get the jury selected by tomorrow.  
17 Okay.

18 MR. LEXIS: And, Your Honor, just so you know, I'm not  
19 asking for any jury instruction on this. But what we normally do in  
20 the other courtrooms is just before we play it, the Court just informs  
21 the jury before we play it it's been edited at the Court's request for  
22 time purposes or however you want to do it.

23 THE COURT: I understand.

24 MR. LEXIS: Okay.

25 THE COURT: I want to know what you want to say, and I

1 want it agreed to by the parties.

2 MR. LEXIS: Okay.

3 MR. HAUSER: Certainly, Your Honor.

4 MS. BONAVENTURE: Thank you, Judge.

5 MR. HAUSER: We'll work this out.

6 THE COURT: Thank you.

7 MR. HAUSER: We'll see you tomorrow, Judge.

8 [Proceeding adjourned at 5:05 p.m.]

9 \* \* \* \* \*

10

11

12

13

14

15

16

17

18

19 ATTEST: I do hereby certify that I have truly and correctly transcribed  
20 the audio/video proceedings in the above-entitled case to the best of  
21 my ability.

22

23

24

25



Shannon D. Romero  
Certified Electronic Transcriber  
CET\*\*D324

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

RONALD ALLEN,  
Appellant,  
vi.  
THE STATE OF NEVADA,  
Respondent.

<b>PHILIP J. KOHN</b> Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610  Attorney for Appellant	<b>STEVE WOLFSON</b> Clark County District Attorney 200 Lewis Avenue, 3 <sup>rd</sup> Floor Las Vegas, Nevada 89155  <b>ADAM LAXALT</b> Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538  Counsel for Respondent
---	---

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 10 day of June, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

BY /s/Rachel Howard  
Employee, Clark County Public Defender's Office