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Counsel for Respondent

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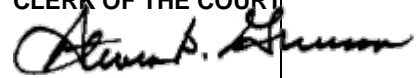
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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7
8 THE STATE OF NEVADA,
9 Plaintiff,

CASE#: C-16-313919-1
DEPT. III

10 vs.

11 VERNON NEWSON, JR,
12 Defendant.

13
14 BEFORE THE HONORABLE DOUGLAS W. HERNDON, DISTRICT COURT JUDGE
15 THURSDAY, FEBRUARY 22, 2018

16 **RECORDER'S TRANSCRIPT OF PROCEEDING**
17 **JURY TRIAL - DAY 1**

18 APPEARANCES:

19 For the State:

PAMELA WECKERLY, ESQ.
Chief Deputy District Attorney
KENNETH N. PORTZ, ESQ.
Deputy District Attorney

22 For the Defendant:

21 RYAN J. BASHOR, ESQ.
KAMBIZ SHAYGAN-FATEMI
Deputy Public Defenders

24
25 RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 Las Vegas, Nevada, Thursday, February 22, 2018 at 11:25 a.m.

2

3 [Outside the presence of the prospective jury panel]

4 THE COURT: All right. So, what do you all have for the
5 record before we get our jurors in? You filed the amended?

6 MS. WECKERLY: Yes, that's it.

7 THE COURT: Okay. And just for the record, the Amended
8 Information just removed from what's going to trial originally. It removed
9 the ex-felon base charge; correct?

10 MS. WECKERLY: Yes.

11 THE COURT: Okay. No objection to that, I take it?

12 MR. BASHOR: No, Your Honor. We filed a motion to
13 bifurcate which was granted so --

14 THE COURT: Got it. Okay. Anything further?

15 MR. BASHOR: I have a stip and order, but obviously Mr.
16 Newson just got here. Maybe at the next break we can go over it and
17 present it to Your Honor.

18 THE COURT: Okay. Is that on the penalty hearing?

19 MR. BASHOR: Yes.

20 THE COURT: All right. Well why don't you go ahead and do
21 that before we get started --

22 MR. BASHOR: Makes sense.

23 THE COURT: -- just because to the extent while I'm talking to
24 them, if I broach the subject of penalty, I want to make sure.

25 MR. BASHOR: I understand completely. Thank you, Your

1 Honor.

2 THE COURT: All right.

3 MR. BASHOR: And, Your Honor, I'm prepared to approach
4 with the stipulation.

5 THE COURT: Okay. For the record, we have a stipulation
6 and order to waive the penalty hearing that's been dated with today's
7 date. It's signed by Mr. Bashor and Ms. Weckerly. It's signed by Mr.
8 Newson as well.

9 So, Mr. Newson, my understanding is you had discussions
10 with your attorneys about the right -- if and only if you get convicted of a
11 first degree murder charge that you have the right to have a penalty
12 phase if you wish but you could also waive that and just have the Court
13 impose penalty. And you're comfortable that you understand all that?

14 THE DEFENDANT: Yes, I am, sir.

15 THE COURT: And I see that you've signed off on the
16 stipulation and order agreeing to waive the penalty hearing. So, we won't
17 be talking to the jury at all about punishment. Any issues related to
18 punishment would be decided by the Court if in fact there's any kind of
19 conviction at trial; you understand that?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Okay. Do you have any questions for me or
22 your attorney about that?

23 THE DEFENDANT: No, sir.

24 THE COURT: Okay. We will go ahead and sign off on that
25 and we'll have it filed with the Court. Anything else before we get our

1 jurors in?

2 MS. WECKERLY: Not on behalf of the State.

3 MR. BASHOR: Nothing with defense, Your Honor.

4 THE COURT: No? Okay. And as soon as I see Mike stick
5 his head back in here we'll get them in here and we'll get started.

6 [Inside the presence of the prospective jury panel]

7 THE COURT: You guys can be seated. Thank you. So,
8 Mike, I'm not sure who the folks are in the back of the courtroom. As I
9 said, we can't have people in here during jury selection because we don't
10 enough seats so they have to wait outside. You guys can all be seated.
11 Thank you. Okay. Howdy, how you doing? Good. That wasn't very
12 good. Come on. How you doing? How many of you are excited to do
13 jury duty? We'll work on that.

14 So, we are going to be on the record in State of Nevada
15 versus Vernon Newson, and Mr. Newson's present with his attorney, the
16 State's attorneys are present, our prospective jurors are present. So,
17 welcome, Ladies and Gentlemen.

18 My name is Douglas Herndon and I am the presiding judge
19 here in Department 3. You all have been summonsed, as you know, to
20 be potential jurors, and that I will tell you is going to be a criminal jury
21 trial. In a moment, I'm going to have the attorneys introduce themselves
22 to you. They'll you a little bit about the case, not opening statement kind
23 of stuff, but just what the charges are, what is alleged to have occurred,
24 where it's alleged to have occurred, things like that, and then we'll get
25 into the process of getting our jury selected.

1 It's our hope that we'll get the jury selected today. So, the 13
2 of you that I need to hear our trial will stay with and the rest of you will be
3 on your way. Okay. Possible that might spill over into tomorrow
4 morning, but we're hopeful that we can get it done today; sound good?
5 Okay. How many of you have ever been jurors before? And then keep
6 your hands up if you would. Have many of you have gone through this
7 process but you just weren't selected as a juror? Got a few more. Okay.

8 So, primarily for all of you that have never done any of this
9 before, let me kind off just real quickly introduce you to everybody so you
10 know what everybody's role is in the courtroom and kind of familiarize
11 you a little bit.

12 To begin, seated at the table closest to the jury box are the
13 two attorneys that represent the State. Seated at the table here to my left
14 are the two attorneys that represent Mr. Newson and then Mr. Newson
15 himself. Seated immediately to my left is Debbie. Debbie is my court
16 clerk. So, she keeps track of all the exhibits that are introduced in the
17 proceedings, she keeps track of what we're doing in proceedings, the
18 decisions that the Court makes. She synthesizes all that down to Court
19 minutes that get posted publically if anybody wants to go on line and see
20 what we're doing on any given day in any of our cases. She'll administer
21 the oath to you all as she does with witnesses before you answer
22 questions and a whole host of other things which she's responsible for.

23 Sara is seated two over to my left. She is my Court recorder.
24 So, rather than the olden times of typing everything down, we run audio
25 and video. You can kind of see there's cameras up in the soffits of the

1 courtroom and microphones around the courtroom so that everything
2 gets video and audio recorded. We don't videotape you as jurors, but
3 obviously we do pick up your voices while we're going through jury
4 selection process. Then ultimately we'll kind of reduce that to a transcript
5 later on.

6 So, it's really important in terms of court recording that while
7 we do the process of selecting a jury that we make sure we get you
8 identified as well as make sure that we can hear you because even
9 though there's microphones at the tables and the witness and whatnot,
10 there's not really microphones all around the courtroom for you all. So,
11 you're going to be passing a microphone around. It sounds kind of a pain
12 I know, but you'll get used to it fairly quickly.

13 Additionally, as we go through the process, you got to make
14 sure you answer questions out loud. You can't just shake or nod your
15 head or do the uh-huh or uh-uh. That doesn't always translate real well.
16 So, there may be occasions where I'm saying is that a yes, was that a no,
17 that type of stuff.

18 And in terms of identifying yourself, for instance, we have Mr.
19 Minton, Christopher, how you doing?

20 PROSPECTIVE JUROR #001: Doing good.

21 THE COURT: You're excited to be here; right?

22 PROSPECTIVE JUROR #001: Sure.

23 THE COURT: All right. You're on the jury. Boom. That's
24 one. I'm just kidding. Okay. So, Christopher's badge number, the last
25 three digits, are 001. That's all I really worried about. You don't got to

1 give me that whole giant number on there. So, if Christopher has his
2 hand in the air, I might say, yeah, Mr. Minton, Badge number 001 or
3 something to that effect, by name or badge number so just he's not some
4 anonymous guy whose voice ends up on our transcript. If I forget to do
5 that and you all would do that yourselves before you answer something,
6 that would great. Inevitable, you're all going to forget on occasion. So, I
7 might interrupt you at some point just to get your name on the record to
8 make sure you're not anonymous on our record. So, I apologize in
9 advance for doing that.

10 A lot of the questions are going to be yes or no type stuff
11 which is why I bring up the uh-huh and uh-uh. Try and answer those yes
12 or no as best you can so that we can make sure we can understand what
13 the response was. Okay.

14 Mike you've already met. Mike's the marshal working with my
15 department. Mike's in a different position -- well all the marshals. You're
16 going to see a variety of Court marshals in and out of the Court during
17 the course of proceedings. They are all collectively responsible for
18 everything collected in the building under their umbrella whether it's
19 security in the building and courtrooms, help in facilitate your movement
20 around the building, take charge of jurors when they're deliberating as
21 well as answering questions for you because the rest of us, primarily the
22 attorneys, their clients, the witnesses. You may see them out in the
23 hallways during trial, you cannot talk to them. So, please do not try and
24 talk to them. If they're doing their job, they'll kind of ignore you, not
25 because they're rude, but because they don't want to be accused of

1 talking to jurors and trying to win favors with you or contaminate a verdict
2 in any fashion. Okay. So, even if it's something innocuous like just trying
3 to figure out what time we're supposed to come back after lunch, please
4 do not try and talk to them. You can always talk to the marshals about
5 that kind of stuff though. So, if there's any issue you need help with or a
6 question you have about something or something you need to bring to
7 my attention, you can let one of the marshals know and they'll speak to
8 me about it. Okay.

9 I also have a executive assistant, Molly, and a law clerk,
10 Katherine, that they kind of come in and out of the Court on occasion.
11 They primarily have communication with you all once you start as a
12 deliberating jury at the end of the case, but you'll probably see them in
13 and out of Court before then as well.

14 So, that's pretty much kind of everybody in here and what all
15 we do. So, I'm going to turn it over to the State now and let me introduce
16 themselves. One of the things they'll also talk to you about, attorneys on
17 both sides potentially, is witnesses who may testify. They'll probably
18 read you really long lists of people. That doesn't mean everybody's
19 going to be called and we're going to be here for three months. It's just
20 they're going to let you know everybody who may have had involvement
21 in a case in case you think you know any of those people. Okay. And
22 then I'll ask you some questions after that. So, on behalf of the State.

23 MR. PORTZ: Thank you, Your Honor.

24 And good morning, everyone. My name is Nick Portz and with
25 me at counsel table is Ms. Pamela Weckerly. We are both Deputy

1 District Attorneys at the Clark County DA's office. We've been assigned
2 to prosecute this case which is the case of State of Nevada versus
3 Vernon Newson.

4 The State has alleged on December 13th of 2015 the
5 Defendant, Vernon Newson, shot and killed his then girlfriend, the mother
6 of his child, a woman by the name of Anshanette McNeil. The shooting
7 took place in North Las Vegas. It was on the on ramp of 1-15 at Lamb
8 Boulevard, and at the time of the shooting it began inside a vehicle which
9 the Defendant was inside the vehicle. And Ms. McNeil, when she was
10 first shot, she was sitting directly next to in the back seat next to her two
11 infant children, one by the name of Major Newson and another by the
12 name of Brandon Berger.

13 As such, the Defendant stands charged today with one count
14 of murder with use of a deadly weapon and two counts of child abuse,
15 neglect or endangerment. Now as Judge Herndon told you, I'm going to
16 read you a list of potential witnesses we may call. We don't anticipate
17 calling all of these witnesses, but it is important that if you do recognize a
18 name keep it in my mind because the judge may have some questions
19 for you during this process about that.

20 The following individuals are lay witnesses that the State may
21 call. These are individuals not associated with any law enforcement
22 agency. Tyra Atkins, Gerardo Gurguerro, Oliver Carrington, Daniel
23 Francis, Bruce Hall, Janie Hall, Zarharia Marshall, Winston Reece, Juan
24 Acosta, August Corrales, Sherwynne Banez, and Nakiea Bremmer. The
25 following individuals are employed at the Clark County Coroner's office:

1 Tiffany Brown, Alane Olson, and Jennifer Corneal.

2 The next group of individuals are members of the North Las
3 Vegas Police Department. They include: Boris Santana, Paul
4 Sanderson, Henry Centulo, Ian Schwaniz, Michael Farge, Brian Howe,
5 Francisco Oliveira, D. Brooks, Benjamin Owens, Forest Stucky, David
6 Chaddock, Jim Hudson, Michael Lubking, Wendy Radke, Renee Harder,
7 Dana Marks, Patrick Fisher.

8 The following group is a list of members of the Las Vegas
9 Metropolitan Police Department including C. Dinh, Allison Rubino and
10 Kathy Geil. Additionally, we may call Nevada Highway Patrolman
11 Nicholas Jerram, and members of the Claremont Police Department out
12 of California Rick Hawkins, Jacob Tillman, Jason Walters, and Jeff Ting.
13 And on behalf of Ms. Weckerly and myself we thank you all for your time
14 and patience and your services this week.

15 THE COURT: All right. Thank you, Mr. Portz. Mr. Bashor or
16 Mr. Shaygan.

17 MR. BASHOR: Good morning everybody.

18 THE PROSPECTIVE JURY PANEL: Good morning.

19 MR. BASHOR: My name is Ryan Bashor and this is my
20 colleague and co-counsel, Kambi Shaygan. I'll introduce you to my
21 client, Vernon Newson, Jr. Mr. Newson has obviously pled not guilty
22 otherwise we wouldn't be here.

23 In addition to the witnesses listed by the State, we may be
24 calling in our case in chief Janell Alexander out of Pasadena, California,
25 Chetu Davis out of Moreno Valley, California, Michelle Glover out of

1 North Hollywood, California, Roger Hosford of Las Vegas, Nevada,
2 Demario Jones of Las Vegas, Nevada, Diana Martirosyan of Las Vegas,
3 Nevada, Talvin Moyer of North Las Vegas, Nevada, Monique Newson of
4 Palmdale, California, Vernon Newson, Sr., Pasadena, California, Bruce
5 Oliver, Henderson, Nevada, and Montoya Williams of North Las Vegas,
6 Nevada. I'd to second Mr. Portz's gratitude. On our behalf, thank you for
7 your service and thank you for your patience. We'll make this as painless
8 as possible.

9 THE COURT: All right. Thank you, Mr. Bashor.

10 All right. Ladies and Gentlemen, before we get started with
11 questions, I need to make sure I have everybody that jury services tells
12 me I'm supposed to have. So, if you hear your name, if you would just
13 answer present or here, please.

14 [Clerk calls the role of the prospective jury panel]

15 THE COURT: Okay. Anybody who is present and your name
16 was not called? See no hands. Thank you. Okay. You all can remain
17 seated, but if you'd raise your right hand for me we'll get you sworn in so
18 we can start asking some questions.

19 [The jury panel was sworn in by the Clerk]

20 THE COURT: All right. Thank you. Before I ask questions,
21 let me just, again, primarily for those of you that haven't done this before,
22 let me just kind of enlighten you on a couple of things.

23 First off, there is absolutely no right or wrong answer to
24 anything you do in the jury selection process. So, don't feel like you need
25 to try and shape an answer because somebody's fishing for something

1 particular in their question. Okay. Just please answer the questions as
2 truthful and honestly as you can and as fully and completely as you can.
3 If we don't ask, or at least I speak for myself, I don't always ask the best
4 questions, I'm sure. So, if I ask something and you just kind of sit there
5 and to I have no idea what you mean, just kind of raise your hand and
6 say, hey, I don't understand your question. Can you phrase that
7 differently.

8 If we get done with our questions or you feel like we're all
9 getting close to being done because everybody is going to have a chance
10 to ask questions. I'll explain that in a second. But if we're getting close
11 to being done and you feel like, hey, there's something that's important
12 that they need to know about me and nobody really asked, then raise
13 your hand and just let me know that as well.

14 Oftentimes there's things that you all know that may not fall
15 within kind of the umbrella of a particular question they're asking about
16 but nonetheless could affect your ability to be a fair juror. And so it's
17 important to let us know that as well because, at the end of the day, that's
18 what this process is all about, as we're trying to find 13 people who are
19 as fair, open-minded, and impartial as possible to listen to this case, give
20 both sides a fair shake, and render a decision that's appropriate under
21 the facts and evidence as you find them. Okay. I can assure you that's
22 the same desire that the attorneys have in terms of finding 13 open-
23 minded people as well.

24 The way the process will work is I have some questions to ask
25 kind of to the panel as a whole, and then I'm going to focus my questions

1 just on the first 31 of you which is everybody over here and the first row
2 folks over here. We do that because I need 31 people that we call
3 passed for cause which just mean we got 31 folks who, based on all our
4 questions, appear to be open-minded and willing to be fair to everybody
5 and they don't have any bias or prejudice that would prohibit them from
6 being a good juror.

7 And once we have that group of 31 and it's that group that the
8 attorneys use to choose the 13 that will hear the trial. So, if anybody in
9 the first 31 seats gets removed during this process for any reason, then
10 we bring some people from beyond the first 31 to take those seats and
11 we continue going. Okay.

12 After I'm done with all my questions both to the panel as a
13 whole and we're focused on the 31 of you, then I'll turn it over to the
14 State and they'll have a chance to follow-up and ask questions of the
15 panel. Sometimes that will be group kind of questions like mine. Other
16 times it may be individual questions for those of you that have raised
17 certain things in the previous questions that they need to explore. And
18 then the defense will have that same opportunity to question the panel as
19 a whole and follow-up and ask about certain topics that are important to
20 each of the two sides.

21 It's my anticipation, I think, from my discussion with the
22 attorneys, probably both attorneys for each side will be asking you
23 questions. We generally kind of divide up certain topics so they're not
24 really not being repetitive with things. Each of the four attorneys will have
25 an opportunity to chat with you. And once we're done, all of us with

1 asking our questions, when we get it really get it down to those 31, the
2 rest of you will be on your way and then the attorneys will chose 13 from
3 the 31, and then those 13 will be our jurors and we will excuse the other
4 18 of you. Okay.

5 We'll probably go -- I know we're getting into the lunch hour
6 right now -- we're probably going to go for about an hour since we got
7 started a little late, and I apologize to you for that, and then we'll take our
8 lunch break. Generally, we go for about an hour and a half to two hours
9 just so you know. And then we'll take breaks so that you can use the
10 restroom and stretch and make a phone call if you need to.

11 Whenever we take a break, if you want to grab something to
12 drink and bring it back into the courtroom, you're free to do that. Whether
13 it's, you know, a bottle of water or soda or whatever it is, if you have top
14 for it that would be great, obviously. Also, I don't mind if you bring candy
15 or things like that into the Court. It's not really like the movies, but I sit up
16 and eat obscene amounts of jelly beans during trial. So, if you bring in
17 some candy, Lifesavers, whatever, that you're kind of snacking on as
18 long as you can kind of do it quietly, please, then that's certainly fine as
19 well. Okay.

20 Okay. So, let's get started with some questions. My first
21 question to the panel as a whole is, is there anyone here who has ever
22 been convicted of a felony? Yep. Is that Erlinda?

23 PROSPECTIVE JUROR #079: Yes.

24 THE COURT: All right. Erlinda, how you doing?

25 PROSPECTIVE JUROR #079: I'm good. How are you?

1 THE COURT: I'm doing good. Thank you for asking. Badge
2 number 079. So, what were you convicted of, when was it, that kind of
3 stuff?

4 PROSPECTIVE JUROR #079: It was on '06, burglary, grand
5 larceny, and grand larceny of a firearm.

6 THE COURT: Okay. Was that here in Nevada?

7 PROSPECTIVE JUROR #079: That's correct.

8 THE COURT: And did those convictions stand or did they
9 dropped down later or anything?

10 PROSPECTIVE JUROR #079: It stood as a C class felony.

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

12 PROSPECTIVE JUROR #079: My apologies, an E felony.

13 THE COURT: E. Okay. Anybody else on that question? I
14 see no other hands. Thank you.

15 Is there anybody here who is not a United States citizen?
16 I see no hands. Thank you. Is there anybody here who has such a
17 sympathy, bias or prejudice relating to age, religion, race, gender or
18 national origin that they feel would affect their ability to be a fair juror?
19 Could you, Mike, thank you. Is that Mr. Reed?

20 PROSPECTIVE JUROR #277: Vidal.

21 THE COURT: I'm sorry?

22 PROSPECTIVE JUROR #277: Vidal.

23 THE COURT: Oh, what's your badge number?

24 PROSPECTIVE JUROR #277: 277.

25 THE COURT: 277. Thank you. Mr. White. I apologize.

1 Okay. Mr. White, what do you got?

2 PROSPECTIVE JUROR #277: I'm just -- I'm a Pan Africianist.
3 So, I don't subscribe to anything where I would have to convict someone
4 or be in the process of convicting someone of a African heritage.

5 THE COURT: Okay. So, you think that would automatically,
6 based on Mr. Newson's heritage, make it impossible for you to sit on this
7 particular trial?

8 PROSPECTIVE JUROR #277: Correct.

9 THE COURT: Okay. Thank you. Anybody else on that
10 question? What's your badge number?

11 PROSPECTIVE JUROR #188: 188.

12 THE COURT: 188. Thank you. Ms. Williams.

13 PROSPECTIVE JUROR #188: That's correct.

14 THE COURT: Okay. What you got?

15 PROSPECTIVE JUROR #188: Well I'm a very
16 compassionate person and I think I don't have the right to judge a
17 person. So, I feel that I wouldn't possibly be able to convict someone.

18 THE COURT: You would or wouldn't?

19 PROSPECTIVE JUROR #188: I would not.

20 THE COURT: Not possibly. Okay. So, there's two key words
21 there, judge and possibly. And I say that because every jurisdiction's a
22 little different. A lot of jurisdictions require of a jury to not only sit to
23 decide whether somebody's guilty or not guilty, but to also decide
24 somebody's punishment regardless of what the crime is. Other
25 jurisdictions have jurors just sit to decide whether somebody is guilty or

1 not guilty of a crime and then the Court's the one responsible for
2 punishment.

3 So, this particular trial you all as jurors would have no function
4 regarding punishment if somebody was to be convicted. That's a Court
5 function. To a lot of people that makes a difference when they talk about
6 the, quote, judgement, of somebody else. So, is that something that
7 distinction is important to you or are you still feel like sitting in judgment of
8 guilty versus not guilty would be problematic?

9 PROSPECTIVE JUROR #188: Well it's very important to me.

10 THE COURT: Okay. And then you said possibly which to me
11 means maybe you could do it, maybe you couldn't?

12 PROSPECTIVE JUROR #188: I wouldn't want to do that, sir.

13 THE COURT: You wouldn't want to do it?

14 PROSPECTIVE JUROR #188: No.

15 THE COURT: Well a lot of people that do jury duty don't
16 necessarily want to do jury duty, but they can still follow the law and do
17 what their community asks. So, do you think you would be able to follow
18 the law and do your obligation or do you think that your opinions about
19 sitting in judgment are so strong that you could not do that?

20 PROSPECTIVE JUROR #188: I just prefer not to do that, sir.

21 THE COURT: All right. I'm guessing the attorneys will
22 probably going to follow-up with you a little bit. Okay.

23 PROSPECTIVE JUROR #188: Okay. Absolutely.

24 THE COURT: Thank you. Anybody else on that question?

25 Yeah, could you bring that over here, Mike? What's your badge number?

1 PROSPECTIVE JUROR #242: 242.
2 THE COURT: 242. Thank you. Mr. Bedolla-Anguiano.
3 PROSPECTIVE JUROR #242: Yes.
4 THE COURT: Okay.
5 PROSPECTIVE JUROR #242: I don't understand English
6 so --
7 THE COURT: Okay. Your first language Spanish?
8 PROSPECTIVE JUROR #242: Yes.
9 THE COURT: Thank you. Anybody else on that question
10 about having any bias or prejudice -- oh, pass it down two to your right, if
11 you would, sir. Thank you.
12 PROSPECTIVE JUROR #260: I think my English is not
13 perfect.
14 THE COURT: Okay.
15 PROSPECTIVE JUROR #260: I understand but --
16 THE COURT: So, are you Ms. Polanco?
17 PROSPECTIVE JUROR #260: Yes.
18 THE COURT: Badge number 260. What's your first
19 language?
20 PROSPECTIVE JUROR #260: Spanish.
21 THE COURT: Spanish. Thank you. All right. And, Mike, I
22 think you had a hand behind you in the right of the room, all the way back
23 in the very corner. Is there somebody in the very back there, I thought?
24 Yes. All right. Thank you, sir.
25 PROSPECTIVE JUROR #216: I come here because I got this

1 paper to come, but my English is not very good and I don't understand a
2 hundred percent for this.

3 THE COURT: What's your name?

4 PROSPECTIVE JUROR #216: Juan.

5 THE COURT: Almanza?

6 PROSPECTIVE JUROR #216: Yes.

7 THE COURT: Badge number 216.

8 PROSPECTIVE JUROR #216: Mm-hmm.

9 THE COURT: Spanish, you speak Spanish?

10 PROSPECTIVE JUROR #216: Spanish, yeah.

11 THE COURT: Thank you. Okay. There was another hand
12 somewhere, in the first row there. Thank you. What's your badge
13 number?

14 PROSPECTIVE JUROR #107: 107.

15 THE COURT: 107. Ms. Timinski.

16 PROSPECTIVE JUROR #107: Yeah. And like the lady back
17 there, due to my religious beliefs, I don't want to judge.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR #107: And, you know, I don't know if
20 I'd have a hard time or not.

21 THE COURT: Okay. Kind of got to wait and hear what you're
22 going to hear and then get back in the deliberation room?

23 PROSPECTIVE JUROR #107: Yeah. So, I don't mind doing
24 it. It's just -- I'm a little worried.

25 THE COURT: Okay. That's okay.

1 PROSPECTIVE JUROR #107: So, guilty or not guilty.
2 THE COURT: Thank you. All right. Any other hands? Yep.
3 Thank you. Mr. Galvez, Badge 96.
4 PROSPECTIVE JUROR #096: Yeah. I'm like the other
5 Mexicans, like, my English is not too good.
6 THE COURT: Thank you, Carlos.
7 PROSPECTIVE JUROR #096: You're very welcome.
8 THE COURT: You speak Spanish first, I take it?
9 PROSPECTIVE JUROR #096: Absolutely.
10 THE COURT: Okay. Thank you. Anybody else? Yep. Front
11 row here, Mike. All right. Got another one over there.
12 PROSPECTIVE JUROR #109: Badge number 109.
13 THE COURT: Thank you. Ms. Burleson.
14 PROSPECTIVE JUROR #109: Yeah, I don't believe I can do
15 it. I just can't stand the thought of maybe some innocent person -- the
16 person, which is known to happen. I just don't think I can do it and judge
17 somebody.
18 THE COURT: All right. Thank you. Anybody else over there
19 that I missed? Yes, ma'am.
20 PROSPECTIVE JUROR #225: 225.
21 THE COURT: Thank you.
22 PROSPECTIVE JUROR #225: And the same. My English is
23 not that good.
24 THE COURT: Ms. Iglesias-Volero.
25 PROSPECTIVE JUROR #225: Yes.

1 THE COURT: Okay. First language is Spanish?
2 PROSPECTIVE JUROR #225: Yes.
3 THE COURT: Thank you. Okay. Front row over here. Ms.
4 Escalante.
5 PROSPECTIVE JUROR #086: Uh-huh.
6 THE COURT: Badge number 86.
7 PROSPECTIVE JUROR #086: Me Ingles no es Bueno.
8 THE COURT: No es bueno English or no bueno Espanol.
9 PROSPECTIVE JUROR #086: [Juror responds in Spanish].
10 THE COURT: Okay. Thank you.
11 PROSPECTIVE JUROR #086: Gracias.
12 THE COURT: De nada. Anybody else? Okay. Will there be
13 more hands on that question. Is there anybody -- well, actually, why
14 don't you guys approach the bench first?
15 [Bench conference -- begins]
16 THE COURT: So, just on the Spanish speakers, some of
17 them I thought spoke English very well. All right. Do you want to let any
18 of them go or do you want to leave them on for now and you guys can
19 follow it up? Do you want to let them all go? What's your pleasure?
20 MS. WECKERLY: I'm fine with letting the English or the
21 Spanish speakers go.
22 THE COURT: Even Mr. Galvez.
23 MR. BASHOR: Yeah.
24 THE COURT: I mean, there's some of them that I thought,
25 you know, you could tell were struggling to kind of understand --

1 MS. WECKERLY: Yeah, yeah.

2 THE COURT: -- and then some of them I thought sounded
3 like they spoke very well. So, if you want to let the all go I'm fine. If you
4 want to keep them all for now I'm fine. I just didn't want to start asking
5 more questions if there were people that weren't understanding what I
6 was saying.

7 MR. BASHOR: We have no objection to letting them --

8 THE COURT: Letting them go.

9 MS. WECKERLY: I don't have any objection to letting them
10 go. I don't know if you want to wait until we break --

11 MR. BASHOR: My suspicion is even the ones that may have
12 a command of the language have used that as a reason not to be here.

13 THE COURT: Look, generally, I always favor get rid of people
14 that don't want to be here anyway.

15 MR. BASHOR: Right.

16 MS. WECKERLY: Yeah, that's what I think.

17 THE COURT: Because you want somebody that's going to be
18 here. So, it's going to be one, two, three, four, five, six, about seven
19 people. I'm not letting the people go that were talking about judging
20 things right now. I'm leaving those for you to talk to. It's just the
21 Spanish; okay?

22 MS. WECKERLY: Okay.

23 [Bench conference -- concluded]

24 THE COURT: Okay. So, I'm going to go ahead and release
25 Ms. Escalante, Badge number 86. So, hold on one second. Mr. Galvez,

1 96, Mr. Almanza, 216, Ms. Iglesias-Volero, 225, Mr. Bedolla-Anguiano,
2 242, Ms. Polanco, 260. You guys are all excused. So, thank you very
3 much for being here. Okay. All right. Now you can go ahead and go.
4 Thank you.

5 Okay. Of those of you remaining with me, is there anybody
6 here who believes they're acquainted with or know either of the
7 prosecutors, Ms. Weckerly or Mr. Portz? I see no hands. Anybody
8 believe you know or are acquainted with either of the defense attorneys,
9 Mr. Shaygan or Mr. Bashor? No hands. Anybody believe they know Mr.
10 Newson? That is Mr. Minton, Badge number 001. Okay. We'll get back
11 to you in just a second, Mr. Minton. Anybody here who believes they
12 know anybody that works within the Clark County District Attorney's
13 office? I see no hands. Oh, yeah. We'll get you the microphone. Yes,
14 ma'am. That's Ms. Stokey, Badge number 27.

15 PROSPECTIVE JUROR #027: Yes.

16 THE COURT: Who do you know?

17 PROSPECTIVE JUROR #027: Well I did know Mr. Frierson, I
18 think Elliot Anderson. I work with the legislature --

19 THE COURT: Oh, okay.

20 PROSPECTIVE JUROR #027: Quite a few of them work --

21 THE COURT: This is government attorneys that have also
22 been lobbyists and worked --

23 PROSPECTIVE JUROR #027: Yes.

24 THE COURT: -- as assemblymen and woman. Okay. You
25 still work with the legislature?

1 PROSPECTIVE JUROR #027: I'm a lobbyist.

2 THE COURT: Okay. Got it. All right. Anything about
3 knowing those folks within their legislative capacity that would cause you
4 to have trouble being a juror?

5 PROSPECTIVE JUROR #027: No.

6 THE COURT: Okay. Thank you. Anybody else believe they
7 know any of the attorneys in the District Attorney's office? I see no
8 hands. Thank you. Anybody believe you know or acquainted with any of
9 the witnesses who were spoken to you about by the attorneys on both
10 sides? Oh, one on the end of the front row. Mr. -- is it Urioste?

11 PROSPECTIVE JUROR #054: Yes.

12 THE COURT: Badge number 54. Who do you know, sir?

13 PROSPECTIVE JUROR #054: I work a part-time job as an
14 investigator for the public administrator office.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR #054: So, I know the coroners.

17 THE COURT: Got it. Okay. Anything about that relationship
18 that causes you any concern about being a juror?

19 PROSPECTIVE JUROR #054: No.

20 THE COURT: All right. Thank you. Anybody else on that
21 question? I see no more hands. Thank you.

22 Okay. I told you obviously that they wouldn't be calling all
23 those witnesses that they read off because you're probably thinking this
24 trial is going to last several weeks, which it's not. The anticipation, I
25 believe, from talking to everybody is that we would hope to be able to

1 maybe have our arguments and finish up the case next Tuesday;
2 correct? Yes?

3 MS. WECKERLY: Yes.

4 MR. BASHOR: Yes, Your Honor.

5 THE COURT: Okay. So, we could potentially say it falls over
6 into next Wednesday morning. So, about four and a half days. I'm going
7 to ask if serving that amount of time is going to be an undue burden upon
8 anybody. Before I ask the question -- well I see you starting to raise your
9 hand. Before I ask that, though, I'm going to give you a little information
10 and explain a few things to you. People always kind of want to know well
11 what kind of Court schedule do we keep so I can figure out how to weigh
12 this inconvenience but obviously it's inconvenient to you to do jury duty. I
13 understand that.

14 Tomorrow we'll probably start early. That's one day of the
15 week that I can start early because we generally don't have other things
16 in the morning. All of us kind of have something called law and motion
17 calendars in the morning where all the other cases trying to get ready for
18 trial need matters -- motions heard and we do that in the morning and
19 then we start our trials. So, most days we will be starting at 10:30.
20 Tomorrow we can potentially start earlier. I'm going to have some
21 discussion with the attorneys about that. If we started earlier, it wouldn't
22 be any earlier than 9 o'clock. Every other day it should be about 10:30,
23 take an hour break for lunch. We stop by 5 o'clock in the evening
24 because I know you've got things to do in the evening like everybody
25 else does. So, that's kind of the way the Court day works.

1 What I'll also tell you is that the way the process of assigning
2 juries to courts work is, you are my jurors. So, you're part of my panel. If
3 you sat here and you go through the process and you're just not chosen,
4 then you're done with jury duty. They won't send you out anywhere else.
5 You'll be, you know, be recycled back with all the rest of us because we
6 all do jury duty. I do it as well, and then maybe you come back in two or
7 three years or something.

8 If I excuse you early for any reason, you raise to me that you
9 can't serve for the next four days, and I decide it sounds like a good
10 reason to leave, you're not done with jury duty. They can tell you to
11 come back tomorrow or jury duty can tell you to come back on Monday,
12 whatever they need, for more jurors for other trials because you won't
13 have gone through the entirety of the process yet. And if they tell you
14 come back, no other judge has to accept my reason for thinking that you
15 had a reason to get out of my jury duty. They can tell you to stay for
16 theirs, you know, it just kind of depends.

17 So, four and a half days is a little less than our average trial.
18 Our average trial right now is about six to seven days so this is a little
19 shorter than that. It doesn't make it any less inconvenient on you, I
20 know, but for purposes of trying to decide how to weigh that
21 inconvenience in your life, I just think it's important to give you all that
22 information.

23 So, in any event, I will now ask if serving in the next four and a
24 half days is going to be an undue burden upon anybody. And
25 understand some of you are probably going to answer this question and

1 you're still going to be here afterwards. If you want to mad at anybody,
2 be mad at me not the attorneys. It's not them that make the decision as
3 to whether to keep you around. It's -- even though it's inconvenient, the
4 idea is if there's some real exigency in your life, something undue upon
5 you that everybody else doesn't share, then that's when we would
6 excuse people. But in concern that you're the only person at your job or
7 being concerned that you're not going to make as much money while
8 you're doing jury duty, all those things, inconvenience, everybody shares
9 all that. Okay. Go ahead and raise your hands, if you need to, and I will
10 kind of work through starting over here. So, we'll start on the top row.
11 With Ms. Lewison.

12 PROSPECTIVE JUROR#007: Yes.

13 THE COURT: Okay. Badge number 007. Yes, ma'am.

14 PROSPECTIVE JUROR#007: Yes. I am six months
15 pregnant with a high risk pregnancy. So, I know that you mentioned, you
16 know, lunch in the middle of the day, but I shouldn't be sitting for more
17 than a couple hours without walking around and whatnot. So, I don't
18 currently have a doctor's note but I could probably get one.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR#007: But that's just my main
21 concern just sitting here for a long period of time --

22 THE COURT: Okay.

23 PROSPECTIVE JUROR#007: -- without being able to get up.

24 THE COURT: So, if you're able to get up every so often and
25 move around, is it okay for you --

1 PROSPECTIVE JUROR#007: Yes.

2 THE COURT: -- or is there other aspects of your -- I don't
3 want you to have to go into all that with me, but other aspects of the high
4 risk pregnancy or is it just being too sedentary?

5 PROSPECTIVE JUROR#007: Too sedentary.

6 THE COURT: Okay. Thank you. Anybody else on the top
7 row? Middle row over there, bottom row? First row. Ms. Pili.

8 PROSPECTIVE JUROR#108: Yes.

9 THE COURT: Badge number 108. Yes, ma'am.

10 PROSPECTIVE JUROR#108: So, I have twins that are eight
11 that are autism. So, I get them ready every morning and I sort have to
12 pick them up today but --

13 THE COURT: Sort of have to pick them up?

14 PROSPECTIVE JUROR#108: Yeah. Because my husband
15 works at two and he doesn't have an excuse note, but I have a child that
16 gets up at 2:30, and then my twins gets off at three.

17 THE COURT: So, you have a teenager as well?

18 PROSPECTIVE JUROR#108: No, no, no. My older son is
19 nine.

20 THE COURT: Oh, okay. He gets up at 2:30?

21 PROSPECTIVE JUROR#108: Yeah. He gets off at 2:30 and
22 my twins get off at 3.

23 THE COURT: Oh, get off. I thought you said gets up.

24 PROSPECTIVE JUROR#108: No, get off. Sorry.

25 THE COURT: And I was thinking I got a kid that gets up at

1 2:30 and she's a teenager.

2 PROSPECTIVE JUROR#108: But I get them up for ready for
3 school every morning and it's hard.

4 THE COURT: Got it, got it. Okay, I'm sorry. I misunderstood.
5 I apologize.

6 PROSPECTIVE JUROR#108: Thank you.

7 THE COURT: Thank you. Anybody else on that row? Oh,
8 middle row. Yes, sir.

9 PROSPECTIVE JUROR#149: Sir, Tyler Holdren, 149. I'm a
10 single father of a seven month old son and my babysitter restraints are
11 only from six to three Monday through Friday and I don't have anybody
12 else to watch him past those times, and I'm the only one that can get him
13 and take care of him.

14 THE COURT: Okay. Thank you. Anybody else on that row?
15 If you'll pass it down to your left, Tyler. Thank you. Yes.

16 PROSPECTIVE JUROR#172: Badge number 172.

17 THE COURT: Mr. Morrow.

18 PROSPECTIVE JUROR#172: Yeah. My wife works -- she
19 goes to work at seven in the morning, and then I have our two kids that I
20 got to get ready to take to school.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR#172: I got a ten year old and a three
23 year old.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR#172: I got to pick them up as well.

1 THE COURT: What time do they go and pick up?

2 PROSPECTIVE JUROR#172: I take them in at 9:30 and then
3 I pick them up as close to five as possible so that I don't run the risk of
4 having the daycare close down.

5 THE COURT: Okay. Thank you. Anybody else in that row?
6 No? Back row? Ms. Arroyo.

7 PROSPECTIVE JUROR#183: Yes, 183.

8 THE COURT: 183. Thank you.

9 PROSPECTIVE JUROR#183: Yeah. I work in a casino in the
10 kitchen. I'm a -- I work in the production department and specifically
11 making pasta, handmade pasta. I'm the only person who does that.
12 Nobody covers me on my days off. So, every time that I have go back to
13 work I have to start from scratch and work harder. So, even though they
14 told me not to be worried, I'm a little bit worried because nobody is going
15 to be covering me today. So, I'm going to go back to work tomorrow. I'm
16 going to do double amount --

17 THE COURT: So, they have no pasta when you don't work?

18 PROSPECTIVE JUROR#183: Nobody -- I'm mean, it's a very
19 specific, yeah, task. A majority of the people in the kitchen know how to
20 prep, how to cook, but not everybody knows how to prepare a dough, a
21 pasta dough, and make handmade pasta. It's a skill. So, at this point at
22 that restaurant I'm the only one who does it.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR#183: So, I'm a little bit concerned
25 about that. I mean, they told me not to be worried --

1 THE COURT: Okay.

2 PROSPECTIVE JUROR#183: -- but I'm worried about it so --

3 THE COURT: What hours do you work?

4 PROSPECTIVE JUROR#183: I work normally Monday

5 through Friday from six to two.

6 THE COURT: Okay. So, you could go in before court, I

7 mean, for a little while, I mean, come to court?

8 PROSPECTIVE JUROR#183: Yeah, I can do that.

9 THE COURT: Okay. Thank you.

10 PROSPECTIVE JUROR#183: You're welcome.

11 THE COURT: Anybody else in that row? Yes.

12 PROSPECTIVE JUROR#181: Badge number 181.

13 THE COURT: Thank you. Ms. Navarro.

14 PROSPECTIVE JUROR#181: Yes. I'm -- I have two kids.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR#181: One four year old and an eight

17 year old.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR#181: He gets out of school at 2:30

20 and I'm the one that picks him up every day. My four year old right now

21 is with my mom, but she has a trip planned for tomorrow morning to El

22 Paso and she won't be back within a week. So, I won't have anybody to

23 take care of my kids, and my husband works every day.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR#181: Monday through Friday.

1 THE COURT: Thank you. Anybody else in that back row?
2 No. How about my front row? Yes.
3 PROSPECTIVE JUROR#226: 226.
4 THE COURT: Ingram.
5 PROSPECTIVE JUROR#226: Yes.
6 THE COURT: Okay.
7 PROSPECTIVE JUROR#226: I'm self-employed. If I don't
8 work I don't get paid. I'm solely responsible for my own finances.
9 THE COURT: Okay. And what type of work do you do?
10 PROSPECTIVE JUROR#226: I'm a therapist.
11 THE COURT: Okay. What time does your day usually start?
12 PROSPECTIVE JUROR#226: Nine o'clock until 8 o'clock at
13 night.
14 THE COURT: Okay.
15 PROSPECTIVE JUROR#226: Six days a week.
16 THE COURT: Anybody else on that row? How about in the
17 next row behind? Back row? Yes. Is it Agaton?
18 PROSPECTIVE JUROR#288: Jason Agaton, Badge 288.
19 THE COURT: Thank you.
20 PROSPECTIVE JUROR#288: I'm a nurse practitioner and
21 currently having about -- more than 60 patients on my panel. I am
22 working Monday through Friday, sometimes on call on the weekends,
23 and I have long term residents as well as patients going for rehabilitation,
24 and I need to be supervising, monitoring, and managing their care. So, it
25 will be a little bit hard for me to be away at work.

1 THE COURT: Okay. Thank you. And do you work out of an
2 office or do you travel to where your patients are?

3 PROSPECTIVE JUROR#288: No. My patients are in the
4 nursing and rehabilitation, a couple of rehab places I go to.

5 THE COURT: Got it. Thank you. Anybody else in that row?
6 No? Okay. Did I miss anybody on that? Yep, can you bring it up.
7 Thank you. Yeah, Ms. Carroll, Badge 79.

8 PROSPECTIVE JUROR#079: 0079.

9 THE COURT: Oh, yeah. I'm sorry.

10 PROSPECTIVE JUROR#079: I work for a therapy company
11 and I transfer clients to and from therapy. So, it will kind of be hard for
12 me to get off four days.

13 THE COURT: Okay. All right. Thank you. Anybody else?

14 PROSPECTIVE JUROR#188: Badge number 188.

15 THE COURT: Thank you. Ms. Williams.

16 PROSPECTIVE JUROR#188: You know what. I'm the sole
17 proprietor and I'm the -- take care of myself as well.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR#188: I don't believe I can miss work.
20 I know I can't miss four days of work.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR#188: So, that's it.

23 THE COURT: And what type of work do you do?

24 PROSPECTIVE JUROR#188: I work in the finance
25 department. I work for the Wynn Encore resorts.

1 THE COURT: Okay. Thank you. All right. Anybody else?
2 Okay. I think I got them all now. All right. Thank you, guys.

3 Is there anybody on the panel, you or anyone close to you,
4 and by close to you, I mean close enough that you would talk to them
5 about their work, you or anyone close to you that has ever worked in law
6 enforcement? All right. Let's go ahead and start in the back with Mr.
7 Minton, whose badge number is 001. Yes, sir, Christopher, what do you
8 got?

9 PROSPECTIVE JUROR#001: I am very close friends with
10 several Metro officers that we commonly hang out and go into social
11 situations and such.

12 THE COURT: Okay. And as part of that, they'll talk to you
13 about things that are going on in their jobs or --

14 PROSPECTIVE JUROR#001: We -- yeah, we've discussed
15 things. They do talk about their job, I talk about my job, we talk about,
16 you know, just general social conversations.

17 THE COURT: Okay. Thank you. Anybody else in that top
18 row? Middle row. Yes. Ms. Lamerato, Badge 37.

19 PROSPECTIVE JUROR#037: Yes. I don't know if this is
20 what you're talking about, but my son was a court clerk and I don't know
21 how that would --

22 THE COURT: Was he a court clerk here in Clark County?

23 PROSPECTIVE JUROR#037: No.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR#037: In Michigan.

1 THE COURT: Michigan.

2 PROSPECTIVE JUROR#037: Yeah.

3 THE COURT: Okay. Thank you.

4 PROSPECTIVE JUROR#037: You're welcome.

5 THE COURT: Anybody else in that row? Up there on the top

6 row, Ms. Lewison, 007.

7 PROSPECTIVE JUROR#007: Correct. My cousin is Metro.

8 THE COURT: Okay. Do you know what detail he or she is

9 assigned to, like patrol, detective?

10 PROSPECTIVE JUROR#007: He's definitely not a detective.

11 Patrol, I guess.

12 THE COURT: Okay. Thank you. Anybody else in that middle

13 row? How about in the front row? First row over here. Yes. Ms.

14 McDaniels, Badge number 91. Yes.

15 PROSPECTIVE JUROR#091: Just my dad. He's a Clark

16 County School -- CCSD probation officer.

17 THE COURT: Okay. Thank you. And then Ms. Tucker,

18 Badge number 128.

19 PROSPECTIVE JUROR#128: My dad is a newly retired

20 Boulder City K-9 officer, my uncle who's a retired Orange County police

21 officer, and then my dad's old partner and best friend is a homicide and

22 home invasion detective for Henderson.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR#091: And about three of my close

25 friends all work for Henderson Police.

1 THE COURT: Thank you. How about the middle -- oh, I'm
2 sorry, Mr. Rivera.

3 PROSPECTIVE JUROR#130: 130.

4 THE COURT: Thank you.

5 PROSPECTIVE JUROR#130: Both two neighbors, on each
6 side of my home, they both work for North Las Vegas Police Department.

7 THE COURT: Okay. None of them are -- you also -- this was
8 -- involved North Las Vegas Police; right? They weren't any of the --

9 PROSPECTIVE JUROR#130: No, no sir.

10 THE COURT: Got it. Thank you. Middle row. Ms. --

11 PROSPECTIVE JUROR#179: Hi. Badge number 179.

12 THE COURT: Hinkley-Cowen. Thank you.

13 PROSPECTIVE JUROR#179: Yes. My boss's friend is a new
14 recruit for Metro. Also, I work for Farmers Insurance and we have a lot of
15 clients that are Metro police.

16 THE COURT: Thank you. Who else we got in that row?
17 Anybody? Is that Mr. Thompson.

18 PROSPECTIVE JUROR#123: Yes, sir.

19 THE COURT: 123.

20 PROSPECTIVE JUROR#123: Due to my line of work, I work
21 extensively with a lot of different Metro people throughout the valley and
22 even North Vegas.

23 THE COURT: And what type of work do you do?

24 PROSPECTIVE JUROR#123: I'm a fire inspector.

25 THE COURT: Thank you. Anybody else in that row? No.

1 Back row. Ms. Williams, 188.

2 PROSPECTIVE JUROR#188: I have my co-worker. Her
3 husband works for the Metro police department.

4 THE COURT: A co-worker's husband?

5 PROSPECTIVE JUROR#188: Yes.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR#188: And I also have a friend that
8 works for the DA's office.

9 THE COURT: All right. Thank you. Anybody else in that
10 row?

11 PROSPECTIVE JUROR#191: 191.

12 THE COURT: Thank you.

13 PROSPECTIVE JUROR#191: My husband, he's a case
14 manager for an attorney.

15 THE COURT: What attorney's office?

16 PROSPECTIVE JUROR#191: Ruiz law firm.

17 THE COURT: I'm sorry.

18 PROSPECTIVE JUROR#191: Ruiz, Lawrence Ruiz.

19 THE COURT: And so they do any criminal law or is it just civil
20 law?

21 PROSPECTIVE JUROR#191: They do car accidents,
22 workers' comp. I think they do some DUI.

23 THE COURT: So, you may occasionally have contact with
24 police officers through his work?

25 PROSPECTIVE JUROR#191: My husband?

1 THE COURT: Yeah.

2 PROSPECTIVE JUROR#191: I don't think so but --

3 THE COURT: Okay. All right. Are you just -- were telling me

4 that he works for a law firm?

5 PROSPECTIVE JUROR#191: Yes.

6 THE COURT: Got it. Okay. Thank you. Anybody else on

7 that row? How about on the front row over here? Okay.

8 PROSPECTIVE JUROR#180: Badge 180.

9 THE COURT: Yeah, Mr. Sanchez.

10 PROSPECTIVE JUROR#180: My uncle's a retired officer.

11 THE COURT: And here in Nevada?

12 PROSPECTIVE JUROR#180: Yes, Metro.

13 THE COURT: Okay. Thank you. Yes, Ms. Ingram.

14 PROSPECTIVE JUROR#226: Yes, 226. I was a forensic

15 social worker at Fulton State Hospital for four years. I worked in the

16 prison systems for nine years after that in Missouri. I do CISD, critical

17 incident stress and debriefing for the community, and I do get a lot of

18 EAP with police officers and fire fighters with PTSD.

19 THE COURT: Thank you. Anybody else in that row? Middle

20 row, back row or middle row. Yeah.

21 PROSPECTIVE JUROR#271: 271, last name Padua.

22 THE COURT: Thank you.

23 PROSPECTIVE JUROR#271: I own a man cave cigar

24 lounge. Monday nights is law enforcement nights. So, it's just full of

25 police officers.

1 THE COURT: Got it. Thank you. And then on the back row,
2 is that Mr. Manzur?

3 PROSPECTIVE JUROR#305: Yes.

4 THE COURT: 305?

5 PROSPECTIVE JUROR#305: 305. My step-father is a
6 retired Henderson Police officer.

7 THE COURT: Thank you.

8 PROSPECTIVE JUROR#305: Thank you.

9 THE COURT: Okay. My next question is, is there anybody in
10 our panel that believes they would be unable to follow the instructions on
11 the law that I give you if they differ from your personal belief as to what
12 the law ought to be? Do you understand that question? Do you guys
13 think I wrote that question? I did not write that question. So, let me say it
14 a different way. Some of you are nodding, yeah, I get it, and others seem
15 to be a little confused.

16 In a trial, we do what we're doing now, we pick a jury,
17 attorneys give opening statements, then we have a presentation of
18 evidence through witnesses, documents, exhibits, whatever it is. At the
19 end of the case before the attorneys give closing arguments, I will give
20 you the jury instructions. That's the law that I have determined applies to
21 these particular charges in this particular case. And part of your oath as
22 jurors is, hey, I'll follow the law and I get together with my fellow jurors
23 and we'll deliberate and we'll come up with whatever we think is a proper
24 verdict.

25 So, the question is really if you get that law that I give you, the

1 jury instructions, and one of you or more of you say, hey, I really disagree
2 with this particular law, can you still follow that law understanding that it's
3 the law that's in effect right now or would you just kind of ignore that and
4 say, well, I think the law should be something else so I'm not going to
5 follow this law. The only way the process is fair is if all of you kind of
6 follow the same set of law that you're given and the same facts that you
7 hear in Court and then deliberate on all of that together as opposed to
8 saying I'm just going, you know, create my own law.

9 So, is there anybody that believes they would be unable to
10 follow the law if they disagreed with the law? I see no hands. Thank
11 you. Oh, got a hand back there behind you, Mike.

12 PROSPECTIVE JUROR#184: Jennifer Krueger, Badge 8 --
13 I'm sorry -- 184.

14 THE COURT: Yes, ma'am.

15 PROSPECTIVE JUROR#184: In early 1991 in Maricopa
16 County, Arizona, I was a victim of domestic violence.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR#184: And I don't know if I can keep
19 an open mind as far as Mr. Newson's case goes. I don't know if that
20 really applies to your question or not.

21 THE COURT: Okay. Yeah, I mean, that doesn't apply so
22 much to this question, but it is something that we're going to hit upon as
23 we get going a little further. Okay. Thank you. Okay. Anybody else on
24 that question? Yes.

25 PROSPECTIVE JUROR#183: 183.

1 THE COURT: Yes, Ms. Arroyo.

2 PROSPECTIVE JUROR#183: Yes. And it goes back to the
3 concern of the lady to my left also because of my beliefs. I will follow the
4 law, but in my heart, I mean, I'm nobody to judge. I already forgive him,
5 give him grace. So, it will be hard for me to follow the law. I mean, I will
6 follow the law because it's the right thing to do.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR#183: But to be neutral it will be hard
9 for me to do since I already give him grace.

10 THE COURT: Okay. All right. The attorneys may follow-up
11 with you on that issue as well. Okay. Anybody else on that question that
12 I had asked? No.

13 A follow-up to that question is, as the judge presiding over the
14 trial, I kind of have the obligation of figuring out what the appropriate law
15 is to give you in jury instructions. You all as jurors are the judges of the
16 facts in the case. So, you all determine what you think the facts are. You
17 do that by listening to the witnesses, looking at the exhibits that get
18 introduced, but you all are the sole judge of the facts, you're the
19 factfinders. And then when you get back to deliberate, you take
20 collectively what you all have agreed the facts and you apply it with the
21 law that I give you and you come up with your verdict. Understanding
22 that process, is there anybody that feels they cannot be factfinder; you
23 cannot sit and listen to witnesses testify and exhibits be introduced in the
24 Court and figure out what you think the facts are? I see no hands.
25 Thank you.

1 Okay. There's a few principles of law that apply in any
2 criminal trial no matter what the charges are and no matter where in the
3 United States the case sits, and those principles are, number one, that a
4 Defendant, in this case Mr. Newson, is always presumed innocent. Does
5 everybody understand the presumption of innocence? Anybody disagree
6 with the presumption of innocence? I see no hands.

7 The second principle of law is that a person who gets noticed
8 about being charged with a crime through the filing of a document that we
9 call an Information or an Indictment. That document is not evidence of
10 the allegations in it. It's just what puts a person on notice that they've
11 been charged with a crime; does everybody understand that? Anybody
12 have any disagreement with that? I see no hands. Thank you.

13 Third principle is that State, which is the entity that files the
14 charge, they have the obligation of proving the charge, proving it beyond
15 a reasonable doubt, and I'm not asking you if you understand what
16 beyond a reasonable doubt means right now. We'll talk about that in jury
17 instructions. Just that you understand that nobody is ever required to
18 prove themselves not guilty or innocent. It's the State's obligation to
19 prove them guilty; does everybody understand that distinction? Anybody
20 disagree with that? I see no hands. Thank you.

21 Okay. Can you guys approach the bench again, please?

22 [Bench conference -- begins]

23 THE COURT: So, you've got a lot of undue burden for a four
24 day trial, ma'am.

25 MS. WECKERLY: You have no idea.

1 THE COURT: Yeah. So the first one, I guess, is Ms. Lewison
2 that's pregnant, but she's saying if she can get up and move around she
3 should be okay.

4 MS. WECKERLY: Let's put her on the end of a row if she
5 needs it.

6 THE COURT: Yeah. Well I can take a break every hour and
7 a half or so anyway --

8 MS. WECKERLY: Yeah.

9 THE COURT: -- so she's able to get up. My inclination would
10 be to leave her unless you guys have any [indiscernible] about it. You
11 good? Okay. Ms. Carroll down on the front row that has -- well she said
12 she had a felony convictions but --

13 MS. WECKERLY: Yeah, like, I don't care about her hardship,
14 but she can't service if she's --

15 THE COURT: Yeah so. Transportation of clients isn't
16 something that I think disqualifies her from or qualifies for an undue
17 burden. I would keep her around for that. I don't know what your
18 position is on that.

19 MR. BASHOR: I understand the felony thing.

20 THE COURT: I'm going to let her go. Let's see. Ms. Pili,
21 Badge number 108. Is it easier for me to give you the badge number or
22 the panel number?

23 MR. BASHOR: The badge number.

24 THE COURT: Badge number. Okay. 108 is the lady with the
25 autistic twins and then the other child as well. She's got some

1 responsibilities in terms of getting them ready for school and getting them
2 picked up.

3 MS. WECKERLY: I mean, that sounds hard.

4 MR. BASHOR: Yeah, I agree.

5 THE COURT: Okay. All right. We'll let her go. Let's see
6 here. Mr. Holdren, Badge 149. He said he's a single father that has
7 some babysitter issues in the afternoon. Well he said he picks his kids
8 up close to five as possible.

9 MS. WECKERLY: I have 149 as the single father of a seven
10 month old who picks kids up at three.

11 THE COURT: Oh, is that -- maybe I'm mixing him up with
12 somebody else. I have single dad.

13 MS. WECKERLY: So, like, him I thought -- that seemed hard.
14 The other guy I thought, like, well you're just going to pick them up at a
15 daycare and they're open till six, like, I know this.

16 THE COURT: Right. Well so you want -- well, okay. So,
17 we'll, okay, so let's hold him then for right now, the guy that has to pick
18 them up at three. You guys want to keep him and ask him questions or
19 you want to let him go?

20 MS. WECKERLY: Yeah, let's keep him but, I mean, I think he
21 might -- I mean, to me, that seemed like maybe.

22 MR. BASHOR: I think you're talking about number 149, the
23 one with the seven month old.

24 MS. WECKERLY: Yeah.

25 MR. BASHOR: That one I would ask to let him go.

1 THE COURT: Right. Here's what I would say. If one side or
2 the other wants to keep somebody for now, I'll keep them and then we
3 can re-address it later, but I want to get rid of all the ones you guys can
4 agree on.

5 MR. BASHOR: I agree with Ms. Weckerly about Mr. Morrow,
6 but Mr. Holdren.

7 THE COURT: Okay. I didn't write what age his child was so I
8 may have mixed those two up. All right. So, Morrow is the one that has
9 to be there by five. Okay.

10 MR. BASHOR: Do you want Holdren to stick around?

11 MS. WECKERLY: He -- yeah, do you want to just let him go?
12 Yeah, we can let him go, the -- sorry -- 149.

13 THE COURT: Holdren. Okay. So, let Holdren go and you
14 guys want to keep Morrow for now? Yes. Okay. Ms. Arroyo, 183.
15 That's the only pasta maker in Las Vegas.

16 MR. BASHOR: How do you go from high risk pregnancy to
17 pasta maker? I'd keep her but that's your [indiscernible].

18 THE COURT: I'll leave it up to your guys.

19 MS. WECKERLY: She's going to go -- I mean, in my opinion
20 she's going to come up with something, but whatever.

21 THE COURT: Probably so.

22 MS. WECKERLY: So, I'm fine with letting her go.

23 MR. BASHOR: I am too.

24 THE COURT: Okay. Ms. Williams, number 188. That's the
25 self-employed, friends with police officers, co-worker's -- co-workers'

1 husband is a peace officer. She answered a lot of questions.

2 MS. WECKERLY: 188. She seems like another one to me
3 that's going to find something, but -- so I would let her go, but --

4 THE COURT: You guys want to keep her?

5 MR. BASHOR: Let her go.

6 THE COURT: Ms. Navarro has child care issues. She has a
7 four year old and an eight year old. She has her husband that works.
8 So, she said she had some issues because her mom was leaving town.

9 MS. WECKERLY: Yeah. I was real sympathetic to her
10 because there's two of them but --

11 THE COURT: Well, yeah, but generally we get a lot of that,
12 well my husband or my wife works and sometimes, you know what, they
13 need to help out so --

14 MR. BASHOR: Yeah, that's fine.

15 THE COURT: You want to keep her?

16 MS. WECKERLY: Let's keep it for now.

17 THE COURT: Ms. Ingram, 226, is a self-employed therapist
18 that works from nine to eight.

19 MR. BASHOR: I'd let her go.

20 MS. WECKERLY: She can go. She'll say something
21 eventually.

22 THE COURT: Mr. Agaton, number 288. He's the nurse
23 practitioner. Honestly, I mean, even though we could let the guy go, I'm
24 inclined to keep him because I doubt we'll ever get to him.

25 MS. WECKERLY: Right.

1 THE COURT: And if I let him go they'll send him out
2 somewhere else. Sometimes I kind of like try and protect people from
3 themselves.

4 MS. WECKERLY: Yes, that's fine, from the State.

5 MR. BASHOR: That's fine.

6 THE COURT: Okay. All right.

7 MR. BASHOR: When are you intending to voir dire Mr. Minton
8 about his knowledge of --

9 THE COURT: Well obviously I didn't want to do that in front of
10 everybody.

11 MR. BASHOR: Of course. Maybe on a break.

12 THE COURT: So -- yeah, yeah. Okay.

13 [Bench conference -- concluded]

14 THE COURT: Okay. So, I'm going to let a number of folks go
15 here. If you would let me read through these names before you get up to
16 leave. We're going to excuse Ms. Carroll, Badge number 79, Ms. Pili,
17 Badge number 108, Mr. Holdren, Badge number 149, Ms. Arroyo, 183,
18 Ms. Williams, 188, Ms. Ingram, 226. Thank you all very much for your
19 time, I appreciate it, and you are excused. Okay. We're going to kind of
20 fill up some of the seats that have been vacated in our first 31. So, bear
21 with me a minute, folks. Where are starting at?

22 THE COURT CLERK: Scott Thompson.

23 THE COURT: So, Mr. Thompson, can you come on and take
24 the seat on the top row on the end there. Oh, wait, there is no seat there,
25 I'm sorry, right here on the front row, followed by --

1 THE COURT CLERK: Armando Landeros.

2 THE COURT: Mr. Landeros-Solis, Badge number 142, that
3 other open seat. And then we've got -- Charlotte, how do I pronounce
4 your last name?

5 PROSPECTIVE JUROR #153: Nelub.

6 THE COURT: Nelub. Badge number 153. If you could take
7 the seat here on the front row that's empty, followed by Steve Miller,
8 Badge number 160, that other empty seat. And that's all of them, right,
9 Mike?

10 THE COURT MARSHAL: Yes.

11 THE COURT: Okay. About 15 minutes, guys, and then we'll
12 take a lunch break. So, Mr. Minton -- could we get our microphone to Mr.
13 Minton. I've just got some individual questions to run through the first 31
14 of you really quickly just to get a little biographical information from you.
15 It'll be the same thing for each of you.

16 Mr. Minton, how long have you lived here in Clark County?

17 PROSPECTIVE JUROR#001: Nine years.

18 THE COURT: And if it's less than ten years, I ask you where
19 you moved here from.

20 PROSPECTIVE JUROR#001: Kansas.

21 THE COURT: Kansas. Okay. And what's your level of
22 education?

23 PROSPECTIVE JUROR#001: I have a bachelor's degree in
24 engineering technology.

25 THE COURT: And what type of work do you do?

1 PROSPECTIVE JUROR#001: I am an odds maker for
2 Caesars Entertainment.

3 THE COURT: Are you married, sir?

4 PROSPECTIVE JUROR#001: No.

5 THE COURT: Any children?

6 PROSPECTIVE JUROR#001: No.

7 THE COURT: All right. Thank you. Could you pass the
8 microphone to your right, please? How do I pronounce it, Karen?

9 PROSPECTIVE JUROR#004: It's Karen Duus.

10 THE COURT: Karen Duus. I'm sorry.

11 PROSPECTIVE JUROR#004: That's all right.

12 THE COURT: I mispronounced your first name asking you
13 how to pronounce your second name. All right. Ms. Duus, how long
14 have you lived here?

15 PROSPECTIVE JUROR#004: It will be -- let's see, since
16 2014, November.

17 THE COURT: And where you move here from?

18 PROSPECTIVE JUROR#004: Albany, New York.

19 THE COURT: And what's your level of education?

20 PROSPECTIVE JUROR#004: I have a Ph.D.

21 THE COURT: What type of work do you do?

22 PROSPECTIVE JUROR#004: I'm an associate professor at
23 Touro University Nevada College of Medicine.

24 THE COURT: Are you married?

25 PROSPECTIVE JUROR#004: Yes.

1 THE COURT: And what type of work does your spouse do?
2 PROSPECTIVE JUROR#004: He is semi-retired and works in
3 my lab when I have money.
4 THE COURT: Did he have a different profession before he
5 entered semi-retirement?
6 PROSPECTIVE JUROR#004: Yes. He was a handyman --
7 handyman carpenter painter; home improvement, self-employed.
8 THE COURT: You all have children?
9 PROSPECTIVE JUROR#004: No.
10 THE COURT: Thank you. Could you pass it to your right?
11 And for anybody that has kids, if I ask you how old your kids are they're
12 grown, you can just say grown. That's fine. Ms. Svedin.
13 PROSPECTIVE JUROR#006: Svedin.
14 THE COURT: Svedin.
15 PROSPECTIVE JUROR#006: Svedin, W sound.
16 THE COURT: W. Oh, Svedin. Go it. Okay. 006. How long
17 have you lived here?
18 PROSPECTIVE JUROR#006: Three years.
19 THE COURT: And where did you move here from?
20 PROSPECTIVE JUROR#006: Salt Lake, Utah.
21 THE COURT: And what's your level of education?
22 PROSPECTIVE JUROR#006: Bachelor's.
23 THE COURT: What type of work do you do?
24 PROSPECTIVE JUROR#006: I stay at home with my kids.
25 THE COURT: Okay. Married?

1 PROSPECTIVE JUROR#006: Yes.

2 THE COURT: What type of work does your spouse do?

3 PROSPECTIVE JUROR#006: Project engineer with Helix

4 Electric.

5 THE COURT: And how many kids and how old are they?

6 PROSPECTIVE JUROR#006: Five. 14, 12, 9, 7 and 5.

7 THE COURT: Jury duty's going to be break, huh?

8 PROSPECTIVE JUROR#006: Yeah, but I've got two kids at

9 home sick today so one is watching the other.

10 THE COURT: All right. Thank you very much. Ms. Lewison,

11 Badge number 007. How long have you lived here?

12 PROSPECTIVE JUROR#007: Twelve years.

13 THE COURT: Your level of education?

14 PROSPECTIVE JUROR#007: Bachelor's degree.

15 THE COURT: What type of work do you do?

16 PROSPECTIVE JUROR#007: Self-employed.

17 THE COURT: And you told me your six months pregnant;

18 correct?

19 PROSPECTIVE JUROR#007: Correct.

20 THE COURT: First child or --

21 PROSPECTIVE JUROR#007: First two children.

22 THE COURT: First two children. Okay. Twins.

23 Congratulations.

24 PROSPECTIVE JUROR#007: Thank you.

25 THE COURT: Are you married?

1 PROSPECTIVE JUROR#007: Yes.

2 THE COURT: And why type of work does your spouse do?

3 PROSPECTIVE JUROR#007: He's a business owner, seller

4 of aftermarket auto performance parts.

5 THE COURT: Okay. Thank you. Mr. Carroll, Badge number

6 008. How long have you lived here?

7 PROSPECTIVE JUROR#008: Since 1979, whatever that is,

8 30 something -- 30 plus years.

9 THE COURT: A couple few decades; right? What's your level

10 of education?

11 PROSPECTIVE JUROR#008: Bachelor's.

12 THE COURT: What type of work do you do?

13 PROSPECTIVE JUROR#008: Insurance broker.

14 THE COURT: Are you married?

15 PROSPECTIVE JUROR#008: Married.

16 THE COURT: And what type of work does your spouse do?

17 PROSPECTIVE JUROR#008: Spouse is a school teacher.

18 THE COURT: Any particular grade level?

19 PROSPECTIVE JUROR#008: Junior high.

20 THE COURT: You all have children?

21 PROSPECTIVE JUROR#008: Three children.

22 THE COURT: And how old are they?

23 PROSPECTIVE JUROR#008: Twenty-eight and 23 and 15.

24 THE COURT: Any grandkids?

25 PROSPECTIVE JUROR#008: No, no kid -- no grandkids.

1 THE COURT: Okay. Thank you. Ms. Gorham, Badge
2 number 009. How long have you lived here?
3 PROSPECTIVE JUROR#009: Fifty-plus years.
4 THE COURT: Your level of education?
5 PROSPECTIVE JUROR#009: One year of college.
6 THE COURT: What type of work do you do?
7 PROSPECTIVE JUROR#009: Stay at home.
8 THE COURT: Are you married?
9 PROSPECTIVE JUROR#009: Yes.
10 THE COURT: And what type of work does your spouse do?
11 PROSPECTIVE JUROR#009: He works for the City of North
12 Las Vegas. He's a DDA.
13 THE COURT: Children?
14 PROSPECTIVE JUROR#009: Yes, five.
15 THE COURT: Five?
16 PROSPECTIVE JUROR#009: Five.
17 THE COURT: Okay. And how old are they?
18 PROSPECTIVE JUROR#009: Thirty, 24, 22, 20 -- is that five?
19 THE COURT: Yeah, you're all good.
20 PROSPECTIVE JUROR #009: I missed one somewhere
21 along the way.
22 THE COURT: Got it. Grandkids?
23 PROSPECTIVE JUROR#009: Yes, three.
24 THE COURT: Three grandkids. Okay. Thank you.
25 Ms. Kilpatrick, 019. How long have you lived here?

1 PROSPECTIVE JUROR#019: Forty-five years.
2 THE COURT: And your level of education?
3 PROSPECTIVE JUROR#019: High school.
4 THE COURT: What type of work do you do?
5 PROSPECTIVE JUROR#019: I'm retired.
6 THE COURT: Any particular profession you're retired from?
7 PROSPECTIVE JUROR#019: I managed a dental office for a
8 long time.
9 THE COURT: Are you married?
10 PROSPECTIVE JUROR#019: Yes, I am.
11 THE COURT: And what does your spouse do?
12 PROSPECTIVE JUROR#019: He's retired, but he's a
13 electrical engineer. He worked at the Nevada test site.
14 THE COURT: Thank you. Children?
15 PROSPECTIVE JUROR#019: Two.
16 THE COURT: Two. How old are they?
17 PROSPECTIVE JUROR#019: Grown.
18 THE COURT: Grown. Okay. Grandkids?
19 PROSPECTIVE JUROR#019: Yes, six.
20 THE COURT: Six grandkids. Thank you. Ms. Stokey, Badge
21 027. How long have you lived here?
22 PROSPECTIVE JUROR#027: Fifty-five years.
23 THE COURT: Your level of education?
24 PROSPECTIVE JUROR#027: Bachelor's
25 THE COURT: What type of work do you do?

1 PROSPECTIVE JUROR#027: I'm a lobbyist.

2 THE COURT: You told me that already. I'm sorry.

3 PROSPECTIVE JUROR#027: It's okay.

4 THE COURT: Are you married?

5 PROSPECTIVE JUROR#027: Yes. My husband's retired

6 from financial advising.

7 THE COURT: Children?

8 PROSPECTIVE JUROR#027: Yes, two grown.

9 THE COURT: Grandkids?

10 PROSPECTIVE JUROR#027: Yes, three.

11 THE COURT: Thank you. Could you just pass the forward for

12 me, and we'll kind of go reverse on row starting with Mr. Urioste, Badge

13 number 54. And, Joe, how long have you lived here?

14 PROSPECTIVE JUROR#054: Thirty-eight years.

15 THE COURT: Your level of education?

16 PROSPECTIVE JUROR#054: Bachelor's degree.

17 THE COURT: What type of work do you do?

18 PROSPECTIVE JUROR#054: Two jobs. Full time job I'm a

19 school teacher, and I work at the public administrator's office for Clark

20 County over the summer break.

21 THE COURT: Okay. That's where you're an investigator?

22 Okay. What grade level do you teach?

23 PROSPECTIVE JUROR#054: I teach -- I'm special ed,

24 resourcing for fourth and fifth grade.

25 THE COURT: Thank you. Are you married?

1 PROSPECTIVE JUROR#054: No.
2 THE COURT: Any children?
3 PROSPECTIVE JUROR#054: No.
4 THE COURT: Thank you. Would you pass it to your left for
5 me, please, to Ms. Picornell.
6 PROSPECTIVE JUROR#048: Yes, sir.
7 THE COURT: Badge number 048. Have long have you lived
8 here, ma'am?
9 PROSPECTIVE JUROR#048: Thirteen years.
10 THE COURT: And your level of education?
11 PROSPECTIVE JUROR#048: Bachelor's.
12 THE COURT: What type of work do you do?
13 PROSPECTIVE JUROR#048: I'm an RN.
14 THE COURT: Do you work in an office or hospital setting?
15 PROSPECTIVE JUROR#048: I work at the VA.
16 THE COURT: Okay. Married?
17 PROSPECTIVE JUROR#048: No.
18 THE COURT: Any children?
19 PROSPECTIVE JUROR#048: One grown.
20 THE COURT: One grown. Thank you. Any grandkids?
21 PROSPECTIVE JUROR#048: None.
22 THE COURT: Thank you. Ms. Miller, Badge number 44.
23 How long have you lived here?
24 PROSPECTIVE JUROR#044: Twenty-one years.
25 THE COURT: Your level of education?

1 PROSPECTIVE JUROR#044: Undergraduate.
2 THE COURT: What type of work do you do?
3 PROSPECTIVE JUROR#044: I don't work yet.
4 THE COURT: Okay. Are you married?
5 PROSPECTIVE JUROR#044: No.
6 THE COURT: Any children?
7 PROSPECTIVE JUROR#044: No.
8 THE COURT: Thank you. Ms. -- do I pronounce it Dulin?
9 PROSPECTIVE JUROR#042: Dulin, yes.
10 THE COURT: Badge number 42. How long have you lived
11 here?
12 PROSPECTIVE JUROR#042: Nine years.
13 THE COURT: And where did you move here from?
14 PROSPECTIVE JUROR#042: Cleveland, Ohio.
15 THE COURT: What's your level of education?
16 PROSPECTIVE JUROR#042: High school graduate with a
17 year of technical training.
18 THE COURT: What type of work do you do?
19 PROSPECTIVE JUROR#042: I'm retired.
20 THE COURT: Any particular profession you're retired from?
21 PROSPECTIVE JUROR#042: Television engineering
22 technician.
23 THE COURT: Are you married?
24 PROSPECTIVE JUROR#042: No.
25 THE COURT: Any children?

1 PROSPECTIVE JUROR#042: Two grown-ups.
2 THE COURT: Okay. Any grandkids?
3 PROSPECTIVE JUROR#042: Two.
4 THE COURT: Thank you. Ms. Batara.
5 PROSPECTIVE JUROR#041: Yep.
6 THE COURT: Badge number 41. How long have you lived
7 here?
8 PROSPECTIVE JUROR#041: Twelve years.
9 THE COURT: Level of education.
10 PROSPECTIVE JUROR#041: Master's.
11 THE COURT: What type do you do?
12 PROSPECTIVE JUROR#041: I'm a middle school science
13 teacher.
14 THE COURT: Are you married?
15 PROSPECTIVE JUROR#041: No.
16 THE COURT: Any children?
17 PROSPECTIVE JUROR#041: No.
18 THE COURT: Thank you. Ms. Howlett, Badge number 40.
19 How long have you lived here?
20 PROSPECTIVE JUROR#040: Most of my life. I was born
21 here, but I moved back 15 years ago.
22 THE COURT: Got it. What's your level of education?
23 PROSPECTIVE JUROR#040: J.D.
24 THE COURT: What type of work do you do?
25 PROSPECTIVE JUROR#040: I'm an attorney.

1 THE COURT: Do you do any criminal stuff?
2 PROSPECTIVE JUROR#040: I do not.
3 THE COURT: Okay. Are you married?
4 PROSPECTIVE JUROR#040: I am.
5 THE COURT: And what type of work does your spouse do?
6 PROSPECTIVE JUROR#040: He is an IT exec.
7 THE COURT: Thank you. Children?
8 PROSPECTIVE JUROR#040: Two, ages eight and 11.
9 THE COURT: Thank you. Ms. Lamerato, Badge number 37.
10 How long have you lived here?
11 PROSPECTIVE JUROR#037: Twenty years.
12 THE COURT: What type of work do you do?
13 PROSPECTIVE JUROR#037: I'm retired from various types
14 of work.
15 THE COURT: Any one that kind of dominated the variety or
16 was it just pretty much an equal variety of a whole bunch of stuff?
17 PROSPECTIVE JUROR#037: It was an equal variety.
18 THE COURT: Okay. What's your level of education as well?
19 PROSPECTIVE JUROR#037: High school.
20 THE COURT: Are you married?
21 PROSPECTIVE JUROR#037: Yes.
22 THE COURT: And what type of work does your spouse do?
23 PROSPECTIVE JUROR#037: He's a retired plumber.
24 THE COURT: Children? I know you talked about your son as
25 a court clerk.

1 PROSPECTIVE JUROR#037: Yes, two, 42 and 50.
2 THE COURT: Okay. Grandkids?
3 PROSPECTIVE JUROR#037: Five and one grandbaby.
4 THE COURT: And one great grandbaby?
5 PROSPECTIVE JUROR#037: I'm sorry, great grandbaby.
6 THE COURT: Got it.
7 PROSPECTIVE JUROR #037: Well three -- yeah, five
8 grandkids, one great grandbaby.
9 THE COURT: Got it. All right. Thank you. Mr. Barber,
10 Badge number 30. How long have you lived here, sir?
11 PROSPECTIVE JUROR#030: Forty-eight years.
12 THE COURT: Level of education?
13 PROSPECTIVE JUROR#030: High school graduate.
14 THE COURT: And what type of work do you do?
15 PROSPECTIVE JUROR#030: Title 31 specialist for the
16 casinos.
17 THE COURT: Are you married?
18 PROSPECTIVE JUROR#030: Yes.
19 THE COURT: And what type of work does your spouse do?
20 PROSPECTIVE JUROR#030: Hospice nurse.
21 THE COURT: Children?
22 PROSPECTIVE JUROR#030: Two step-kids.
23 THE COURT: How old are they?
24 PROSPECTIVE JUROR#030: Twenty-five and 24.
25 THE COURT: Any grandkids?

1 PROSPECTIVE JUROR#030: No.

2 THE COURT: Thank you. If you would pass it forward for me,
3 please, to Mr. Lange, Badge number 57. Mr. Lange, how long have you
4 lived here, sir?

5 PROSPECTIVE JUROR#057: Twenty-two years.

6 THE COURT: Your level of education?

7 PROSPECTIVE JUROR#057: High school.

8 THE COURT: What type of work do you do?

9 PROSPECTIVE JUROR#057: Casino surveillance training
10 manager.

11 THE COURT: Are you married?

12 PROSPECTIVE JUROR#057: No.

13 THE COURT: Okay. Any children?

14 PROSPECTIVE JUROR#057: Yes, two grown.

15 THE COURT: Two grown. Any grandkids?

16 PROSPECTIVE JUROR#057: No.

17 THE COURT: Thank you. Ms. Snyder, Badge number 72.
18 How long have you lived here?

19 PROSPECTIVE JUROR#072: Ten years.

20 THE COURT: Your level of education?

21 PROSPECTIVE JUROR#072: Bachelor's.

22 THE COURT: What type of work do you do?

23 PROSPECTIVE JUROR#072: Housekeeping floor manager.

24 THE COURT: Are you married?

25 PROSPECTIVE JUROR#072: No.

1 THE COURT: Any children?
2 PROSPECTIVE JUROR#072: Yes.
3 THE COURT: How many?
4 PROSPECTIVE JUROR#072: One.
5 THE COURT: How old?
6 PROSPECTIVE JUROR#072: Nine.
7 THE COURT: Thank you. Mr. Catadman, 74. How long have
8 you lived here?
9 PROSPECTIVE JUROR#074: Seven years.
10 THE COURT: Where'd you move here from?
11 PROSPECTIVE JUROR#074: New York.
12 THE COURT: What's your level of education?
13 PROSPECTIVE JUROR#074: Second year college.
14 THE COURT: What type of work do you do?
15 PROSPECTIVE JUROR#074: Custodian.
16 THE COURT: Are you married, sir?
17 PROSPECTIVE JUROR#074: Yes, sir.
18 THE COURT: And what type of work does your spouse do?
19 PROSPECTIVE JUROR#074: My wife works at the VA.
20 She's a registered nurse.
21 THE COURT: Children?
22 PROSPECTIVE JUROR#074: Two.
23 THE COURT: And how are they?
24 PROSPECTIVE JUROR#074: Twenty-three and 14.
25 THE COURT: Thank you. Ms. Tamariz.

1 PROSPECTIVE JUROR#078: Yes.
2 THE COURT: 78. How long have you lived here?
3 PROSPECTIVE JUROR#078: Eighteen.
4 THE COURT: What's your level of education?
5 PROSPECTIVE JUROR#078: One year of college.
6 THE COURT: What type of work do you do?
7 PROSPECTIVE JUROR#078: I'm a manager for a rental car
8 company.
9 THE COURT: Are you married?
10 PROSPECTIVE JUROR#078: Yes.
11 THE COURT: And why type of work does your spouse do?
12 PROSPECTIVE JUROR#078: He's a rental sales agent for
13 another car rental company.
14 THE COURT: Children?
15 PROSPECTIVE JUROR#078: Yes.
16 THE COURT: How many?
17 PROSPECTIVE JUROR#078: Two.
18 THE COURT: What are their ages?
19 PROSPECTIVE JUROR#078: Eighteen and 16.
20 THE COURT: Thank you. And then Mr. Thompson, 133.
21 How long have you lived here, sir?
22 PROSPECTIVE JUROR#133: Five years.
23 THE COURT: And where'd you move here from?
24 PROSPECTIVE JUROR#133: Lincoln, Nebraska.
25 THE COURT: What's your level of education?

1 PROSPECTIVE JUROR#133: I have some college.
2 THE COURT: What type of work do you do?
3 PROSPECTIVE JUROR#133: I'm a fire inspector.
4 THE COURT: Oh, you told me that. I'm sorry.
5 PROSPECTIVE JUROR#133: That's all right.
6 THE COURT: Are you married?
7 PROSPECTIVE JUROR#133: Yes, sir.
8 THE COURT: And what type of work does your spouse do?
9 PROSPECTIVE JUROR#133: She's a P.A.
10 THE COURT: Children?
11 PROSPECTIVE JUROR#133: Four grown, two grandchildren.
12 THE COURT: Thank you. Mr. Landeros-Solis, Badge number
13 142. How long have you lived here, Armando?
14 PROSPECTIVE JUROR#142: Seventeen years.
15 THE COURT: Level of education?
16 PROSPECTIVE JUROR#142: High school.
17 THE COURT: What type of work do you do?
18 PROSPECTIVE JUROR#142: A roofer.
19 THE COURT: Are you married?
20 PROSPECTIVE JUROR#142: Yes.
21 THE COURT: What type of work does your spouse do?
22 PROSPECTIVE JUROR#142: Stay home, she stays home.
23 THE COURT: Kids?
24 PROSPECTIVE JUROR#142: Four.
25 THE COURT: And how old are they?

1 PROSPECTIVE JUROR#142: Thirteen, 14, 16, and 21.
2 THE COURT: All right. Thank you. And Ms. Rodriguez,
3 Badge number 87. How long have you lived here?
4 PROSPECTIVE JUROR#87: Twenty-nine years.
5 THE COURT: Your level of education?
6 PROSPECTIVE JUROR#87: Associates.
7 THE COURT: What type of work do you do?
8 PROSPECTIVE JUROR#87: Case manager at a personal
9 injury law firm.
10 THE COURT: Now does your law firm do any criminal work or
11 is it all civil and plaintiff personal injury?
12 PROSPECTIVE JUROR#87: Not anymore.
13 THE COURT: Okay. Are you married?
14 PROSPECTIVE JUROR#87: Yes.
15 THE COURT: And what type of work does your spouse do?
16 PROSPECTIVE JUROR#87: Plumber.
17 THE COURT: Children?
18 PROSPECTIVE JUROR#87: One.
19 THE COURT: How old?
20 PROSPECTIVE JUROR#87: Seven.
21 THE COURT: Thank you. All right. Mike, if you could take it
22 over to Ms. McDaniels, Badge number 91. Ms. McDaniels, how long
23 have you lived here, ma'am?
24 PROSPECTIVE JUROR#091: Twenty-three years.
25 THE COURT: And what's your level of education?

1 PROSPECTIVE JUROR#91: Trade school.
2 THE COURT: What type of work do you do?
3 PROSPECTIVE JUROR#91: Personal training and graphic
4 design.
5 THE COURT: Are you married?
6 PROSPECTIVE JUROR#91: No.
7 THE COURT: Any children?
8 PROSPECTIVE JUROR#91: No.
9 THE COURT: Thank you. Ms. Nelub, Badge number 153.
10 How long have you lived here?
11 PROSPECTIVE JUROR#153: Twenty-four years.
12 THE COURT: And what's your level of education?
13 PROSPECTIVE JUROR#153: High school graduate.
14 THE COURT: What type of work do you do?
15 PROSPECTIVE JUROR#153: A cashier clerk.
16 THE COURT: Are you married?
17 PROSPECTIVE JUROR#153: Yes.
18 THE COURT: And what type of work does your spouse do?
19 PROSPECTIVE JUROR#153: He's disabled.
20 THE COURT: Children?
21 PROSPECTIVE JUROR#153: Three.
22 THE COURT: And how old are they?
23 PROSPECTIVE JUROR#153: Forty-eight, 46, 35.
24 THE COURT: Grandkids?
25 PROSPECTIVE JUROR#153: Four.

1 THE COURT: Four grandkids. Thank you. Ms. Timinski,
2 Badge number 107. How long have you lived here?
3 PROSPECTIVE JUROR#107: Eighteen years.
4 THE COURT: And your level of education?
5 PROSPECTIVE JUROR#107: High school and one year of
6 business.
7 THE COURT: What type of work do you do?
8 PROSPECTIVE JUROR#107: Accounting and business
9 admin for our own company.
10 THE COURT: Are you married?
11 PROSPECTIVE JUROR#107: Yes. My husband's the CEO
12 of the company.
13 THE COURT: Got it.
14 THE COURT: Children?
15 PROSPECTIVE JUROR#107: Two adults and three little
16 grandkids.
17 THE COURT: Thank you. All right, Mr. Miller; right?
18 PROSPECTIVE JUROR#160: Yes.
19 THE COURT: Okay. Badge number 160. Mr. Miller, how
20 long have you lived here?
21 PROSPECTIVE JUROR#16: Eighteen years.
22 THE COURT: Your level of education?
23 PROSPECTIVE JUROR#160: Master's.
24 THE COURT: What type of work do you do?
25 PROSPECTIVE JUROR#160: Post office.

1 THE COURT: Are you married, sir?
2 PROSPECTIVE JUROR#160: No.
3 THE COURT: Any children?
4 PROSPECTIVE JUROR#160: No.
5 THE COURT: Thank you. Ms. Burleson, Badge number 109.
6 How long have you lived here?
7 PROSPECTIVE JUROR#109: About 30 years.
8 THE COURT: Three?
9 PROSPECTIVE JUROR#109: I moved here in '95.
10 THE COURT: Okay. What's your level of education?
11 PROSPECTIVE JUROR#109: High school graduate.
12 THE COURT: What type of work do you do?
13 PROSPECTIVE JUROR#109: Loss prevention specialist for
14 TJ Maxx.
15 THE COURT: Are you married?
16 PROSPECTIVE JUROR#109: No.
17 THE COURT: Any children?
18 PROSPECTIVE JUROR#109: No.
19 THE COURT: Thank you. Mr. Williams, Badge number 113.
20 Mr. Williams, how long have you lived here?
21 PROSPECTIVE JUROR#113: Twenty-one years.
22 THE COURT: Your level of education?
23 PROSPECTIVE JUROR#113: Bachelor of science, civil
24 engineering, P.E. civil engineering, B.E. civil engineering, S.C. structural
25 engineering.

1 THE COURT: That's a lot of letters.

2 PROSPECTIVE JUROR#113: Yeah, punishment.

3 THE COURT: What type of work do you do? Are you an

4 engineer? Hold on. I got it. You're an engineer.

5 PROSPECTIVE JUROR#113: Yes.

6 THE COURT: Okay. I'm just having fun.

7 PROSPECTIVE JUROR#113: I'm the president of Sky

8 Structures Engineering here in Las Vegas and vice president of Mavstac

9 [phonetic], an intellectual properties company in Middle Tennessee.

10 THE COURT: Okay. Are you married?

11 PROSPECTIVE JUROR#113: Yes, 41 years.

12 THE COURT: Congratulations. What type of work does your

13 spouse do?

14 PROSPECTIVE JUROR#113: She's a supervisor for an

15 airline at McCarran.

16 THE COURT: You all have children?

17 PROSPECTIVE JUROR#113: Two.

18 THE COURT: And how old are they?

19 PROSPECTIVE JUROR#113: Forty and 34.

20 THE COURT: Grandkids?

21 PROSPECTIVE JUROR#113: One, 16.

22 THE COURT: Thank you. Ms. Tucker, Badge number 128.

23 How long have you lived here?

24 PROSPECTIVE JUROR#128: Twenty-seven years with a

25 brief in college eight years ago.

1 THE COURT: Got it. What's your level of education?
2 PROSPECTIVE JUROR#128: Associates.
3 THE COURT: What type of work do you do?
4 PROSPECTIVE JUROR#128: Hair stylist.
5 THE COURT: Are you married?
6 PROSPECTIVE JUROR#128: Yes.
7 THE COURT: And what type of work does your spouse do?
8 PROSPECTIVE JUROR#128: He's an OR nurse at
9 Henderson Hospital.
10 THE COURT: Does he work with adult or pediatrics?
11 PROSPECTIVE JUROR#128: Adults. Well, actually, I'm
12 sorry, he works with both. He works in the day surgery center.
13 THE COURT: Okay.
14 PROSPECTIVE JUROR#128: So, he does both.
15 THE COURT: Children?
16 PROSPECTIVE JUROR#128: No.
17 THE COURT: Okay. Thank you. And, Mr. Rivera, Badge
18 number 130. How long have you lived here, Michael?
19 PROSPECTIVE JUROR#130: Thirty years.
20 THE COURT: Your level of education?
21 PROSPECTIVE JUROR#130: Bachelor's.
22 THE COURT: What type of work do you do?
23 PROSPECTIVE JUROR#130: I'm a computer technician with
24 the Clark County School District.
25 THE COURT: Are you married?

1 PROSPECTIVE JUROR#130: Yes, sir.

2 THE COURT: And what type of work does your spouse do?

3 PROSPECTIVE JUROR#130: She's a registered nurse, ICU
4 nurse for pediatrics.

5 THE COURT: Okay. You have children?

6 PROSPECTIVE JUROR#130: Yes, sir.

7 THE COURT: How many?

8 PROSPECTIVE JUROR#130: Four.

9 THE COURT: And how old are they?

10 PROSPECTIVE JUROR#130: Sixteen 13, 5 and 3.

11 THE COURT: Well done. Okay. With that, Ladies and
12 Gentlemen, we're going to go ahead and take our lunch break and then
13 I'll pick back up with the rest of my questions when you get back. A
14 couple things. Every time we take a recess, I have to tell you something
15 so I kind of work through it slow the first time which is -- because you're
16 going to get tired of hearing it -- but during the recess, you're admonished
17 not to talk or converse among yourselves or with anyone else on any
18 subject connected with the trial or read, watch or listen to any reports on
19 the trial, media reports on the trial, newspaper, television, internet or
20 radio, and you cannot form or express any opinions about the case until
21 the case is submitted to you for your deliberations.

22 So, what does that all mean? Mainly, it means that in our
23 recesses, you can't even talk to each other about the case; right? You
24 have to find other things to talk about. And you cannot at any time try
25 and do any kind of research about the case, look up people's names or

1 terminology, how do you define this, that or the other. Everything you
2 need to know to decide the case you'll learn here in the courtroom.

3 How many of you do not have Smart Phones? Hardly
4 anybody left; right? So, please don't use your phones to go on the
5 internet and try and look up information about the case, and don't do that
6 at home later on on your computers or tablets or anything like that.

7 How many of you do not have social media, Facebook,
8 Instagram, whatever that stuff's called, yeah? Okay. Please don't go on
9 to your social media accounts and say, hey, I'm doing jury duty and let
10 me update my status or whatever it is they call that kind of thing because
11 all you do is kind of invite everybody else to give you their comments, I
12 guess, that's kind of how that works; right? I don't have it. But I don't
13 want you inviting everybody else to comment about the justice system or
14 jury duty or anything like that. So, please, just kind of refrain from
15 engaging in social media communication about our trial.

16 With that, I'm going to send you off to lunch now. And just so
17 you understand. I recognize that once we get 13 of you seated, you're
18 going to need your employers, your families and everybody that you're
19 doing jury duty and we'll talk about that later. But for right now please
20 just make sure you're avoiding having any kind of communication about
21 that.

22 When you come back you're going to be coming back to the
23 same chair. So, if you got a book or anything else you want to leave in
24 your chair, feel free to do that. We'll be in recess for about an hour. If
25 you have any questions about where to go and grab something to eat

1 quickly or whatever, you can obviously talk to the marshals. Okay. And
2 with that, we will be in break and then I will see you back at 2 o'clock,
3 okay, we'll start back at 2 o'clock.

4 [Recess taken at 1:02 p.m.]

5 [Outside the presence of the prospective jury panel
6 except for Juror #001]

7 THE COURT: You guys can sit back down. You can sit down
8 as well, Mr. Minton. I just wanted to ask you. You said that you believed
9 you knew Mr. Newson. So, I wanted to find out what it was, how you had
10 an acquaintance with the gentleman.

11 PROSPECTIVE JUROR#001: I'm not a hundred percent
12 sure. He looked familiar with I came in. I used to work at the race and
13 sports book at Planet Hollywood and I believe he came in a couple times.

14 THE COURT: Okay. So, somebody that you think may have
15 been a customer there, not a co-worker?

16 PROSPECTIVE JUROR#001: Yes, yeah. I was a supervisor
17 and he looks really familiar.

18 THE COURT: Okay. In a way that -- they came in and you
19 had some interaction with him?

20 PROSPECTIVE JUROR#001: Yeah, he would have been a
21 customer. I was [indiscernible] so I was writing and also supervising.

22 THE COURT: Okay. So, just somebody that came in and did
23 normal business that a customer would do but you happened to be the
24 person that was interacting with him?

25 PROSPECTIVE JUROR#001: Yeah.

1 THE COURT: Okay. You guys have any questions about any
2 of that?

3 MS. WECKERLY: Is there -- I mean, is there anything about
4 the interaction that you think would affect you as a juror?

5 PROSPECTIVE JUROR#001: Nothing that really stands out.
6 I just -- it seemed like I recognized him --

7 MS. WECKERLY: Okay.

8 PROSPECTIVE JUROR#001: -- so I just wanted to make that
9 --

10 MS. WECKERLY: Okay. Thank you.

11 THE COURT: You guys have any --

12 MR. BASHOR: No, Your Honor.

13 THE COURT: Okay. Mr. Minton, we'll see you back in an
14 hour.

15 Thank you.

16 [Outside the presence of the entire prospective jury panel]

17 THE COURT: You guys have anything outside the presence?

18 MR. SHAYGAN- FATEMI: No, Your Honor.

19 MR. BASHOR: No, Your Honor.

20 THE COURT: Okay. And just for the record, I mean, our
21 bench conferences are recorded, but so far all the people we've excused
22 have been by agreement of everybody; correct?

23 MS. WECKERLY: Yes.

24 MR. BASHOR: Yes, Your Honor.

25 THE COURT: Okay. All right. I'll see you back in an hour,

1 guys. Thank you.

2 [Recess taken at 1:04 p.m.]

3 [Proceedings resumed at 2:06 p.m.]

4 [Outside the presence of the prospective jury panel]

5 THE COURT: You guys ready?

6 MR. BASHOR: Yes.

7 MR. FATIMI-SHAYGAN: Yes, Your Honor.

8 THE COURT: State, you all ready?

9 MS. WECKERLY: Yes.

10 MS. PORTZ: Yes, Your Honor.

11 THE COURT: All right. Mike, you can go ahead.

12 [Inside the presence of the prospective jury panel]

13 THE COURT: You guys can be seated. Thank you.

14 Okay. We're going to be back on the record. Mr. Newson's
15 here with his attorneys, the State's attorneys are present, our prospective
16 jurors are present. Welcome back, Ladies and gentlemen.

17 Okay. So, we left off I was questioning the 31 of you, and I'm
18 still just focused on the 31 of you, but I've got some more general
19 questions. So, just kind of raise your hand if any of you have any
20 responses to any of these questions, and there's just a few more of them
21 and then I'm going to turn it over to the attorneys. The first one is, how
22 many, if any of you 31, have ever been jurors before? We had some
23 hands earlier. So, let's start on our top row, Mike, if you would please?
24 Mr. Carroll.

25 PROSPECTIVE JUROR#008: Yes, Mr. Carroll.

1 THE COURT: Okay. Badge number 008. Mr. Carroll, how
2 many times you been a juror?

3 PROSPECTIVE JUROR#008: One other time.

4 THE COURT: Okay. And how long ago was that?

5 PROSPECTIVE JUROR#008: About five or six years.

6 THE COURT: So, here in Clark County?

7 PROSPECTIVE JUROR#008: Yes.

8 THE COURT: Was it in state court or federal court? Was it in
9 this building?

10 PROSPECTIVE JUROR#008: Yes.

11 THE COURT: Okay. Criminal or civil case?

12 PROSPECTIVE JUROR#008: Criminal.

13 THE COURT: And do you remember what the charges were
14 or the nature of the case?

15 PROSPECTIVE JUROR#008: It was attempted murder.

16 THE COURT: And did the jury reach a verdict?

17 PROSPECTIVE JUROR#008: Yes.

18 THE COURT: And were you the foreperson of the jury?

19 PROSPECTIVE JUROR#008: No.

20 THE COURT: Okay. Thank you. Who else had their hand up
21 on the top row? Okay. Ms. Kilpatrick, 119 -- excuse -- 019. How many
22 times, ma'am?

23 PROSPECTIVE JUROR#019: One time.

24 THE COURT: How long ago?

25 PROSPECTIVE JUROR#019: Three years.

1 THE COURT: So, here in Clark County?
2 PROSPECTIVE JUROR#019: Yes.
3 THE COURT: And was it in this building?
4 PROSPECTIVE JUROR#019: Yes.
5 THE COURT: Okay. Civil or criminal case?
6 PROSPECTIVE JUROR#019: Criminal.
7 THE COURT: Do you remember the nature of the
8 proceedings, what the charges were?
9 PROSPECTIVE JUROR#019: It was armed home invasion,
10 kidnapping and that -- yeah.
11 THE COURT: Did the jury reach a verdict?
12 PROSPECTIVE JUROR#019: Well we did but then when we
13 went back, when they were releasing us, then two of the gals they talked
14 to their attorney, and they said that we had coerced them.
15 THE COURT: Okay.
16 PROSPECTIVE JUROR#019: So, it was a hung jury after.
17 THE COURT: When the judge brought you back in or
18 something or --
19 PROSPECTIVE JUROR#019: No, that was it. It was a hung
20 jury. We had already been at it for like five days.
21 THE COURT: Oh.
22 PROSPECTIVE JUROR#019: It had been quite an ordeal
23 so --
24 THE COURT: Okay. So, they just released you after that?
25 PROSPECTIVE JUROR#019: Correct.

1 THE COURT: Got it. Okay. Just that one time you said?
2 PROSPECTIVE JUROR#019: Yes.
3 THE COURT: Okay. Was there another hand on the top row
4 or no? How about the middle row? Yes. We'll start at the end there with
5 Mr. Urioste, Badge number 54. Mr. Urioste, how many times?
6 PROSPECTIVE JUROR#054: Once.
7 THE COURT: How long ago?
8 PROSPECTIVE JUROR#054: Probably 13 years.
9 THE COURT: Okay. But here in Las Vegas?
10 PROSPECTIVE JUROR#054: Yeah, it was in here.
11 THE COURT: In this building?
12 PROSPECTIVE JUROR#054: Yeah, this building.
13 THE COURT: Okay. Civil or criminal case?
14 PROSPECTIVE JUROR#054: Criminal.
15 THE COURT: Do you remember what the charges were?
16 PROSPECTIVE JUROR#054: The guy got caught driving a
17 stolen vehicle.
18 THE COURT: Did the jury reach a verdict?
19 PROSPECTIVE JUROR#054: Yes.
20 THE COURT: And were you the foreperson of the jury?
21 PROSPECTIVE JUROR#054: No.
22 THE COURT: Thank you. All right. And can you pass it
23 down -- thank you, ma'am. Ms. Lamerato, Badge 37, how many times?
24 PROSPECTIVE JUROR#037: Once.
25 THE COURT: How long ago?

1 PROSPECTIVE JUROR#037: Probably ten years.
2 THE COURT: Here in Las Vegas?
3 PROSPECTIVE JUROR#037: Yes.
4 THE COURT: In this building?
5 PROSPECTIVE JUROR#037: No.
6 THE COURT: In federal court?
7 PROSPECTIVE JUROR#037: Federal court.
8 THE COURT: And do you remember what the -- kind of case
9 it was, that it was about?
10 PROSPECTIVE JUROR#037: Civil.
11 THE COURT: Okay. What type of civil case, like about a
12 contract, personal injury?
13 PROSPECTIVE JUROR#037: It was a police officer suing the
14 police department.
15 THE COURT: Got it. And did the jury reach a verdict?
16 PROSPECTIVE JUROR#037: No, they settled out of court.
17 THE COURT: Thank you.
18 PROSPECTIVE JUROR#037: You're welcome.
19 THE COURT: Mr. Barber, did you have your hand up as well?
20 PROSPECTIVE JUROR#030: Yes.
21 THE COURT: Okay. Badge 30. How many times, sir?
22 PROSPECTIVE JUROR#030: Once.
23 THE COURT: How long ago?
24 PROSPECTIVE JUROR#030: More than 25 years ago.
25 THE COURT: Okay. So, here in Las Vegas, sir?

1 PROSPECTIVE JUROR#030: Yes.

2 THE COURT: Wouldn't have been in this building, but it still
3 could have been state -- this is state court though?

4 PROSPECTIVE JUROR#030: Yes.

5 THE COURT: Down the street on Third Street?

6 PROSPECTIVE JUROR#030: Yeah, I think so.

7 THE COURT: Civil or criminal case?

8 PROSPECTIVE JUROR#030: I think it was --

9 THE COURT: Were you asked to decide whether somebody
10 was guilty or not guilty --

11 PROSPECTIVE JUROR#030: Yes.

12 THE COURT: -- or talk about awarding money or --

13 PROSPECTIVE JUROR#030: Guilty or not guilty.

14 THE COURT: Okay. Do you remember what the nature of
15 the charges were about?

16 PROSPECTIVE JUROR#030: Prescription drugs.

17 THE COURT: Okay. Jury reach a verdict?

18 PROSPECTIVE JUROR#037: Yes.

19 THE COURT: And were you the foreperson of the jury?

20 PROSPECTIVE JUROR#037: No.

21 THE COURT: Okay. How about the bottom row? Anybody
22 on the bottom row? How about our first row over here? Start with Mr.
23 Miller, Mike, Badge number 160. Okay. Let me start with Mr. Rivera, sir.

24 THE COURT: Sorry.

25 PROSPECTIVE JUROR#160: That's okay.

1 THE COURT: Mr. Rivera, how many times, sir?
2 PROSPECTIVE JUROR#130: Once.
3 THE COURT: How long ago?
4 PROSPECTIVE JUROR#130: About eleven years ago,
5 criminal.
6 THE COURT: And still in Las Vegas, sir; right?
7 PROSPECTIVE JUROR#130: Yes, sir.
8 THE COURT: Was it in this building?
9 PROSPECTIVE JUROR#130: Yes.
10 THE COURT: Okay. Civil or criminal case?
11 PROSPECTIVE JUROR#130: Criminal.
12 THE COURT: Do you remember the type of charges?
13 PROSPECTIVE JUROR#130: It was the individual was on
14 probation when was found with weapons and drugs on his person during
15 probation.
16 THE COURT: Okay. Did the jury reach a verdict?
17 PROSPECTIVE JUROR#130: No, sir.
18 THE COURT: Were you the foreperson of the jury?
19 PROSPECTIVE JUROR#130: No.
20 THE COURT: Okay. Thank you. And then Mr. Miller, Badge
21 number 160. How many times, Mr. Miller?
22 PROSPECTIVE JUROR#160: Just once.
23 THE COURT: How long ago?
24 PROSPECTIVE JUROR#160: It was about four years ago in
25 this building.

1 THE COURT: Criminal or civil case?
2 PROSPECTIVE JUROR#160: Criminal.
3 THE COURT: And do you remember what the charges were
4 about?
5 PROSPECTIVE JUROR#160: Kidnapping, assault,
6 intentionally endangering children.
7 THE COURT: Jury reach a verdict?
8 PROSPECTIVE JUROR#160: Yes.
9 THE COURT: And were you the foreperson of the jury?
10 PROSPECTIVE JUROR#160: No.
11 THE COURT: Okay. Thank you. Did I miss anybody on that
12 question? No.
13 How many, if any of you in my 31, have ever been the victim
14 of a crime or you have a close family member that was a victim of a
15 crime? Any type of crime. Somebody they, you know, stole your bicycle
16 or broke into your house while you were on vacation, whatever else?
17 We'll start with Mr. Minton on the top row, Badge number 001. What you
18 got, Mr. Minton?
19 PROSPECTIVE JUROR#001: We had some theft in my
20 house when I was a child as well as when I was in college. People broke
21 in -- breaking into our apartment and stealing stuff.
22 THE COURT: Okay. Any of that occur here or was this when
23 you were living elsewhere?
24 PROSPECTIVE JUROR#001: This was all before I moved
25 out here.

1 THE COURT: Okay. Did you ever go to court over any of
2 those things?

3 PROSPECTIVE JUROR#001: No, none of them. There was
4 nothing ever found.

5 THE COURT: Okay. Thank you. Ms. Duus, Badge number
6 004.

7 PROSPECTIVE JUROR#004: My parents were burgled. This
8 is in Minneapolis about eight, ten years ago.

9 THE COURT: Not many people know the word burgled. Very
10 good. Did that matter ever go to court?

11 PROSPECTIVE JUROR#004: Yes. The UPS deliverer
12 caught them and basically called it in because they saw them coming out
13 of the window.

14 THE COURT: Got it. Okay. And you said that was in New
15 York?

16 PROSPECTIVE JUROR#004: No, no, that was in
17 Minneapolis.

18 THE COURT: I'm sorry. Okay. Thank you. Anybody else in
19 the top row? Ms. Svedin, 006.

20 PROSPECTIVE JUROR#006: My husband's and my
21 apartment got broken into 15 years ago or 16 years ago.

22 THE COURT: Okay. So, not here in Las Vegas?

23 PROSPECTIVE JUROR#006: No.

24 THE COURT: Okay. Were you home at the time or were you
25 away?

1 PROSPECTIVE JUROR#006: We were away.

2 THE COURT: And did that matter ever go to court? Did you
3 ever have to testify?

4 PROSPECTIVE JUROR#006: No.

5 THE COURT: Thank you.

6 PROSPECTIVE JUROR#006: And then also abused as a
7 child.

8 THE COURT: Was that ever reported to the police?

9 PROSPECTIVE JUROR#006: It was not to my knowledge.

10 THE COURT: All right. Thank you. Anybody else in the top
11 row? Yep. Pass it all the way down to the end, please. Thank you. Ms.
12 Stokey, 027.

13 PROSPECTIVE JUROR#027: Yes. My father was -- his
14 house was broken into and his car was stolen.

15 THE COURT: Was the gentleman living in Las Vegas at the
16 time?

17 PROSPECTIVE JUROR#027: Yes.

18 THE COURT: And about how long ago?

19 PROSPECTIVE JUROR#027: Eight years ago, maybe seven.

20 THE COURT: Okay. Did he or anyone in your family ever
21 have to go to court?

22 PROSPECTIVE JUROR#027: No.

23 THE COURT: Okay. Thank you. How about the middle row?
24 I have some folks. Could you pass it forward for me? Thank you. Mr.
25 Urioste, Badge 54.

1 PROSPECTIVE JUROR#054: About 17 years ago my
2 apartment was broken into.

3 THE COURT: Here in Las Vegas?

4 PROSPECTIVE JUROR#054: No.

5 THE COURT: Whereabouts?

6 PROSPECTIVE JUROR#054: I lived in Silverdale,
7 Washington at the time.

8 THE COURT: Got it. Were you home at the time or were you
9 away?

10 PROSPECTIVE JUROR#054: I was away.

11 THE COURT: And did that matter ever go to court?

12 PROSPECTIVE JUROR#054: No.

13 THE COURT: Thank you. Who do I got next? Pass it all the
14 way down to the left to Ms. Lamerato. Thank you. Badge 37, yes
15 ma'am.

16 PROSPECTIVE JUROR#037: My mother was knocked down,
17 beat up, and kicked in the head. It was, I guess, about 30 years ago.

18 THE COURT: Okay. Was that kind of part of a mugging or
19 was it related to a domestic situation?

20 PROSPECTIVE JUROR#037: No, it was a mugging.

21 THE COURT: Okay. And whereabouts was that?

22 PROSPECTIVE JUROR#037: Oh, that was in Michigan.

23 THE COURT: Okay. Did that ever go to Court? Did she have
24 to testify?

25 PROSPECTIVE JUROR#037: No, they never found the guys

1 that did it.

2 THE COURT: Thank you.

3 PROSPECTIVE JUROR#037: You're welcome.

4 THE COURT: Anybody else on that row? Yeah, Mr. Barber,
5 Badge 30.

6 PROSPECTIVE JUROR#030: My apartment was burglarized,
7 things were missing.

8 THE COURT: Here in Las Vegas?

9 PROSPECTIVE JUROR#030: Here, yes.

10 THE COURT: Home at the time or away?

11 PROSPECTIVE JUROR#030: Away.

12 THE COURT: And was anybody ever caught; did you go to
13 court at all?

14 PROSPECTIVE JUROR#030: I reported it but nobody -- it
15 didn't go nowhere.

16 THE COURT: Got it. Thank you. How about our bottom row?
17 Yes. All right. Mr. Lange, Badge 57.

18 PROSPECTIVE JUROR#057: Yes. I witnessed a shooting.

19 THE COURT: And how long ago was that?

20 PROSPECTIVE JUROR#057: About six years ago.

21 THE COURT: Here in Las Vegas?

22 PROSPECTIVE JUROR#057: Yes.

23 THE COURT: Related to your neighborhood or were you at
24 work or --

25 PROSPECTIVE JUROR#057: It was a neighbor in a verbal

1 argument with another neighbor.

2 THE COURT: And I'm assuming that the police were called if
3 it was a shooting?

4 PROSPECTIVE JUROR#057: Yeah. I was one of the people
5 that called them but, yeah, several people probably did.

6 THE COURT: Give a statement to the police?

7 PROSPECTIVE JUROR#057: I did.

8 THE COURT: And did you ever go to court and testify?

9 PROSPECTIVE JUROR#057: No.

10 THE COURT: No? Okay. Thank you. Ms. Snyder, Badge
11 72.

12 PROSPECTIVE JUROR#072: My parents' car was stolen.

13 THE COURT: Okay. And how long ago was that?

14 PROSPECTIVE JUROR#072: Probably about 40 years.

15 THE COURT: Oh, okay.

16 PROSPECTIVE JUROR#072: A long time ago.

17 THE COURT: So, that wasn't here in Las Vegas though?

18 PROSPECTIVE JUROR#072: No.

19 THE COURT: Do you know did they ever go to court and
20 have to testify or anything?

21 PROSPECTIVE JUROR#072: No, they didn't.

22 THE COURT: Okay. Thank you. Anybody else? Okay. Ms.
23 Tamariz, Badge 78.

24 PROSPECTIVE JUROR#078: Sexual assault.

25 THE COURT: I'm sorry you have to bring that up. Please

1 understand it's not anybody's desire to unnecessarily pry into your
2 personal life, but was that when you were a minor or an adult?

3 PROSPECTIVE JUROR#078: Minor.

4 THE COURT: And was it ever reported to the police?

5 PROSPECTIVE JUROR#078: Yes.

6 THE COURT: Okay. Did you ever go to court?

7 PROSPECTIVE JUROR#078: I never had to go to court, no.

8 THE COURT: Okay. The way you say that leads me to
9 believe maybe there was a court case but you didn't have to go?

10 PROSPECTIVE JUROR#078: That's correct.

11 THE COURT: Got it. Okay. And not in Nevada, I take it?

12 PROSPECTIVE JUROR#078: No, in Colorado.

13 THE COURT: Got it. Thank you. All right. Mr. Landeros-
14 Solis, number 142.

15 PROSPECTIVE JUROR#087: 087.

16 THE COURT: I'm sorry. I was just saying thank you for
17 passing the microphone to her. Good man. All right. Ms. Rodriquez,
18 Badge number 87.

19 PROSPECTIVE JUROR#087: Home burglary.

20 THE COURT: I'm sorry?

21 PROSPECTIVE JUROR#087: Home burglary.

22 THE COURT: How long ago?

23 PROSPECTIVE JUROR#087: Ten years ago.

24 THE COURT: Here in Las Vegas?

25 PROSPECTIVE JUROR#087: Yes.

1 THE COURT: And were you home at the time?
2 PROSPECTIVE JUROR#087: No.
3 THE COURT: Did the matter ever go to court?
4 PROSPECTIVE JUROR#087: No.
5 THE COURT: Did you have to testify?
6 PROSPECTIVE JUROR#087: No, uh-uh.
7 THE COURT: Okay. And before we hop over there, let me
8 just ask another question to this side of the room. Kind of take that
9 question and flip it around a little bit. Any of you or anyone close to you
10 ever been arrested or convicted of any type of crime, you or any of your
11 close family members? Anybody on the bottom row? No, middle, yep,
12 Mr. Landeros-Solis.
13 PROSPECTIVE JUROR#142: My brother.
14 THE COURT: Okay. And what kind of issue did he have?
15 PROSPECTIVE JUROR#142: Paraphernalia, I mean, drugs.
16 THE COURT: And was that something that was occurring
17 here in Nevada?
18 PROSPECTIVE JUROR#142: Yes.
19 THE COURT: Okay. Is there anything that's ongoing or is it
20 in the past?
21 PROSPECTIVE JUROR#142: No, from the past.
22 THE COURT: Okay. So, did he have matters that went to
23 court?
24 PROSPECTIVE JUROR#142: Yes.
25 THE COURT: And do you know was there ever a trial on any

1 of them or --

2 PROSPECTIVE JUROR#142: I don't think so.

3 THE COURT: Okay. Thank you. Anybody else in that bottom
4 row. How about the middle row? You can start with Mr. Barber on the
5 edge, Badge number 30.

6 PROSPECTIVE JUROR#030: My brother, a brother.

7 THE COURT: Brother. And what type of issues did your
8 brother have?

9 PROSPECTIVE JUROR#030: He didn't pay for his kids.

10 THE COURT: Some child support stuff?

11 PROSPECTIVE JUROR#030: Child support.

12 THE COURT: Okay. And was that here in Nevada?

13 PROSPECTIVE JUROR#030: Yes.

14 THE COURT: Do -- did he -- was it kind of a situation where
15 he got taken back to family court over payment of child support?

16 PROSPECTIVE JUROR#030: I believe so.

17 THE COURT: Okay. Thank you. And if you could pass it
18 down to your right for me, please. Thank you. Ms. Batara.

19 PROSPECTIVE JUROR#041: Can you repeat the question
20 again? If either you or a family member.

21 THE COURT: Yeah. You or anyone close to you, close
22 family member --

23 PROSPECTIVE JUROR#041: Okay.

24 THE COURT: -- and it's the same kind of -- they have to be
25 close enough that you'd kind of have talked to them and have some

1 knowledge of it.

2 PROSPECTIVE JUROR#041: Okay.

3 THE COURT: But ever been arrested or convicted of any kind
4 of crime.

5 PROSPECTIVE JUROR#041: Okay. So, that would be me. I
6 got arrested.

7 THE COURT: Okay. For -- what was it?

8 PROSPECTIVE JUROR#041: DUI.

9 THE COURT: How long ago was that?

10 PROSPECTIVE JUROR#041: That was in 2009.

11 THE COURT: Here in Nevada?

12 PROSPECTIVE JUROR#041: Yes.

13 THE COURT: Okay. Did your matter go to court?

14 PROSPECTIVE JUROR#041: Yes.

15 THE COURT: In this building?

16 PROSPECTIVE JUROR#041: I pleaded guilty or no contest.

17 THE COURT: Okay. Do you know, was it in municipal court
18 or justice court?

19 PROSPECTIVE JUROR#041: I don't -- I wouldn't know. I
20 think I came here though to this building.

21 THE COURT: Yeah, well, we got all of them in the building
22 now. We got muni court, justice court, district court. We used to have
23 the Supreme Court.

24 PROSPECTIVE JUROR#041: I think it's justice, I believe --

25 THE COURT: Okay.

1 PROSPECTIVE JUROR#041: -- but I'm not too sure.

2 THE COURT: Point being, do you know, was it prosecuted by

3 the District Attorney's office?

4 PROSPECTIVE JUROR#041: No, I don't believe so.

5 THE COURT: Or either them or the city attorney's office, one

6 of those two?

7 PROSPECTIVE JUROR#041: Yeah, I don't know.

8 THE COURT: Okay. It wasn't any of these people though?

9 PROSPECTIVE JUROR#041: No.

10 THE COURT: Okay. There you go. All right. Thank you,

11 Megan. Anybody else in that row? Mr. Barber.

12 PROSPECTIVE JUROR#030: It was myself. I was arrested.

13 THE COURT: Okay. What did you get arrested for?

14 PROSPECTIVE JUROR#030: Domestic violence.

15 THE COURT: How long ago was that?

16 PROSPECTIVE JUROR#030: Ten years ago.

17 THE COURT: Here in Nevada?

18 PROSPECTIVE JUROR#030: Yes.

19 THE COURT: Okay. Did it result in a court case?

20 PROSPECTIVE JUROR#030: The charges were dropped.

21 THE COURT: Okay. A charge got filed, case was filed, then

22 case was dropped?

23 PROSPECTIVE JUROR#030: Correct.

24 THE COURT: Okay. Did you ever have to go court at all?

25 PROSPECTIVE JUROR#030: I had to go to court and the

1 judge said if I got -- stayed out of trouble for a year they would drop it.

2 THE COURT: Okay. So, you kind of deferred doing anything
3 with it and you stayed out of trouble then it was dismissed?

4 PROSPECTIVE JUROR#030: Correct.

5 THE COURT: Okay. Do you remember -- was that in muni
6 court or in justice court?

7 PROSPECTIVE JUROR#030: It was here.

8 THE COURT: Like I said, everybody's in this building now.

9 PROSPECTIVE JUROR#030: Right. I'm not sure. I think it's
10 justice.

11 THE COURT: Okay. Do you remember, was it the District
12 Attorney's office that prosecuted?

13 PROSPECTIVE JUROR#030: I think it was.

14 THE COURT: Okay. Neither of those two prosecutors, I take
15 it?

16 PROSPECTIVE JUROR#030: No, I would remember them.

17 THE COURT: Okay. All right. Thank you. Pass it up to Mr.
18 Minton, if you would, please, Badge number 001. Yes, sir.

19 PROSPECTIVE JUROR#001: Myself, seven years ago, DUI
20 and the two years prior to that, DUI that got pled down to reckless
21 endangerment.

22 THE COURT: Okay. So, about nine and seven years ago.
23 Both of them here in Nevada?

24 PROSPECTIVE JUROR#001: Yes.

25 THE COURT: And they both, I take it, went to court?

1 PROSPECTIVE JUROR#001: Yeah.

2 THE COURT: All right. Do you remember was it city court or
3 justice court?

4 PROSPECTIVE JUROR#001: I think it was justice, but I'm
5 not a hundred percent sure on that.

6 THE COURT: So, I'll assume it was the DA's office that
7 prosecuted it, but not either of these two people?

8 PROSPECTIVE JUROR#001: Neither of those two.

9 THE COURT: Thank you. Anybody else in the top row?
10 Pass it all the way down to the right for me, folks. Thank you. Ms.
11 Stokey, Badge number 27.

12 PROSPECTIVE JUROR#027: Yes. My nephew. It was
13 drugs and writing bad checks here in Nevada and in Oregon.

14 THE COURT: Okay. All in the past, nothing current?

15 PROSPECTIVE JUROR#027: All in the past. He's doing
16 great now.

17 THE COURT: Good. Okay. Thank you. Okay. And, then,
18 Mike, you can pass it over here to the other side. So, with my first row of
19 folks over there to my left, how many of you or any close family members
20 that you would talk to about it have ever been the victim of a crime?
21 We'll start on the end with Ms. McDaniels, Badge number 91. Yes,
22 ma'am.

23 PROSPECTIVE JUROR#091: Well when I as in -- I want to
24 say it was 2010, my best friend got shot at Simmons Park.

25 THE COURT: Got shot where? I'm sorry.

1 PROSPECTIVE JUROR #091: But he survived. He got shot
2 at Simmons Park.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR#091: After a football game.

5 THE COURT: And did he survive?

6 PROSPECTIVE JUROR#091: Yeah, he survived.

7 THE COURT: Okay. Did you witness the shooting?

8 PROSPECTIVE JUROR#091: Yeah, I witnessed -- I stayed in
9 the car because I had a bad feeling. And so they were all out of the car
10 and I was just watching all the chaos go on, and then we all drove to
11 Wingstop, and the girl who had him in her car got into a hit and run, and
12 then CSI came to the Speedee Mart.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR#091: To get him.

15 THE COURT: Did you ever give a statement?

16 PROSPECTIVE JUROR#091: No, they didn't have me write a
17 statement but --

18 THE COURT: Okay. Did you ever go to court at all and testify
19 about anything?

20 PROSPECTIVE JUROR#091: Uh-uh.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR#091: I think the girl Alexis did
23 though.

24 THE COURT: The girl that had him in her car may have?

25 PROSPECTIVE JUROR#091: The girl who was the driver

1 with him in the car she went.

2 THE COURT: Okay. Got it. Thank you. Who do I got next?
3 Yep. Ms. Timinski, Badge 107.

4 PROSPECTIVE JUROR#107: Okay. In 2005 our house got
5 broken into when we were on vacation.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR#107: In 2007 our business got
8 broken into, and in 2015 or '16 our house got broken into when we were
9 home in the next room, and then my daughter and my son-in-law were
10 involved in the Vegas shooting.

11 THE COURT: The 1 October?

12 PROSPECTIVE JUROR#107: Yes, October 1st.

13 THE COURT: Okay. So, let's start at the end of that. Were
14 they injured at all in the shooting?

15 PROSPECTIVE JUROR#107: No.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR#107: Traumatized.

18 THE COURT: Yeah, understood. Did they ever give any kind
19 of statements to the police or anything like that?

20 PROSPECTIVE JUROR#107: I don't think so.

21 THE COURT: Okay. With regard to the 2015 home invasion
22 while you all are home --

23 PROSPECTIVE JUROR#107: Mm-hmm.

24 THE COURT: -- was that late at night, middle of the
25 afternoon?

1 PROSPECTIVE JUROR#107: It was 9 o'clock at night.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR#107: Our lights were on. I had just
4 left our bedroom and I left the door open, and I walked out there into the
5 family room in the next room, and I went back to get my cellphone and
6 our door was shut and locked. And I yelled at my husband, why is our
7 door locked, and I heard somebody in there. And he ran out the other
8 door and the perpetrator --

9 THE COURT: So, can I interrupt you for a second?

10 PROSPECTIVE JUROR#107: Yeah.

11 THE COURT: I'm sorry. When you say you left the door open
12 and then it was shut and locked, you just mean like the door into your
13 bedroom?

14 PROSPECTIVE JUROR#107: Yes.

15 THE COURT: Okay. And he ran -- because we had a door
16 that went out into the patio --

17 THE COURT: From your bedroom?

18 PROSPECTIVE JUROR#107: Yeah. And from the great
19 room. So, he ran out there.

20 THE COURT: He being the guy that was --

21 PROSPECTIVE JUROR#107: My husband, my husband --

22 THE COURT: Your husband. Okay.

23 PROSPECTIVE JUROR#107: -- and that person knew that
24 he had been heard. So, they dropped the wallet that they had picked up.
25 So, luckily, they didn't steal the wallet or anything and they just flew, and

1 we never did catch them.

2 THE COURT: Okay. So, you -- did you have like a sliding
3 glass door or something that went from your bedroom to the outside?

4 PROSPECTIVE JUROR#107: It was a window that he
5 crawled through that I had open --

6 THE COURT: Okay.

7 PROSPECTIVE JUROR#107: -- because it was February and
8 it was nice and cool. So, he broke the screen off and he crawled through
9 the window.

10 THE COURT: Got it.

11 PROSPECTIVE JUROR#107: Whoever it was.

12 THE COURT: I'm assuming you called the police?

13 PROSPECTIVE JUROR#107: Oh, yeah.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR#107: And the other homes on the
16 same block were broken into at the same time.

17 THE COURT: The same day?

18 PROSPECTIVE JUROR#107: You know, a half hour
19 difference.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR#107: Mm-hmm.

22 THE COURT: But nobody -- you never went to court, nobody
23 was ever charged as far as you know?

24 PROSPECTIVE JUROR#107: No, no.

25 THE COURT: Okay. And then the two prior burglaries,

1 business and home, were -- you were not there at the time that the
2 burglaries occurred. Those were still here in Las Vegas as well?

3 PROSPECTIVE JUROR#107: They were.

4 THE COURT: Police called on those occasions?

5 PROSPECTIVE JUROR#107: Yes.

6 THE COURT: And did those result in court cases at all?

7 PROSPECTIVE JUROR#107: The first one probably did but I
8 wasn't involved in that because it was a woman in our neighborhood --

9 THE COURT: Okay.

10 PROSPECTIVE JUROR#107: -- that was dealing in drugs,
11 like a drug addict.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR#107: And other people's homes
14 were broken into that were involved. And so she did --

15 THE COURT: So, she had a bunch of charges for a bunch of
16 homes?

17 PROSPECTIVE JUROR#107: Yeah.

18 THE COURT: And so you didn't go to court but you think
19 maybe some of your neighbors did?

20 PROSPECTIVE JUROR#107: Yes, mm-hmm.

21 THE COURT: Okay. Got it. And then the one in your
22 business in 2007, you don't think that ever resulted in a court case?

23 PROSPECTIVE JUROR#107: I don't know because they
24 broke -- like a long row of businesses, they cut holes all through the walls
25 and stole computers and everything out of everybody's business. And so

1 I don't know what happened there.

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

3 PROSPECTIVE JUROR#107: You're welcome.

4 THE COURT: Who else do I got with their hand up? Go
5 ahead. Mr. Miller, yes?

6 PROSPECTIVE JUROR#153: Oh, I'm sorry.

7 THE COURT: That's okay.

8 PROSPECTIVE JUROR#0153: My house was broken into in
9 1994.

10 THE COURT: Okay. All right. I'm sorry, Ms. Nelub, 94.
11 Okay. That's Badge 153. Here in Las Vegas?

12 PROSPECTIVE JUROR#153: Yes.

13 THE COURT: And were you home at the time?

14 PROSPECTIVE JUROR#153: No.

15 THE COURT: Okay. Ever have to go to court?

16 PROSPECTIVE JUROR#153: No.

17 THE COURT: Okay. Thank you. Okay. Ms. Tucker, 128.

18 PROSPECTIVE JUROR#128: I was an injured victim in
19 October 1.

20 THE COURT: And were you hospitalized?

21 PROSPECTIVE JUROR#128: No.

22 THE COURT: Okay. Kind of treated and then able to go
23 home?

24 PROSPECTIVE JUROR#128: Yeah. I had two graze wounds
25 on my left leg.

1 THE COURT: Okay. And how you doing?
2 PROSPECTIVE JUROR#128: Okay.
3 THE COURT: Did you ever get interviewed by the police --
4 PROSPECTIVE JUROR#128: Yeah.
5 THE COURT: -- or have to give any statements to anybody?
6 PROSPECTIVE JUROR#128: Yeah, I did a statement to --
7 they let me go down to Henderson's police department, but it was for --
8 Metro's detectives were there.
9 THE COURT: Okay. Yeah, I think we kind of triaged people
10 in a lot of different places then. Okay. Thank you. Any other hands on
11 that row? Mr. Rivera.
12 PROSPECTIVE JUROR#130: This is concerning my kid
13 sister.
14 THE COURT: Okay.
15 PROSPECTIVE JUROR#130: She was a victim of domestic
16 violence. The police were called a few times, she made a few reports;
17 never went to court.
18 THE COURT: Okay.
19 PROSPECTIVE JUROR#130: I confronted him a few times.
20 It's over now, but that's it.
21 THE COURT: The relationship is over?
22 PROSPECTIVE JUROR#130: It's over, yeah, it's over.
23 THE COURT: Got it. And was this going on here in Nevada?
24 PROSPECTIVE JUROR#130: It was.
25 THE COURT: All right. And you said she made a few reports

1 but maybe she just never followed up on?

2 PROSPECTIVE JUROR#130: Right, exactly.

3 THE COURT: Got it. Okay. And what time period are you
4 talking about?

5 PROSPECTIVE JUROR#130: 2008, roughly.

6 THE COURT: Okay. Thank you. Okay. And for that row,
7 same question I just asked the other folks. Any of you all or anyone
8 close to you ever been arrested or convicted of any kind of crimes? All
9 right. Mr. Rivera.

10 PROSPECTIVE JUROR#130: Hi, again. I have an older
11 brother who was -- he shot somebody.

12 THE COURT: And how long ago was that?

13 PROSPECTIVE JUROR#130: I was in grade school. This
14 was maybe 35 years ago.

15 THE COURT: Oh, all right. Okay.

16 PROSPECTIVE JUROR#130: Yeah.

17 THE COURT: Even in Nevada or no?

18 PROSPECTIVE JUROR#130: This was in Los Angeles.

19 THE COURT: Got it. Okay.

20 PROSPECTIVE JUROR#130: Yeah, before I came here.

21 THE COURT: Thank you. Ms. Tucker.

22 PROSPECTIVE JUROR#128: I guess this kind of goes back
23 to the last question. My father-in-law was arrested for attempting to
24 murder my mother-in-law.

25 THE COURT: Okay. And how long ago was that?

1 PROSPECTIVE JUROR#128: 2015 and '16.
2 THE COURT: Here in Las Vegas?
3 PROSPECTIVE JUROR#128: In Henderson.
4 THE COURT: Henderson. Okay. You said he was arrested?
5 PROSPECTIVE JUROR#128: Yeah. The DA charged him for
6 strangling and he appeared in court and it was dismissed and now he's
7 run -- he's run away in Sacramento.
8 THE COURT: Okay. So, you say he's run away meaning his
9 case is still active but --
10 PROSPECTIVE JUROR#128: We don't know.
11 THE COURT: You don't know. Okay.
12 PROSPECTIVE JUROR#128: He's missing.
13 THE COURT: Okay. But he's not involved with your mom
14 anymore?
15 PROSPECTIVE JUROR#128: No, thank God. My mother-in-
16 law finally divorced him.
17 THE COURT: Got it. Okay. Thank you. Anybody else in that
18 row with that question? No? Okay.
19 How many of you believe that you would have a tendency to
20 give more weight or credence or less weight or credence, whatever the
21 case may be, to the testimony of a police officer just because they were a
22 police officer or could you treat them like any other witness and evaluate
23 their testimony in light of all the facts and circumstances in the case?
24 Anybody feel like you would treat a police officer differently? All right.
25 Mr. Minton, Badge number 001. Yes, sir.

1 PROSPECTIVE JUROR#001: Having grown up around and
2 worked a lot with LEOs, I tend to believe them pretty much.

3 THE COURT: Okay. So, not really because of anything
4 related to experience or training, just kind of a default I'm going to believe
5 them because they're a police officer?

6 PROSPECTIVE JUROR#001: For the most part, yeah. I
7 mean, from my going ons with them and knowing many of them
8 personally, I tend to believe officers pretty much all the time.

9 THE COURT: Okay. All right. Next question. How many of
10 you -- well let me put it this way. Do you all believe that you could wait I
11 forming your opinion on the appropriate results here until after you've
12 heard all the evidence and been given the legal instructions by the
13 Court? It means you can't make up your mind after the State gives an
14 opening statement, you can't make up your mind after the defense cross
15 examines the first witness. Like everything in life, you need to be willing
16 to sit and listen to all the information you're going to be provided before
17 you reach any conclusions about anything. Anybody that believes they
18 could not do that? I see no hands. Thank you.

19 Okay. So, that completes my questions. I appreciate your
20 patience with me and I will turn it over to the State now.

21 MR. PORTZ: Good afternoon. As is probably very apparent
22 and just for this portion of the questioning, like the Court, I'm going to be
23 asking and directing my questions to this first group of 31 that we have
24 here and over here in the first row. But it should be pretty apparent to all
25 of you right now at this point that this while this is a long, tedious process,

1 it's a very important part of the trial process and that's selecting the jury.
2 It's important to both sides that we have jurors that are fair and open
3 minded and able to listen to the evidence that's presented to them with a
4 fair and open mind before they go and make their deliberations.

5 So, with that in mind I'm going to have a few general
6 questions to the group about those issues. I'm going to probably do
7 some follow-up with the first two rows and then I believe Ms. Weckerly
8 might have a few questions after me as well.

9 The first point I want to get into -- now you've heard a brief
10 synopsis of the allegations in this case. You understand that there is a
11 murder charge. As you can imagine in a case like this or in any murder,
12 there are going to be at times graphic photographs that are presented
13 throughout the course of this trial. I want to first ask is there anyone here
14 who thinks that they're going to have an inability to view the photographs
15 because they might be graphic? Understanding it might not be pleasant,
16 but does anything think that they would absolutely be unable to -- okay.
17 Let's start with Mr. Minton; correct?

18 PROSPECTIVE JUROR #001: Yes. I would probably be able
19 to view them, but the results -- I'm a very squeamish sympathetic person.
20 Anytime, like, blood is usually involved it does not end well. Usually I end
21 up either fainting or getting queasy or needing to take a break just
22 because I just can't handle the graphic.

23 MR. PORTZ: Okay. Understood. And don't get me wrong. I
24 don't think anyone wants to look at photos that are graphic in any
25 context, but do you think that if you're chosen as a juror, if you're sworn

1 in, you take an oath to uphold your duty as a juror, do you think that you
2 would just be unable to consider that evidence because you would be
3 offended by it, for lack of a better word? Would you not look at it and
4 consider it as evidence in the case presented to you?

5 PROSPECTIVE JUROR #001: I would look at it but I would
6 not be comfortable.

7 MR. PORTZ: Okay. So you could do it but it's not
8 comfortable?

9 PROSPECTIVE JUROR #001: Yes.

10 MR. PORTZ: I completely get that. We had another hand up.
11 It was Ms. Svedin, with a W. Got it.

12 PROSPECTIVE JUROR #006: I do not handle injury to
13 children without getting being very, very emotional.

14 MR. PORTZ: Understood.

15 PROSPECTIVE JUROR #006: Yeah.

16 MR. PORTZ: What if -- and if it's not, I guess, you're right, no
17 one would handle that, and I can understand you have a particular
18 sensitivity. I'm sure there are others that would share that. If it's not
19 injuries related to a child per se, would that be something that you
20 couldn't view if it were not a child?

21 PROSPECTIVE JUROR #006: If it's not a child I can handle it
22 much better.

23 MR. PORTZ: Okay. And so if you were selected as a juror
24 and that wasn't an issue for you as far as it not being a child that you
25 might observe graphic photos of injuries, do you think you could -- you

1 could uphold your [indiscernible]?

2 PROSPECTIVE JUROR #006: Yeah, I can do it fine as long
3 as it's not a child.

4 MR. PORTZ: Is there anyone else that had their hand up? I
5 had a couple. That's Ms. Lamerato, Badge number 37; correct?

6 PROSPECTIVE JUROR #037: Yes. I agree a hundred
7 percent with her. If it's a child I might have a problem with it. If it's an
8 adult, I could handle it better I think.

9 MR. PORTZ: And, again, with regards to graphic injury -- and,
10 you know, I keep repeating that phrase, but there are obviously injuries in
11 a murder case.

12 PROSPECTIVE JUROR #037: Right.

13 MR. PORTZ: And you will have to look at some photos at
14 some point in time. If it's not of a child that's not going to be an issue for
15 you as far as your ability to consider evidence presented to you?

16 PROSPECTIVE JUROR #037: That's correct.

17 MR. PORTZ: Thank you, ma'am.

18 PROSPECTIVE JUROR #037: You're welcome.

19 MR. PORTZ: Is there anyone else sharing these concerns?
20 Showing no hands. I want to move on to just -- oh, I'm sorry. I forgot you
21 guys over there. Sorry about that. And, I'm sorry, would you state your
22 name and badge number?

23 THE COURT: That's Ms. Timinski.

24 PROSPECTIVE JUROR #108: Kathy Timinski. All I want to
25 say is if I have to stare at it for a long period of time, I couldn't -- I'd just

1 want to look away.

2 MR. PORTZ: Would you -- obviously if you're a juror it's
3 important that you, you know, take in the evidence in the case, and I can
4 understand not wanting to look at something for a period of time longer
5 than necessary to understand what's being shown to you, but would you
6 be able to do that?

7 PROSPECTIVE JUROR #108: Yes. I could glance and then
8 look away, but if it's up on a board or a screen, I couldn't stare at it.

9 THE COURT: There is, just so you understand, there is no --
10 no time periods on any of those things. Okay. You just have to be willing
11 to look at something so that you can see whatever evidence or the value
12 it has for you to consider it.

13 PROSPECTIVE JUROR #108: Okay.

14 THE COURT: But there's nothing that says you got to look at
15 it for 30 seconds --

16 PROSPECTIVE JUROR #108: Stare at it.

17 THE COURT: -- or four minutes. That pertains a pair of pants
18 as much as it does to a picture.

19 PROSPECTIVE JUROR #108: Okay.

20 THE COURT: You just need to be able to consider all the
21 evidence that's provided.

22 PROSPECTIVE JUROR #108: Okay.

23 THE COURT: Okay.

24 MR. PORTZ: Does it sound like something you could do, Ms.
25 Timinski?

1 PROSPECTIVE JUROR #108: Yes, I could.

2 MR. PORTZ: Thank you, ma'am. Did I see anyone else over
3 there? All right.

4 Anyone here just by show of hands -- I'm not going to get too
5 involved -- anyone here own or possess a firearm? Okay. Showing a
6 significant number. Of those people that raised their hands, anyone
7 here, are you familiar with the nature of firearms in it of themselves as in
8 the difference between, say, revolver and semi-automatic. Is that
9 something that those who own firearms are familiar with? Anyone not
10 familiar with it, of the individuals that raised their hands? Okay. Ms. --

11 THE COURT: Ms. Stokey.

12 MR. PORTZ: Ms. -- thank you, Your Honor -- Ms. Stokey.
13 Ms. Stokey, you raised your hand. You own or possess a firearm; is that
14 correct?

15 PROSPECTIVE JUROR #027: Yes.

16 MR. PORTZ: I got one for Christmas from my husband. I
17 don't know anything about them except for it's purple and I shoot it.

18 MR. PORTZ: That's all you need to know at this point; right?

19 PROSPECTIVE JUROR #027: Yes. I don't know anything
20 else about guns.

21 MR. PORTZ: Okay. Thank you, ma'am. I want to ask -- and
22 again, I'm not going to look into a lot of follow-up here. I don't want to get
23 too personal, but who here among us has had in one way or another
24 drugs affect either your life personally or a family member? I know some
25 people have already shared, but whose had family members or friends or

1 themselves personally affected by drugs? Showing a good number of
2 hands, about nine or ten of our jurors. Anybody here think that just
3 because someone may have used drugs or have drugs in their system,
4 that they cannot be a victim of a crime? Showing no response.

5 Anyone here think that someone who may have had drugs in
6 their system is less deserving of justice than say someone who did not?
7 Showing negative response.

8 I want to ask another general question to everyone. The
9 Court has asked a lot of questions I've asked you already. Is there
10 anything we haven't asked you yet maybe that you think we should know
11 that in one way or another affected your feelings about the criminal
12 justice system as a whole? Anything in your life that has in one way or
13 another that we haven't touched on yet made you think positively or
14 negatively or have any particular strong feelings about the criminal justice
15 system? No response. Does anyone have a particularly strong feeling
16 about the criminal justice system, as it exists today, of our 31 jurors?
17 And, again, no response. Thank you.

18 So, over the years the prosecutors and defense attorneys in
19 the criminal justice system we've come to learn that some jurors, some
20 prospective jurors, people that are fans of shows like CSI might have an
21 expectation at trial, that they get the glamor and the jazz of what they see
22 on TV. How many people here are fans of the show CSI? It's getting
23 fewer and fewer each time I ask this question. Ms. Duus.

24 PROSPECTIVE JUROR #004: Yes.

25 MR. PORTZ: Yes, ma'am. And that's Badge number 4; is

1 that correct?

2 PROSPECTIVE JUROR #004: Yes.

3 MR. PORTZ: So, you're a fan -- we'll get you the microphone.
4 Okay. So, you're a fan of that show; right?

5 PROSPECTIVE JUROR #004: Yes.

6 MR. PORTZ: Which one do you like?

7 PROSPECTIVE JUROR #004: I like the one that's set in Las
8 Vegas.

9 MR. PORTZ: Yeah, that would be the one. But you
10 understand that, you know, that's kind of -- that's Hollywood. Not
11 everything you see in that show is an actual reflection of what is real?

12 PROSPECTIVE JUROR #004: Yeah, I have a lot of molecular
13 biology experience.

14 MR. PORTZ: Okay.

15 PROSPECTIVE JUROR #004: It's actually really funny.

16 MR. PORTZ: So, you know Ms. Weckerly and I don't leave
17 Court and jump in a Hummer and go chase down bad guys?

18 PROSPECTIVE JUROR #004: Yeah.

19 MR. PORTZ: And there are certain forensic techniques that
20 might not be something that's real life?

21 PROSPECTIVE JUROR #004: Oh, yeah, definitely.

22 MR. PORTZ: And with your background and experience, do
23 you kind of laugh at some of the things that they do?

24 PROSPECTIVE JUROR #004: Oh, yeah, it's hysterical
25 actually.

1 MR. PORTZ: Okay. So, then you're not someone we have to
2 worry about thinking that that's real life or would expect that type of a
3 show during a criminal trial?

4 PROSPECTIVE JUROR #004: No, I sequenced DNA. It is
5 not easy.

6 MR. PORTZ: Fair enough. Anyone else? Does anyone have
7 any issue with putting aside the fact that, you know, a TV show is a TV
8 show, this is real life, and you're here to consider the case that's put in
9 front of you? Okay. Showing no response.

10 I want to do a couple follow-up questions on Judge Herndon
11 asking about people who have been victims of crimes and people who
12 have been accused and know people who have been accused of crimes.
13 If we could start with Mr. Minton, we'll start with number 1 and move on
14 down. You said that you had a break-in at your apartment; is that
15 correct?

16 PROSPECTIVE JUROR #001: Yes, in college.

17 MR. PORTZ: In college. Okay. And I'm sorry, and you've
18 already said that wasn't here?

19 PROSPECTIVE JUROR #001: It was in Kansas.

20 MR. PORTZ: Kansas. And that never went to court?

21 PROSPECTIVE JUROR #001: No. We filed a report but
22 never ever happened. There was a brash of 'em in the area so --

23 MR. PORTZ: Okay. Did police respond to that call when you
24 noticed that your home had been burglarized?

25 PROSPECTIVE JUROR #001: Yeah, campus police came.

1 MR. PORTZ: Okay.

2 PROSPECTIVE JUROR #001: It was within their jurisdiction
3 so they took the paperwork and that.

4 MR. PORTZ: Got you. So, you gave statements. Were you a
5 witness to anything or --

6 PROSPECTIVE JUROR #001: No. Just I came home and
7 realized my window was broken open and, you know, some stuff was
8 missing.

9 MR. PORTZ: Did anyone ever -- was anyone ever
10 apprehended? I know you didn't go to court --

11 PROSPECTIVE JUROR #001: No, not for this.

12 MR. PORTZ: Okay. Did you ever get any of your items back?

13 PROSPECTIVE JUROR #001: No.

14 MR. PORTZ: How did you feel about the response by campus
15 police to your particular situation there?

16 PROSPECTIVE JUROR #001: They did their job. I didn't -- I
17 mean, it was one of those we didn't think much was ever going to come
18 of it so --

19 MR. PORTZ: Okay. So, nothing that -- about that that you
20 would hold against the police or say, you know, prosecutors in general
21 because they were unable to make a case on campus?

22 PROSPECTIVE JUROR #001: No.

23 MR. PORTZ: Okay. Where in Kansas did you go to school?

24 PROSPECTIVE JUROR #001: Pittsburg State -- Pittsburg,
25 Kansas, southeast corner of the state.

1 MR. PORTZ: So, you also -- I did want to follow-up on
2 another thing just while you have the mike. With regards to your
3 personal feelings about police officers, I just want to be sure, do you not
4 think that you can listen with an open mind to what a police officer has to
5 say in a case that they're presented as witness here?

6 PROSPECTIVE JUROR #001: I can listen with an open mind,
7 but I am gonna kind of lean -- if it's, you know, a kind of a, you know,
8 indecisive thing, I'm going to side with them in most cases.

9 MR. PORTZ: Okay. So, like, hypothetically you think maybe
10 there's a situation where you might side with a police officer over a lay
11 person just because they're a police officer?

12 PROSPECTIVE JUROR #001: Yes, just --

13 MR. PORTZ: What if there's other evidence presented let's
14 say contradicts a police officer, are you still going to believe that person
15 or are you going to evaluate their testimony with what other witnesses or
16 evidence?

17 PROSPECTIVE JUROR #001: I would evaluate the evidence
18 as presented, but as I said if it's closer that's questionable. I'm probably
19 going to lean that way.

20 MR. PORTZ: If it's not gospel truth or anything like that,
21 because he just had a badge or wear a badge?

22 PROSPECTIVE JUROR #001: No, not gospel.

23 MR. PORTZ: All right. Thank you, Mr. Minton. Ms. Duus,
24 and I'm sorry if I'm mispronouncing that.

25 PROSPECTIVE JUROR #004: No, that's right.

1 MR. PORTZ: Okay. It's the two U's that throw me off. Your
2 parents was burgled in Minnesota?

3 PROSPECTIVE JUROR #004: They were.

4 MR. PORTZ: Okay. And you said that the person was
5 caught; is that correct?

6 PROSPECTIVE JUROR #004: Yeah. It was actually an uncle
7 training in his nephew.

8 MR. PORTZ: Oh, so someone turned in the perpetrator.

9 PROSPECTIVE JUROR #004: So -- well, no. The UPS driver
10 basically caught them as they were climbing out the window or didn't
11 catch them but noticed the window was open and there was a bike
12 leaning up against the window. He knew my parents --

13 MR. PORTZ: Okay.

14 PROSPECTIVE JUROR #004: -- didn't have bikes. They're
15 in their 70s. And so he called the police and they were caught by the
16 police as they came climbing out the window.

17 MR. PORTZ: Okay. And your parents received any property
18 back that was taken?

19 PROSPECTIVE JUROR #004: Yes, they did.

20 MR. PORTZ: Anything about that incident that one way or
21 another would affect your ability to sit fairly in a criminal trial?

22 PROSPECTIVE JUROR #004: I don't think so, no.

23 MR. PORTZ: All right. Thank you, ma'am. I appreciate that.
24 Ms. Svedin, Badge number -- I'm sorry I'm not saying everyone's badge
25 numbers -- 006. Ma'am, you had mentioned that there was a home

1 burglary; was that here in Las Vegas?

2 PROSPECTIVE JUROR #006: It was in Salt Lake.

3 MR. PORTZ: Okay. That's right. And was there a trial?

4 PROSPECTIVE JUROR #004: No.

5 MR. PORTZ: And is that because no one was caught or --

6 PROSPECTIVE JUROR #004: No one was caught, but we
7 did find one of the items in a pawn shop.

8 MR. PORTZ: Okay. Did you call the police out when this
9 incident initially happened?

10 PROSPECTIVE JUROR #004: My husband did.

11 MR. PORTZ: How did you learn about the pawn shop
12 incident? Was that your own research or --

13 PROSPECTIVE JUROR #004: The police told us to keep
14 checking the pawn shops nearby and so we did and saw one -- saw --

15 MR. PORTZ: You learned that --

16 PROSPECTIVE JUROR #004: -- it was like the precursor to
17 the DOSR cameras. It's the film versions of those. And so they
18 developed the film and found the pictures of my son on it.

19 MR. PORTZ: Oh, okay. And did you notify police of that
20 recent discovery?

21 PROSPECTIVE JUROR #004: When it happened it did and
22 the police had to get involved to get the camera released back to us.

23 MR. PORTZ: Oh, okay. But still no one was caught. You do
24 have any feelings or ill will towards the fact that the police were unable to
25 apprehend the person that did this?

1 PROSPECTIVE JUROR #004: No.

2 MR. PORTZ: Thank you. If we could pass that down to Ms.
3 Stokey. That would Badge number 27. And, ma'am, you mentioned that
4 your father had a break-in and that was here in Las Vegas; is that right?

5 PROSPECTIVE JUROR #027: Yes.

6 MR. PORTZ: And they stole his vehicle?

7 PROSPECTIVE JUROR #027: Yes. They stole items in the
8 house and the vehicle at two separate times.

9 MR. PORTZ: And you also mentioned to the Court that there
10 -- never went to trial. Was anyone ever apprehended though?

11 PROSPECTIVE JUROR #027: No. We assumed it was my
12 nephew that had been arrested afterwards that I mentioned that for drugs
13 and writing bad checks.

14 MR. PORTZ: But never anything confirmed?

15 PROSPECTIVE JUROR #027: No.

16 MR. PORTZ: Is there -- and did your father ever get any of his
17 items back or --

18 PROSPECTIVE JUROR #027: No.

19 MR. PORTZ: How long ago was this?

20 PROSPECTIVE JUROR #027: I think it was about seven
21 years ago. It was actually two weeks after my mother had passed away.
22 So, my father was pretty upset and that's why we knew it was my
23 nephew.

24 MR. PORTZ: Is there feelings you have about -- and this
25 would have been Las Vegas Metropolitan Police Department?

1 PROSPECTIVE JUROR #027: Yes.

2 MR. PORTZ: Anything about that incident, like I've asked
3 everyone else. I know it's repetitive.

4 PROSPECTIVE JUROR #027: Right. No, I don't hold them
5 responsible for not apprehending anybody because I don't think my
6 father would have pressed charges anyway if it would have been my
7 nephew.

8 MR. PORTZ: So, nothing about that incident will present a
9 prejudice or a bias for you in sitting as a juror --

10 PROSPECTIVE JUROR #027: No.

11 MR. PORTZ: -- with witnesses that are called to testify?

12 PROSPECTIVE JUROR #027: No.

13 MR. PORTZ: Thank you, ma'am. Mr. -- is it Urioste?

14 PROSPECTIVE JUROR #054: Urioste.

15 MR. PORTZ: Urioste. Is that Greek?

16 PROSPECTIVE JUROR #054: Basque.

17 MR. PORTZ: Basque. Okay. You had a break-in in
18 Washington; is that correct?

19 PROSPECTIVE JUROR #054: Yes.

20 MR. PORTZ: Okay. And, again, I know it's repetitive, but you
21 mentioned there was no court, no trial?

22 PROSPECTIVE JUROR #054: No.

23 MR. PORTZ: Was anyone apprehended?

24 PROSPECTIVE JUROR #054: No.

25 MR. PORTZ: Okay. Do you have -- is there anything about

1 that incident that has left you with any sort of biases or prejudices against
2 the way the police department handled it or anything of that nature?

3 PROSPECTIVE JUROR #054: No, no. It was a long time
4 ago, but it wasn't here.

5 MR. PORTZ: Okay. Thank you, sir. And then Ms. Lamerato.

6 PROSPECTIVE JUROR #037: That would be me, yeah.

7 MR. PORTZ: And that's Badge number 37.

8 PROSPECTIVE JUROR #037: Yes.

9 MR. PORTZ: And you had mentioned your mother was
10 mugged; this was quite some time ago in Michigan?

11 PROSPECTIVE JUROR #037: Yes.

12 MR. PORTZ: Were you living out there when that happened?

13 PROSPECTIVE JUROR #037: Yes. I was living with her.

14 MR. PORTZ: Was this -- and this was an unknown attacker or
15 mugging. You guys didn't know the suspect?

16 PROSPECTIVE JUROR #037: Correct. It was a group of
17 youngsters that -- that was how it was said to me.

18 MR. PORTZ: Was -- and you weren't with her at the time?

19 PROSPECTIVE JUROR #037: I was not with her and it
20 happened like a block away from her house or our house.

21 MR. PORTZ: And no one was ever apprehended?

22 PROSPECTIVE JUROR #037: No.

23 MR. PORTZ: And, again, just my same general kind of
24 question. Is there any -- because of that incident that what happened to
25 your mother and what she went through and your inability to locate the

1 person that committed that crime, is there any biases or prejudices that
2 result from that that we should be aware of if you were going to sit on this
3 trial?

4 PROSPECTIVE JUROR #037: No. Actually, the police were
5 on every single street, every block; they were looking for the guys. So, I
6 don't have any problem.

7 MR. PORTZ: Okay. Thank you. If we could pass the
8 microphone to Mr. Barber. Mr. Barber, Badge number -- I'm sorry?

9 PROSPECTIVE JUROR #030: 030.

10 MR. PORTZ: 030. Mr. Barber, you also had a break-in and
11 that was here in Las Vegas; correct?

12 PROSPECTIVE JUROR #030: Yes.

13 MR. PORTZ: Okay. You've heard my questions --

14 PROSPECTIVE JUROR #030: Yes.

15 MR. PORTZ: -- several times. Anything we should know
16 about that incident?

17 PROSPECTIVE JUROR #037: No. The police took
18 fingerprints. They didn't -- just couldn't find anybody.

19 MR. PORTZ: Okay. You also mentioned that your brother-in-
20 law had had some sort of run in with the law; it was over child support?

21 PROSPECTIVE JUROR #037: Yeah, my brother.

22 MR. PORTZ: Okay. Was that something that police were
23 involved in or was that something that he was being taken to court by his
24 --

25 PROSPECTIVE JUROR #037: I'm not sure exactly who was

1 involved, but I know he went to jail.

2 MR. PORTZ: He went to jail on account of it?

3 PROSPECTIVE JUROR #037: Yes.

4 MR. PORTZ: And I -- how familiar, how close are you with
5 your brother when this happened?

6 PROSPECTIVE JUROR #037: I was close, but he was gone
7 for a good five years before.

8 MR. PORTZ: In jail?

9 PROSPECTIVE JUROR #037: No, he -- I didn't have contact
10 with him for five years because we moved.

11 MR. PORTZ: Is that when this happened?

12 PROSPECTIVE JUROR #037: Yeah, when he came back.

13 MR. PORTZ: When he came back?

14 PROSPECTIVE JUROR #037: Yeah.

15 MR. PORTZ: Okay. Did you -- were you involved in his
16 situation about how he ended up in jail or was it --

17 PROSPECTIVE JUROR #037: No.

18 MR. PORTZ: Okay. Did you have an opinion one way or
19 another about how he was treated?

20 PROSPECTIVE JUROR #037: No.

21 MR. PORTZ: How about in your own circumstance? And,
22 again, I know it's difficult to bring up personal stuff. We appreciate your
23 forthrightness and honesty. Your own circumstance, your own run-in, do
24 you have any feelings about how you, yourself were treated that might
25 impact or prejudice you one way or another if you were sit as a juror on

1 this case?

2 PROSPECTIVE JUROR #037: No. The police had to do
3 what they had to do.

4 MR. PORTZ: And what about the prosecuting attorney. It
5 sounds like you took a plea deal of some sort?

6 PROSPECTIVE JUROR #037: Yeah. I had to get a lawyer and
7 he bargained with them.

8 MR. PORTZ: Did you have much interaction with the case or
9 did the lawyers kind of talk to --

10 PROSPECTIVE JUROR #037: I just dealt with this with a
11 lawyer.

12 MR. PORTZ: Okay. All right. Thank you. I'd like to speak
13 next to Ms. Batara.

14 PROSPECTIVE JUROR #041: Mm-hmm.

15 MR. PORTZ: And, ma'am, just the same questions I
16 presented Mr. Barber.

17 PROSPECTIVE JUROR #041: Okay.

18 MR. PORTZ: Again, it's not comfortable to bring up personal
19 things sometimes but --

20 PROSPECTIVE JUROR #041: Yeah.

21 MR. PORTZ: -- with your experience with the criminal justice
22 system, did you have any -- did you walk away feeling any particular way
23 about it?

24 PROSPECTIVE JUROR #041: Well I felt like when I got
25 arrested for my DUI, I thought that it was a little unfair. I did pass my field

1 sobriety test, and I think the only reason why I got arrested was because
2 I was respectful and actually told the truth to the cop that arrested me
3 and said, hey, yeah, I did -- I did come from a bar. The last time I had a
4 drink was probably one or two hours and between that time I was
5 drinking water.

6 MR. PORTZ: Yeah.

7 PROSPECTIVE JUROR #041: But that didn't help my
8 situation. So, I still got arrested. And, yeah, it was a pretty disappointing
9 experience going in the jail and I wasn't happy about it, but I've gotten
10 over it. But, yeah, I still feel like, you know, they tell you to be honest and
11 be respectful which I was, but that didn't help me in my case.

12 MR. PORTZ: So, you felt like the police officer you interacted
13 with was not --

14 PROSPECTIVE JUROR #041: Yeah, I think he just wanted to
15 arrest me. I mean, I passed my field sobriety test, but I told him I came
16 from a bar so --

17 MR. PORTZ: And did that color -- I mean, you said you've
18 gotten over it, but even at the time did that kind of color your perception
19 of law enforcement or --

20 PROSPECTIVE JUROR #041: In a way. I mean, I would say
21 now it's been a few years so I'm over it, but I would say in the first, like,
22 three to five years I was very -- I wouldn't even say resentful. That's a
23 pretty big word.

24 MR. PORTZ: Yeah.

25 PROSPECTIVE JUROR #041: But I just felt like I was treated

1 unfair.

2 MR. PORTZ: And that feeling of -- I know resentment is not
3 the word we're looking for here, but that feeling, is that directed towards
4 law enforcement as a whole or is it like [indiscernible]?

5 PROSPECTIVE JUROR #041: I would just say that cop in
6 general; yeah, just that particular cop.

7 MR. PORTZ: Okay. And we can agree that in every
8 profession across the whole spectrum of professions, there's going to be
9 people that are not so nice and people that are nice and people aren't
10 good at their job and --

11 PROSPECTIVE JUROR #041: Oh, absolutely, I'm a teacher
12 so we're not all perfect teachers in a sense. So, yeah, it was just that
13 particular cop I would say that I felt was not treating me but, whatever,
14 yeah.

15 MR. PORTZ: Thank you. Mr. Minton, again, number 001.
16 And, sir, you also described some issues you had had about nine or
17 seven years ago. Is there anything about those incidents that -- I mean,
18 we've heard your perception on police officers already -- about the
19 prosecuting attorneys or whoever handled your case when it was brought
20 forward to the courts?

21 PROSPECTIVE JUROR #001: No. Everything was pretty
22 routine and they did their job, my attorney did his job, and it ended up
23 being what it ended up being.

24 MR. PORTZ: And it hasn't in any way, you know, colored your
25 perception of law enforcement in general that you think we should know

1 about, any biases or prejudices?

2 PROSPECTIVE JUROR #041: No.

3 MR. PORTZ: Okay. And, Ms. Stokey, at the very end. Ms.
4 Stokey is Badge number 27. Ma'am, you've already mentioned a few
5 time your nephew had some issues.

6 PROSPECTIVE JUROR #027: Mm-hmm.

7 MR. PORTZ: Is there anything about his situation that has in
8 one way or another affected your view of law enforcement or the criminal
9 justice system as a whole?

10 PROSPECTIVE JUROR #027: No. They picked him up when
11 they needed to and he got help and he's fine.

12 MR. PORTZ: Good. Glad to hear that. Thank you. Just a
13 few more follow-up specific questions. I wanted to speak very briefly with
14 Ms. Duus again. I'm picking on you. Badge number 004. Ma'am, I just
15 wanted a couple of follow-up questions on what your Ph.D was in,
16 molecular biology was it?

17 PROSPECTIVE JUROR #004: Actually microbiology.

18 MR. PORTZ: Microbiology. Okay. And you said you have a
19 lab that your husband works part-time at?

20 PROSPECTIVE JUROR #004: Yeah, when I have grant
21 money.

22 MR. PORTZ: Okay. And is that -- what type of research do
23 you conduct?

24 PROSPECTIVE JUROR #004: Right now I'm doing bacterial
25 causes and monoclonal antibody generation.

1 MR. PORTZ: A lot of money in that?

2 PROSPECTIVE JUROR #004: Not at the moment, no.

3 MR. PORTZ: Thank you, ma'am. If we could pass it to Ms.

4 Gorham, number 9 -- Badge number 19, I'm sorry. Oh, no, Badge

5 number 9. Ma'am, you had mentioned that your spouse works in North

6 Las Vegas as a DVA, you said?

7 PROSPECTIVE JUROR #009: DBA.

8 MR. PORTZ: Oh, what's a DBA?

9 PROSPECTIVE JUROR #009: It's a database administrator.

10 MR. PORTZ: Okay. Thank you. I was just curious. If you

11 could pass the microphone to Mr. Barber, Badge number --

12 PROSPECTIVE JUROR #030: 030.

13 MR. PORTZ: 030. Mr. Barber, you mentioned that you are a

14 Title 31 specialist; is that correct?

15 PROSPECTIVE JUROR #030: Yes.

16 MR. PORTZ: Okay. What exactly is that?

17 PROSPECTIVE JUROR #030: I oversee casino transactions

18 to make sure they're correct.

19 MR. PORTZ: How long have you been doing that?

20 PROSPECTIVE JUROR #030: I just transferred, over a year

21 now.

22 MR. PORTZ: Thank you, sir. And then Ms. Howlett, Badge

23 number 040.

24 PROSPECTIVE JUROR #040: Yes.

25 MR. PORTZ: So, you mentioned you're a civil attorney; is that

1 correct?

2 PROSPECTIVE JUROR #040: Yes.

3 MR. PORTZ: Okay. What firm do you work for?

4 PROSPECTIVE JUROR #040: My firm is called Michaelson
5 and Associates.

6 MR. PORTZ: Okay. And do you have an area that you
7 specialize in with that firm?

8 PROSPECTIVE JUROR #040: Yes. I do corporate and
9 estate law.

10 MR. PORTZ: Okay. Do you ever have any, like court
11 appearances or is it more on the [indiscernible]?

12 PROSPECTIVE JUROR #040: Just probate court and a little
13 bit of guardianship court.

14 MR. PORTZ: Okay. Have you ever done any criminal work?
15 I think you already discussed this but --

16 PROSPECTIVE JUROR #040: No; but I had forgot about this
17 until just now. When I was in law school I did an internship at the DA's
18 office in Nashville, Tennessee if that means anything.

19 MR. PORTZ: Okay. I guess you tell us. Is there anything
20 about that experience --

21 PROSPECTIVE JUROR #040: Not really. I mean, I forgot
22 about it. And so it's -- I don't know how meaningful it could be but, yeah.

23 MR. PORTZ: Yeah. You had enough of that?

24 PROSPECTIVE JUROR #040: Didn't chose that path so --

25 MR. PORTZ: I can see that. How'd you feel about receiving a

1 jury summons?

2 PROSPECTIVE JUROR #040: I was a little bit nervous that I
3 would miss work because I'm very busy, but as an attorney I feel it's very
4 important to do this so I was okay with it.

5 MR. PORTZ: Okay. You were excited about jury service?

6 PROSPECTIVE JUROR #040: No, I wouldn't say excited but

7 --

8 MR. PORTZ: Okay. How about when you learned it was
9 criminal and not civil; how did you feel about that?

10 PROSPECTIVE JUROR #040: I felt criminal might be a little
11 more interesting.

12 MR. PORTZ: Okay. Anything that you think that I haven't
13 asked yet that we should about you as far as who you are and whether or
14 not you would be fair juror?

15 PROSPECTIVE JUROR #040: No, I think I'm a pretty
16 objective, reasonable person.

17 MR. PORTZ: Court's brief indulgence.

18 THE COURT: Out of curiosity, Stacy, was your firm one that
19 took over any of the Graham probate matters?

20 PROSPECTIVE JUROR #040: Oh, no, we didn't take any of
21 his, no.

22 THE COURT: Okay.

23 MR. PORTZ: I just wanted to hear from a few more people we
24 haven't heard from yet. It's always hard getting around to everyone. And
25 Ms. Weckerly is going to pick on you guys in the front row and over there.

1 But I just want to hear from Ms. Miller. Have we heard you from you yet?
2 Okay. Badge number 44. How did you feel, Ms. Miller, when got that
3 jury selection in the mail?

4 PROSPECTIVE JUROR #044: I'm not going to lie. I was a
5 little bit nervous because I've never done this before, but then I thought it
6 would be interesting.

7 MR. PORTZ: And how interesting is it so far?

8 PROSPECTIVE JUROR #044: Pretty interesting.

9 MR. PORTZ: You're liking it so far?

10 PROSPECTIVE JUROR #044: So far I am, yes.

11 MR. PORTZ: Okay. Did you have any particular concerns
12 when you heard this was going to be a murder trial?

13 PROSPECTIVE JUROR #044: No.

14 MR. PORTZ: Okay. Is there anything that I've asked or
15 haven't asked yet that you think we should know about you as a potential
16 juror or whether or not you'd be fair and impartial if you're chosen to the
17 jury?

18 PROSPECTIVE JUROR #044: I'm a pretty nice person so --

19 MR. PORTZ: And, Ms. Miller, you mentioned you had
20 undergrad -- are you still an undergrad or did you --

21 PROSPECTIVE JUROR #044: I'm currently a college
22 freshman.

23 MR. PORTZ: Okay. And this isn't going to interfere with
24 school or anything like that?

25 PROSPECTIVE JUROR #044: No. I do it at on line so it's

1 fine.

2 MR. PORTZ: All right. Do you have any issues about, seeing
3 that you might be one of the younger jurors if you're selected on this
4 panel, do you think you'd have any issues speaking your mind or
5 standing up to one just because they have a little more life experience
6 than you?

7 PROSPECTIVE JUROR #044: Oh, no.

8 MR. PORTZ: No?

9 PROSPECTIVE JUROR #044: I'm a very open minded
10 person. So, I can handle all that fine.

11 MR. PORTZ: Okay. Good. I'm glad to hear that. Can you
12 pass the mic to your left. Ms. Dulin. Ms. Dulin, haven't heard much from
13 you. How do you feel when you got that jury summons?

14 PROSPECTIVE JUROR #044: I was very excited.

15 MR. PORTZ: You were very excited?

16 PROSPECTIVE JUROR #044: Yeah. Ever since I saw Perry
17 Mason. I've always wanted to be on a jury.

18 MR. PORTZ: You've been waiting a while for this then, huh.
19 So, you haven't had any jury service in the past?

20 PROSPECTIVE JUROR #044: No. I got called in Cleveland,
21 Ohio and I was all excited about that, and then about two days before
22 they called and cancelled. So, you know, I'm, like, oh, wow, I'll probably
23 never get called again.

24 MR. PORTZ: And here you are.

25 PROSPECTIVE JUROR #044: And here I am.

1 MR. PORTZ: You're probably the one person who feels like
2 that right now. I appreciate your enthusiasm and you're [indiscernible].

3 PROSPECTIVE JUROR #044: Oh, yeah. This is exciting to
4 me.

5 MR. PORTZ: How about the fact that you learned it was a
6 murder case? I mean, I know we haven't [indiscernible].

7 PROSPECTIVE JUROR #044: That makes it even better.

8 MR. PORTZ: Okay.

9 PROSPECTIVE JUROR #044: Even more exciting.

10 MR. PORTZ: Yeah. So, you would -- obviously if chosen as a
11 juror would you, you know, take your oath --

12 PROSPECTIVE JUROR #044: Oh, absolutely, absolutely. I
13 know all the ropes.

14 MR. PORTZ: Yeah. And then understanding that it is a
15 criminal case, you think you could be fair to both sides, the State and the
16 defense?

17 PROSPECTIVE JUROR #044: Absolutely.

18 MR. PORTZ: And if you're selected as a juror, do you
19 promise to be the best judge you can and follow the law that the judge
20 gives to you?

21 PROSPECTIVE JUROR #044: Of course, of course.

22 MR. PORTZ: Thank you.

23 PROSPECTIVE JUROR #044: Mm-hmm.

24 MR. PORTZ: Okay. I think Ms. Weckerly might have few
25 follow-ups, and thank you for your time.

1 MS. WECKERLY: Mr. Lange, you get to be first for me. Sir,
2 you -- I think I wrote down that you were in casino surveillance?

3 PROSPECTIVE JUROR #057: That's correct.

4 MS. WECKERLY: Did you work in other kind of -- I guess
5 casino job that was like that; I mean, not on the floor, but sort of a behind
6 the scenes job prior to his one?

7 PROSPECTIVE JUROR #057: No.

8 MS. WECKERLY: And in the surveillance, are you
9 supervising gaming or are you supervising or are you observing kind of
10 what happens at the tables or what do you do?

11 PROSPECTIVE JUROR #057: Well I've been there for about
12 22 years. Most of it was monitoring gaming, back of house activity.

13 MS. WECKERLY: Mm-hmm.

14 PROSPECTIVE JUROR #057: Right now I do training. For
15 about the last five years, I trained our department, security department,
16 corporate investigations.

17 MS. WECKERLY: And is it all watching or in -- you know,
18 teaching people what to look for?

19 PROSPECTIVE JUROR #057: Yes, both. It's all watching
20 and training people what to look for; how to be proactive.

21 MS. WECKERLY: You don't want to give away all their
22 secrets?

23 PROSPECTIVE JUROR #057: No, we can't.

24 MS. WECKERLY: How about are you ever called upon to
25 kind of like halt a game or send somebody down because --

1 PROSPECTIVE JUROR #057: Yes.

2 MS. WECKERLY: All the time?

3 PROSPECTIVE JUROR #057: Yes.

4 MS. WECKERLY: Okay. And when you do that, is it you
5 personally who goes down or do you radio somebody else?

6 PROSPECTIVE JUROR #057: We have someone else go
7 down.

8 MS. WECKERLY: In your work, have you had to come and
9 testify in court?

10 PROSPECTIVE JUROR #057: Yes, once.

11 MS. WECKERLY: Just once. Okay. Even in that amount of
12 time?

13 PROSPECTIVE JUROR #057: Yes, just once.

14 MS. WECKERLY: Okay.

15 PROSPECTIVE JUROR #057: They mostly plea out -- plead
16 out so I don't usually have to.

17 MS. WECKERLY: Because there's surveillance. In the
18 situation that you described earlier this morning, the shooting that was I
19 think you said at your neighbor's?

20 PROSPECTIVE JUROR #057: Yes.

21 MS. WECKERLY: Do you know the outcome of that?

22 PROSPECTIVE JUROR #057: No. I wasn't involved in any
23 follow-up.

24 MS. WECKERLY: Okay. So, you gave your statement to the
25 police and then you don't know what the resolution of the case was?

1 PROSPECTIVE JUROR #057: No.

2 MS. WECKERLY: Okay.

3 PROSPECTIVE JUROR #057: No, nothing after that.

4 MS. WECKERLY: Okay. Is there -- back to your work just for

5 one more question and then I promise I'll leave you alone.

6 PROSPECTIVE JUROR #057: Okay.

7 MS. WECKERLY: When you're -- you said you're the

8 supervisor. Are you ever someone who has to say like this employee

9 isn't cutting it? They need to --

10 PROSPECTIVE JUROR #057: Yes.

11 MS. WECKERLY: And do you do that frequently in your job?

12 Are you the one who decides?

13 PROSPECTIVE JUROR #057: I wouldn't say frequently, no,

14 but it happens on occasion.

15 MS. WECKERLY: Okay. Thank you very much, sir.

16 PROSPECTIVE JUROR #057: Sure.

17 MS. WECKERLY: Can you pass it to Ms. Snyder. I'm going

18 to go straight down the line so everybody can anticipate that. You are

19 the manager, right, in your job?

20 PROSPECTIVE JUROR #072: Yes.

21 MS. WECKERLY: And how many people are you in charge of

22 supervising?

23 PROSPECTIVE JUROR #072: I run the 10th floor. So, I have

24 25 people on that floor.

25 MS. WECKERLY: Did you work your way up to being a

1 manager?

2 PROSPECTIVE JUROR #072: Yeah, I've been there -- well
3 not MGM, but in the business for about 25 years.

4 MS. WECKERLY: Okay. But when you started off, were you
5 the manager or not?

6 PROSPECTIVE JUROR #072: No. I started off as a
7 telephone operator.

8 MS. WECKERLY: And then now that you're in charge of a
9 number of people, do you like evaluate how well they're doing their job?

10 PROSPECTIVE JUROR #072: Yes.

11 MS. WECKERLY: And if it's not up to the standard that you
12 think is appropriate, do you call them back to correct it or what do you
13 do?

14 PROSPECTIVE JUROR #072: Yes. We bring 'em back and
15 show 'em what they did wrong and they have to correct it.

16 MS. WECKERLY: And is it solely your decision or do you
17 have like someone you work with?

18 PROSPECTIVE JUROR #072: No. It's only me.

19 MS. WECKERLY: Okay. Thank you very much, ma'am. Mr.
20 Catadman.

21 PROSPECTIVE JUROR #074: Yes.

22 MS. WECKERLY: How are you, sir?

23 PROSPECTIVE JUROR #074: I'm good. Thank you.

24 MS. WECKERLY: I wanted to just ask you a general
25 question, sort of like Mr. Portz asked some of the other prior jurors or

1 prospective jurors. When you got your jury summons, was that
2 something that was, like, oh, no, or were you looking forward to it or how
3 did you feel?

4 PROSPECTIVE JUROR #074: I'm excited.

5 MS. WECKERLY: Why is that?

6 PROSPECTIVE JUROR #074: Because I have to deal with
7 this kind of -- to witness, you know.

8 MS. WECKERLY: I'm sorry?

9 PROSPECTIVE JUROR #074: I have to deal with this kind of
10 court thing.

11 MS. WECKERLY: Is it something that you thought would be
12 like an interesting experience?

13 PROSPECTIVE JUROR #074: Yeah, yeah.

14 MS. WECKERLY: Yeah. Okay. Do you have any concerns
15 at all because it's a -- it's a most serious charge, it's a murder case?

16 PROSPECTIVE JUROR #074: No.

17 MS. WECKERLY: No? Okay. Thank you, sir. I think Ms.
18 Tamariz; did I say that right?

19 PROSPECTIVE JUROR #078: Yes.

20 MS. WECKERLY: Okay. You also are a manager where you
21 work at your business or your car company?

22 PROSPECTIVE JUROR #078: Yes.

23 MS. WECKERLY: And I have similar questions for you. How
24 many people do you supervise?

25 PROSPECTIVE JUROR #078: About 35.

1 MS. WECKERLY: And similar to what I asked Ms. Snyder, did
2 you start off as a supervisor or did you kind of work your way up?

3 PROSPECTIVE JUROR #078: No, I worked my way up.

4 MS. WECKERLY: And now that you're in charge, how do you
5 -- are you the person that has to kind of evaluate how your employees
6 are doing or maybe even have to terminate employees?

7 PROSPECTIVE JUROR #078: There's actually six of us. I'm
8 one of six.

9 MS. WECKERLY: And so you work collectively?

10 PROSPECTIVE JUROR #078: Yes.

11 MS. WECKERLY: Do you have a particular area where -- that
12 you're in charge of or -- I don't know if it would even be geographical,
13 would it or?

14 PROSPECTIVE JUROR #078: Yes, actually it is. But I'm in
15 charge of the front counter.

16 MS. WECKERLY: Okay. And so all those people would
17 report to you?

18 PROSPECTIVE JUROR #078: Absolutely.

19 MS. WECKERLY: And the front counter people, I'm guessing,
20 are, are dealing with the customers?

21 PROSPECTIVE JUROR #078: That's correct.

22 MS. WECKERLY: And how does that go if a customer -- I'm
23 sure this doesn't happen very often -- is incredibly upset or is having a
24 conflict with an employee and you have to come out and settle it; are you
25 that person?

1 PROSPECTIVE JUROR #078: I am one of those people, yes.

2 MS. WECKERLY: Okay. And how do you go about doing
3 that? What are your -- what's your experience or over the years, how
4 have you grown to handle that kind of thing?

5 PROSPECTIVE JUROR #078: And just going there and
6 talking to the customer and listening to what they have to say, you know,
7 taking everything into account, talking to the rental agent to find out what
8 their side of the story is, and then obviously satisfying the customer and
9 then, you know, if there -- if the agent did something wrong and having a
10 conversation and document it.

11 MS. WECKERLY: Is there -- is there ever a time when you
12 feel like the customer is just so out of line or has there ever been a time
13 when a customer is so out of line that you felt like you needed to call in
14 security or the police?

15 PROSPECTIVE JUROR #078: Yes.

16 MS. WECKERLY: And would you be the one that makes that
17 decision whether to do that?

18 PROSPECTIVE JUROR #078: Well it could like, because
19 there's several managers on duty, it could be any one of us that do it.
20 We had to settle a recent incident, actually.

21 MS. WECKERLY: And that's just -- some people are just
22 pretty belligerent and it looks like it might escalate to something
23 dangerous?

24 PROSPECTIVE JUROR #078: Yes.

25 MS. WECKERLY: Okay. Hopefully not too -- that doesn't

1 happen too much?

2 PROSPECTIVE JUROR #078: No. Like I said, we've had this
3 one happen about three to four weeks ago and where we had to call the
4 police.

5 MS. WECKERLY: When the police came, did you feel like
6 they handled it appropriately?

7 PROSPECTIVE JUROR #078: Yes.

8 MS. WECKERLY: And did you have to give a statement?

9 PROSPECTIVE JUROR #078: I did not, no.

10 MS. WECKERLY: So, I take it then you didn't have to go to
11 court or anything?

12 PROSPECTIVE JUROR #078: No, uh-uh.

13 MS. WECKERLY: Okay. But it was handled pretty well from
14 your prospective?

15 PROSPECTIVE JUROR #078: Oh, yeah, yeah, yeah.

16 MS. WECKERLY: Yes?

17 PROSPECTIVE JUROR #078: Yeah.

18 MS. WECKERLY: Okay. And let me see if I have one more
19 question for you or not. Oh, I just have one other question. Have you
20 always worked for the same company or have you worked for a different
21 company prior to this?

22 PROSPECTIVE JUROR #078: I've worked for -- well, I've
23 worked in car rental itself for almost 30 years.

24 MS. WECKERLY: Oh, okay. So, you're an expert on how
25 rental works?

1 PROSPECTIVE JUROR #078: Yes.

2 MS. WECKERLY: But maybe you worked for a different
3 company prior to this one?

4 PROSPECTIVE JUROR #078: Yes.

5 MS. WECKERLY: Okay. Thank you very much. Mr.
6 Thompson, how are you?

7 PROSPECTIVE JUROR #0133: Good. You?

8 MS. WECKERLY: Good. Thanks. You mentioned earlier and
9 I thought it was through your work because you're a fire inspector; right?

10 PROSPECTIVE JUROR #133: Mm-hmm.

11 MS. WECKERLY: That you have contact with law
12 enforcement police officers?

13 PROSPECTIVE JUROR #0133: Correct.

14 MS. WECKERLY: Okay. So, I have that written down right?

15 PROSPECTIVE JUROR #0133: Right.

16 MS. WECKERLY: Because you have that contact through
17 your work, you heard the judge ask you this morning if that would affect
18 how you would assess the testimony of a police officer, and I don't think
19 you raised your hand or said anything about that; is that fair?

20 PROSPECTIVE JUROR #0133: Yeah, that's correct.

21 MS. WECKERLY: Okay. So, whoever comes in here as a
22 witness you'll take their testimony as any other witness?

23 PROSPECTIVE JUROR #0133: Correct.

24 MS. WECKERLY: And whatever you think weight you should
25 give it you'll be able to do that regardless of where they might be

1 working?

2 PROSPECTIVE JUROR #0133: Yes.

3 MS. WECKERLY: In your work as a fire inspector, do you --
4 are you like making sure buildings are up to code or do you investigate,
5 like the start of a fire or --

6 PROSPECTIVE JUROR #0133: No, that's investigation. I'm
7 actually retired from suppression 25 years. So, I've been an inspector for
8 four years, yeah.

9 MS. WECKERLY: Okay. You have experience?

10 PROSPECTIVE JUROR #133: Yeah. I've worked with a lot
11 of police throughout the years --

12 MS. WECKERLY: Okay.

13 PROSPECTIVE JUROR #133: -- on different things. So --
14 but now, no, I don't do investigation.

15 MS. WECKERLY: And so what do you do now?

16 PROSPECTIVE JUROR #133: I do the inspections.

17 MS. WECKERLY: To make sure it's --

18 PROSPECTIVE JUROR #133: Yeah.

19 MS. WECKERLY: -- the right number of fire alarms or
20 whatever?

21 PROSPECTIVE JUROR #133: Yeah, the new building, old
22 building, everything.

23 MS. WECKERLY: Do you work kind of independently or are
24 you the one that goes out and looks at a building by yourself?

25 PROSPECTIVE JUROR #133: I'm actually on a risk reduction

1 team. So, I'm responsible for all the apartment complexes in the city of
2 Las Vegas.

3 MS. WECKERLY: Oh, okay.

4 PROSPECTIVE JUROR #133: Me and a partner. And so we
5 work -- we started on the eastside where we have the higher amount of
6 fire deaths right now and we're working our way towards the rest of the
7 city.

8 MS. WECKERLY: [Indiscernible] job, I would think?

9 PROSPECTIVE JUROR #133: Yes, it is. So -- and that --
10 and I'm lots of committees with like DTAC and Metro with all kinds of
11 different things where we have similar needs or we have to go in as a
12 task force to do things.

13 MS. WECKERLY: Is the work stressful because obviously
14 there's a lot at stake if something --

15 PROSPECTIVE JUROR #133: Not this part. What I used to
16 do is life and death. This isn't.

17 MS. WECKERLY: It doesn't feel as --

18 PROSPECTIVE JUROR #133: No, it's important but it's, you
19 know, nobody's going to die if I don't catch a [indiscernible] sprinkler.

20 MS. WECKERLY: Okay. Thank you very much, sir.

21 Mr. Solis.

22 PROSPECTIVE JUROR #142: Yes.

23 MS. WECKERLY: How are you, sir?

24 PROSPECTIVE JUROR #142: Good.

25 MS. WECKERLY: I just wanted to ask you like a quick

1 question about the situation with your brother. Can you remind me how
2 long ago that was?

3 PROSPECTIVE JUROR #142: I want to say like three
4 months.

5 MS. WECKERLY: Oh, so not that long. Did you go to court
6 with him?

7 PROSPECTIVE JUROR #142: No. I let him do his business.

8 MS. WECKERLY: No?

9 PROSPECTIVE JUROR #142: I let him do his business.

10 MS. WECKERLY: That was --

11 PROSPECTIVE JUROR #142: I said I let him do his
12 business. That's his problem.

13 MS. WECKERLY: Okay. So, it sounds like you don't maybe
14 even have an impression as to whether it went well or poorly for him?

15 PROSPECTIVE JUROR #142: I tried being a man and tried
16 to help him out but they don't get it. You're young.

17 MS. WECKERLY: Okay. Your life seems different?

18 PROSPECTIVE JUROR #142: Yes.

19 MS. WECKERLY: Because you have the four kids and you're
20 working as a roofer. So, do you think there's anything about his
21 experience that would carry over if you were selected to be a juror?

22 PROSPECTIVE JUROR #142: No, I don't think so, no.

23 MS. WECKERLY: No? Can you be fair to both sides --

24 PROSPECTIVE JUROR #142: Yeah.

25 MS. WECKERLY: -- even though your brother had this

1 negative contact?

2 PROSPECTIVE JUROR #142: Sure, yeah.

3 MS. WECKERLY: Okay. Thank you very much, sir.

4 Ms. Rodriguez.

5 PROSPECTIVE JUROR #087: Yes.

6 MS. WECKERLY: And I apologize. I just want to make sure.

7 You're the case manager at the --

8 PROSPECTIVE JUROR #087: At a law firm.

9 MS. WECKERLY: At the law firm?

10 PROSPECTIVE JUROR #087: Yes.

11 MS. WECKERLY: And as a case manager, what does that
12 mean you do?

13 PROSPECTIVE JUROR #087: I set up files, contact
14 insurance companies; set up the clients to get their vehicle repaired.

15 MS. WECKERLY: Okay. So, the people that you're dealing
16 with mostly are the -- like the single customers more than the insurance
17 companies; is that fair?

18 PROSPECTIVE JUROR #087: No. I deal a lot with insurance
19 companies and the clients.

20 MS. WECKERLY: Oh, okay.

21 PROSPECTIVE JUROR #087: Mm-hmm.

22 MS. WECKERLY: Okay. So, you probably have quite a bit of
23 familiarity with the insurance companies and the different ways things
24 could be covered?

25 PROSPECTIVE JUROR #087: Yes.

1 MS. WECKERLY: And then do you meet with clients and ever
2 give them kind of the -- I don't know -- initial information that they might
3 need to --

4 PROSPECTIVE JUROR #087: Yes, I do.

5 MS. WECKERLY: -- start pursuing their claim?

6 PROSPECTIVE JUROR #087: Yes.

7 MS. WECKERLY: And then after -- are you -- I guess this a
8 better question. Are you the first person that they come in contact with at
9 the firm?

10 PROSPECTIVE JUROR #087: No, I'm the second person.
11 They meet with the attorney.

12 MS. WECKERLY: Okay.

13 PROSPECTIVE JUROR #087: And then I set up the client's
14 file and get them -- get the files, get a police report, get the claim started
15 if they have not been initiated and see what the insurance company say
16 regarding liability.

17 MS. WECKERLY: And once the client is established with your
18 firm, if they had a question about how their case was going, would you be
19 someone they could call and ask?

20 PROSPECTIVE JUROR #087: Yes.

21 MS. WECKERLY: And you can update them and give them
22 information?

23 PROSPECTIVE JUROR #087: Correct; yes.

24 MS. WECKERLY: How do you deal with clients who are
25 difficult?

1 PROSPECTIVE JUROR #087: I get the attorney involved. I
2 let them -- I let him know what's going on with the case and why the client
3 is unhappy. He sometimes speaks to them and just lets them know how
4 things work. Sometimes taking it from a legal assistant it's not the same
5 as an attorney. So, it kind of appeases them or I do more follow-up with
6 the insurance company if they're not happy that things are not moving
7 along as rapidly as they like.

8 MS. WECKERLY: And so are you kind of a go between
9 sometimes between the clients and the insurance companies?

10 PROSPECTIVE JUROR #087: Yes.

11 MS. WECKERLY: So, you have to have good diplomacy --

12 PROSPECTIVE JUROR #87: Yes.

13 MS. WECKERLY: -- skills?

14 PROSPECTIVE JUROR #087: Yes.

15 MS. WECKERLY: You also mentioned -- let me just check my
16 notes here -- that you or someone close to you was the victim of a
17 burglary?

18 PROSPECTIVE JUROR #087: Yes, I was.

19 MS. WECKERLY: And I apologize. How long ago was that?

20 PROSPECTIVE JUROR #087: About ten years.

21 MS. WECKERLY: Oh, okay. So, quite a while.

22 PROSPECTIVE JUROR #087: Yeah.

23 MS. WECKERLY: Is there anything about that that you think
24 would kind of enter your mind or may affect you as a juror in a case like
25 this?

1 PROSPECTIVE JUROR #087: No, I don't think so.

2 MS. WECKERLY: Okay. Do you have any -- I mean, did that
3 case go to court or did you have to come testify?

4 PROSPECTIVE JUROR #087: No. The police came, a report
5 was filed, but nothing was really found. No one --

6 MS. WECKERLY: Was apprehended?

7 PROSPECTIVE JUROR #087: Yeah, correct.

8 MS. WECKERLY: Okay. Was that frustrating? I would think
9 so.

10 PROSPECTIVE JUROR #087: A little, yeah, because quite a
11 bit of stuff was stolen.

12 MS. WECKERLY: So, you didn't recover any property?

13 PROSPECTIVE JUROR #087: No, no, no.

14 MS. WECKERLY: That's frustrating. But if I'm understanding
15 you correctly, maybe the fact that it was more than a couple years ago it
16 probably wouldn't affect you at all if you're selected to be a juror?

17 PROSPECTIVE JUROR #087: No.

18 MS. WECKERLY: Okay. Thank you very much. Ms.
19 McDaniels, you're next. I'll wait for you to get the microphone. How are
20 you?

21 PROSPECTIVE JUROR #091: I'm good. How are you?

22 MS. WECKERLY: Good. I wrote down in my notes that you
23 work in graphic design?

24 PROSPECTIVE JUROR #091: Mm-hmm.

25 MS. WECKERLY: Is that yes?

1 PROSPECTIVE JUROR #091: Yeah. Sorry.

2 MS. WECKERLY: Okay. Tell me what that is. Do you work
3 for businesses or --

4 PROSPECTIVE JUROR #091: No, I do it all freelance.

5 MS. WECKERLY: Oh, okay. Is your -- if someone was
6 looking to hire you, would you be like online? Is that what --

7 PROSPECTIVE JUROR #091: Yeah, you could find me on
8 Instragram.

9 MS. WECKERLY: On Instragram. Okay. So -- and you look
10 young so now I get that. When you get clients, do they look at your work
11 in Instragram --

12 PROSPECTIVE JUROR #091: Yes.

13 MS. WECKERLY: -- they contact you?

14 PROSPECTIVE JUROR #091: Yes.

15 MS. WECKERLY: And then do you have a conversation
16 about like concepts they want?

17 PROSPECTIVE JUROR #091: Yeah. I ask them exactly
18 what they want and then they tell me, and whether it's a logo or an album
19 cover or something then, you know, we'll go off the price based on that.

20 MS. WECKERLY: Okay. And is it usually artists or small
21 businesses that work with you?

22 PROSPECTIVE JUROR #091: It's usually like rappers.

23 MS. WECKERLY: Okay. So, music?

24 PROSPECTIVE JUROR #091: Mm-hmm.

25 MS. WECKERLY: And are you the one -- do you negotiate

1 your fee or what you're going to charge the person yourself?

2 PROSPECTIVE JUROR #091: Yes, mm-hmm. Sorry.

3 MS. WECKERLY: Is that something that you found difficult,
4 something you got better at as you went along?

5 PROSPECTIVE JUROR #091: No, it's not difficult. I mean,
6 they come and they ask me. That's not the only thing that I do so --

7 MS. WECKERLY: What else do you do?

8 PROSPECTIVE JUROR #091: I'm a personal trainer.

9 MS. WECKERLY: Oh, okay. So, you deal with clients one on
10 one then?

11 PROSPECTIVE JUROR #091: Yes.

12 MS. WECKERLY: And the clients that you deal with for that
13 are they like regular people or --

14 PROSPECTIVE JUROR #091: It's mostly online.

15 MS. WECKERLY: Oh, okay.

16 PROSPECTIVE JUROR #091: Yeah. Like, people who are
17 trying to lose weight or -- I just -- I make the plans, give them to them and
18 send them like videos so that they know how to do the movements, and
19 then they send me like weekly progression photos.

20 MS. WECKERLY: And is it like all fitness or diet too?

21 PROSPECTIVE JUROR #091: Fitness. I'm not allowed to
22 prescribe a diet.

23 MS. WECKERLY: Oh.

24 PROSPECTIVE JUROR #091: So, I can only give
25 suggestions.

1 MS. WECKERLY: Okay. You may want to try.

2 PROSPECTIVE JUROR #091: Yeah.

3 MS. WECKERLY: So, it's mostly difficult?

4 PROSPECTIVE JUROR #091: Yes.

5 MS. WECKERLY: And what is your -- do you have a
6 background in like physiology or do you have an educational
7 background?

8 PROSPECTIVE JUROR #091: Yes. I went to Advanced
9 Training Institute for personal training for ten months.

10 MS. WECKERLY: What about the other job? Do you have
11 artistic training or --

12 PROSPECTIVE JUROR #091: That I do all on my own.

13 MS. WECKERLY: Okay. So, you were self-taught?

14 PROSPECTIVE JUROR #091: Yes.

15 MS. WECKERLY: Have you been like that since you were a
16 kid able to --

17 PROSPECTIVE JUROR #091: Yeah, I've always been
18 drawing since I've been a kid, I guess.

19 MS. WECKERLY: It wasn't too long ago?

20 PROSPECTIVE JUROR #091: Yeah.

21 MS. WECKERLY: I want to ask you a couple questions about
22 the incident with your friend. And that -- it sounds like it was a while ago,
23 in 2010?

24 PROSPECTIVE JUROR #091: 2010.

25 MS. WECKERLY: Yeah. How did that -- how did that change

1 you, knowing someone so close?

2 PROSPECTIVE JUROR #091: It didn't really change me. It
3 just made me be more aware of my surroundings and the type of people
4 that I surround myself with. That's about it.

5 MS. WECKERLY: Immediately after, were you more nervous
6 in a certain setting?

7 PROSPECTIVE JUROR #091: I was more in shock because I
8 didn't know that it was my best friend until I got to the -- until I seen all the
9 CSI and stuff and I got to the corner store, and then they -- and then I
10 had people running up to me asking me if I was okay because my best
11 friend. So, it was just like -- I was in shock.

12 MS. WECKERLY: Well can I ask how old you were when that
13 happened?

14 PROSPECTIVE JUROR #091: I was in the tenth grade.

15 MS. WECKERLY: Oh, yeah, you were really young?

16 PROSPECTIVE JUROR #091: Yeah.

17 MS. WECKERLY: So, when that happened and you're still in
18 high school, prior to that, did you ever feel like you were in danger or did
19 that kind of change how you kind of saw things?

20 PROSPECTIVE JUROR #091: The thing with me is I kind of
21 -- I don't know, I have a -- I get feelings. And so when bad things are
22 about to happen, I feel it. So, I kind of stay away from it.

23 MS. WECKERLY: Mm-hmm.

24 PROSPECTIVE JUROR #091: And that's why I wasn't
25 involved and I was in the car instead of being --

1 MS. WECKERLY: Right; no, you talked about that. Earlier
2 you said that's why you stayed where you were.

3 PROSPECTIVE JUROR #091: Yeah.

4 MS. WECKERLY: Sort of a sixth sense [indiscernible].

5 PROSPECTIVE JUROR #091: Yeah. I just go off of my gut
6 feeling.

7 MS. WECKERLY: And having that experience knowing
8 someone who was very close to you that became a victim of a shooting,
9 will that affect you as a juror, do you think?

10 PROSPECTIVE JUROR #091: No, he's fine.

11 MS. WECKERLY: He's fine.

12 PROSPECTIVE JUROR #091: Yeah. It was just -- he, I
13 mean, it wasn't meant for him. It was just somebody being reckless at a
14 park and after a football game.

15 MS. WECKERLY: Yeah.

16 PROSPECTIVE JUROR #091: And just the wrong place,
17 wrong time.

18 MS. WECKERLY: I assume your friend was about your age at
19 the time?

20 PROSPECTIVE JUROR #091: Yeah. He's a year older than
21 me.

22 MS. WECKERLY: But high school at the time?

23 PROSPECTIVE JUROR #091: Mm-hmm; yes.

24 MS. WECKERLY: Oh, did you say your dad was probation?

25 PROSPECTIVE JUROR #091: Yes.

1 MS. WECKERLY: Does he deal with or did he deal with
2 adults or --

3 PROSPECTIVE JUROR #091: He deals with juveniles.

4 MS. WECKERLY: With juveniles.

5 PROSPECTIVE JUROR #091: Mm-hmm.

6 MS. WECKERLY: He still does?

7 PROSPECTIVE JUROR #091: Yes.

8 MS. WECKERLY: Okay. So, does he ever talk about his
9 work with you?

10 PROSPECTIVE JUROR #091: No, not really. He's not
11 allowed to.

12 MS. WECKERLY: He's not allowed to. But never even in the
13 abstract?

14 PROSPECTIVE JUROR #091: I mean, he just -- he just tells
15 me to stay away from knuckleheads. That's about it.

16 MS. WECKERLY: How about your dad's in a, you know,
17 employed by law enforcement or, you know, some would say law
18 enforcement in the juvenile system obviously is different, but having
19 someone who's close to you in that type of job, do you think that would
20 be of concern --

21 PROSPECTIVE JUROR #091: No.

22 MS. WECKERLY: -- to be a juror?

23 PROSPECTIVE JUROR #091: No.

24 MS. WECKERLY: No? Okay. Thank you very much. Can
25 you pass to Ms. -- is it Nelub?

1 PROSPECTIVE JUROR #153: Nelub.
2 MS. WECKERLY: Nelub. I should have been able to say that
3 right. It's a short name. How are you?
4 PROSPECTIVE JUROR #153: Fine. Thank you.
5 MS. WECKERLY: You were the victim of a burglary back in
6 90 --
7 PROSPECTIVE JUROR #153: '94.
8 MS. WECKERLY: So, it's quite a while ago?
9 PROSPECTIVE JUROR #153: Yeah.
10 MS. WECKERLY: And I wouldn't think anything about that
11 would affect you?
12 PROSPECTIVE JUROR #153: Nothing to come of it.
13 MS. WECKERLY: Okay. How did you feel when you got your
14 summons to be a juror?
15 PROSPECTIVE JUROR #153: Eh.
16 MS. WECKERLY: What does eh mean? Not great?
17 PROSPECTIVE JUROR #153: Not great.
18 MS. WECKERLY: Okay. And if we were to impose upon you
19 and have you --
20 THE COURT: Pam, Pam, can I interrupt you for just a
21 second?
22 MS. WECKERLY: Sure.
23 THE COURT: You okay?
24 PROSPECTIVE JUROR #007: Am I okay? If I could walk
25 around a little bit.

1 THE COURT: All right. You're just doing that row right now;
2 right?

3 MS. WECKERLY: Yes -- yeah.

4 THE COURT: Okay. You want to go ahead and go? We're
5 going to take a break as soon as she's done, but why don't you go ahead
6 and get your twins moving.

7 PROSPECTIVE JUROR #007: Thank you.

8 THE COURT: Okay. And I'm sorry to interrupt you. You go
9 ahead.

10 MS. WECKERLY: That's okay. So, you were saying you
11 didn't feel that great either?

12 PROSPECTIVE JUROR #153: I have trouble hearing.

13 MS. WECKERLY: Okay.

14 PROSPECTIVE JUROR #153: There's a lot I'm missing, I
15 believe.

16 MS. WECKERLY: So, I've had cases where the Court is able
17 to get you equipment to amplify the sound.

18 PROSPECTIVE JUROR #153: Oh, okay.

19 MS. WECKERLY: If that were offered to you, would that help?

20 PROSPECTIVE JUROR #153: I guess so.

21 MS. WECKERLY: I'm sure it would make it more exciting, but
22 missing things is going to be a problem. So, if you're selected to be a
23 juror, would you be willing to try that equipment and see if it helps the
24 situation with your hearing?

25 PROSPECTIVE JUROR #153: I don't think I'd be comfortable

1 with that.

2 MS. WECKERLY: Why is that?

3 PROSPECTIVE JUROR #153: It would be new to me and I'm
4 a very nervous person.

5 MS. WECKERLY: I know. You're gripping that microphone.
6 Can you just articulate a little bit about what -- about the situation that's
7 making you nervous? Is it the type of case it is or --

8 PROSPECTIVE JUROR #153: I don't understand a lot of this.

9 MS. WECKERLY: Okay.

10 PROSPECTIVE JUROR #153: Yeah.

11 MS. WECKERLY: And in terms of the process of what we're
12 -- of picking a jury or --

13 PROSPECTIVE JUROR #153: Well I don't want to judge, and
14 like they were talking about the pictures, I don't think I could stand -- I
15 don't watch like -- I don't watch bloody shows or murder.

16 MS. WECKERLY: Yeah.

17 PROSPECTIVE JUROR #153: I don't like that. I can't watch
18 it.

19 MS. WECKERLY: And Judge Herndon, he's explained that
20 it's not as though we're going to, you know, put his picture in front of
21 you --

22 PROSPECTIVE JUROR #153: I know.

23 MS. WECKERLY: -- and say you got to look at it for X amount
24 of minutes. Are you just saying you don't think you can --

25 PROSPECTIVE JUROR #153: Get through it. I don't think

1 so.

2 MS. WECKERLY: Okay. Take a breath. Because of the
3 pictures or just the whole gravity of it?

4 PROSPECTIVE JUROR #153: The whole thing, the whole
5 thing.

6 MS. WECKERLY: The whole thing. We're making you very
7 nervous right now.

8 PROSPECTIVE JUROR #153: Yes.

9 MS. WECKERLY: Okay. I'm going to let you go and move
10 on. And your last name is Timinski?

11 PROSPECTIVE JUROR #107: Timinski.

12 MS. WECKERLY: Timinski. How are you?

13 PROSPECTIVE JUROR #107: Good.

14 MS. WECKERLY: Do you have concerns about sitting as a
15 juror?

16 PROSPECTIVE JUROR #107: No. I did when I got the
17 summons.

18 MS. WECKERLY: Yeah.

19 PROSPECTIVE JUROR #107: I go, oh, I don't want to do
20 that, but I'm fine. I think for four days it's fine.

21 MS. WECKERLY: For four days?

22 PROSPECTIVE JUROR #107: Mm-hmm. If it was six months
23 I'd have a problem because I have a busy life.

24 MS. WECKERLY: Yeah, I know, I think if it were six months
25 everyone would be --

1 PROSPECTIVE JUROR #107: Yeah.

2 MS. WECKERLY: -- really upset about that.

3 PROSPECTIVE JUROR #107: Yeah.

4 MS. WECKERLY: In the shorter amount of time that this trial
5 is likely to take, do you think you will be able to sit?

6 PROSPECTIVE JUROR #107: Yep.

7 MS. WECKERLY: And do you have any concerns about your
8 ability to decide whether or not a person is guilty or not guilty?

9 PROSPECTIVE JUROR #107: Well that's what I don't know.
10 I mean, I'd have -- that's why you have a trial --

11 MS. WECKERLY: Right.

12 PROSPECTIVE JUROR #107: -- to weigh the facts.

13 MS. WECKERLY: Right.

14 PROSPECTIVE JUROR #107: And the witnesses and
15 everything.

16 MS. WECKERLY: Right. And that'll be -- the judge will give
17 you instructions on what the law is and you'll -- the witnesses will come
18 in.

19 PROSPECTIVE JUROR #107: Mm-hmm.

20 MS. WECKERLY: And you'll make an individual decision --

21 PROSPECTIVE JUROR #107: Mm-hmm.

22 MS. WECKERLY: -- but you'll be articulating that with your
23 fellow jurors and you'll all reach a decision about whether or not the case
24 is proven beyond a reasonable doubt.

25 PROSPECTIVE JUROR #107: Right.

1 MS. WECKERLY: Is that something that you think you can
2 participate in?

3 PROSPECTIVE JUROR #107: Yes, uh-uh.

4 MS. WECKERLY: Okay. I got a sense that you just
5 [indiscernible], Ms. Nelub, when I mentioned the photographs, did you
6 have a reaction to that or --

7 PROSPECTIVE JUROR #107: Yeah. When I was in my
8 twenties I actually worked for a lawyer who was a criminal lawyer.

9 MS. WECKERLY: Okay.

10 PROSPECTIVE JUROR #107: And he had photographs.
11 And he warned me not to look at the file with the photographs or if I open
12 it be prepared. So, he would show me briefly and then close it. So, you
13 know -- and I watch TV with bloody shows, but I can't watch certain
14 things. So, I just -- things or just -- if people are dismembered or
15 something, I can't look at that.

16 MS. WECKERLY: Okay.

17 PROSPECTIVE JUROR #107: So, I'd have to look away.

18 MS. WECKERLY: So -- and I mean, I'm sure you get this, but
19 we're not really showing you photos and, you know, hey, look at this for a
20 long time.

21 PROSPECTIVE JUROR #107: Yeah, I get it.

22 MS. WECKERLY: It's more of just it's an evidentiary purpose
23 to some of that.

24 PROSPECTIVE JUROR #107: Yeah, yeah.

25 MS. WECKERLY: Can you participate if --

1 PROSPECTIVE JUROR #107: Yes, I can.
2 MS. WECKERLY: Okay.
3 PROSPECTIVE JUROR #107: Mm-hmm.
4 MS. WECKERLY: You mentioned the October 1st?
5 PROSPECTIVE JUROR #107: Yes, my birthday.
6 MS. WECKERLY: Oh.
7 PROSPECTIVE JUROR #107: It was very awful.
8 MS. WECKERLY: Yeah. I mean, that's recent.
9 PROSPECTIVE JUROR #107: Mm-hmm.
10 MS. WECKERLY: How do you think that might affect you as a
11 juror, if at all?
12 PROSPECTIVE JUROR #107: It won't affect me, I don't think.
13 It has nothing to do with this case.
14 MS. WECKERLY: Yeah, it doesn't, and you're right.
15 PROSPECTIVE JUROR #107: Do you mean the person that
16 was accused of doing the crime?
17 MS. WECKERLY: No. I just mean sometimes when people
18 are close to an event that's traumatizing --
19 PROSPECTIVE JUROR #107: Mm-hmm.
20 MS. WECKERLY: -- that they either, you know, maybe haven't
21 recovered emotionally enough to sit as a juror.
22 PROSPECTIVE JUROR #107: No, I'm pretty strong in that
23 way.
24 MS. WECKERLY: Okay.
25 PROSPECTIVE JUROR #107: Yeah.

1 MS. WECKERLY: So, I mean, obviously, like the whole
2 community, that's incredibly upsetting, but you access this case based on
3 what you hear in this courtroom?

4 PROSPECTIVE JUROR #107: Oh, yeah, yeah.

5 MS. WECKERLY: And your decision will be based on the
6 evidence you hear in this case?

7 PROSPECTIVE JUROR #107: Yes.

8 MS. WECKERLY: Thank you very much.

9 PROSPECTIVE JUROR #107: You're welcome.

10 MS. WECKERLY: Can you pass that to Mr. Miller? How are
11 you?

12 PROSPECTIVE JUROR #160: Good. How are you?

13 MS. WECKERLY: Good. Thank you. You mentioned that
14 you were a prior juror?

15 PROSPECTIVE JUROR #160: Yes.

16 MS. WECKERLY: Yes. I know. I'm going to make you
17 answer yes or no so sorry about that. Did you -- was that an experience
18 that you probably want to repeat that again or was it okay?

19 PROSPECTIVE JUROR #160: The last one I liked because I
20 actually made it on to a jury and everything. Before that I had been
21 called many, many times and never so --

22 MS. WECKERLY: Was it always like this where it's just sort of
23 the questioning and then it was like same?

24 PROSPECTIVE JUROR #160: A couple times I made onto a
25 panel and was removed for whatever reason, and sometimes I never

1 made it out of the audience.

2 MS. WECKERLY: So, if you're imposed upon to be a juror in
3 his case, that's something that you're willing to participate in?

4 PROSPECTIVE JUROR #160: Yes.

5 MS. WECKERLY: And so you might have been a little bit
6 more eager to get your summons you think or --

7 PROSPECTIVE JUROR #160: Oh, it's just happened so
8 many times, I mean, the last time I actually made it to the jury. So, I it's
9 just, like, oh, do it again, yeah.

10 MS. WECKERLY: Have you watched that movie down there a
11 bunch of times?

12 PROSPECTIVE JUROR #160: I've only -- this is only the
13 second time I've been called here.

14 MS. WECKERLY: Oh.

15 PROSPECTIVE JUROR #160: I was called a lot in Los
16 Angeles.

17 MS. WECKERLY: Okay. Have you ever been called to the
18 federal court down here?

19 PROSPECTIVE JUROR #160: No.

20 MS. WECKERLY: Okay. Thank you, sir. Ms. Burleson.

21 PROSPECTIVE JUROR #109: Burleson.

22 MS. WECKERLY: Can you say that for me?

23 PROSPECTIVE JUROR #109: Burleson.

24 MS. WECKERLY: How are you?

25 PROSPECTIVE JUROR #109: Fine; bored, but fine.

1 MS. WECKERLY: Bored. I know. It is kind of a long process.
2 We appreciate your patience. You worked at TJ Maxx?

3 PROSPECTIVE JUROR #109: Yeah, the warehouse east on
4 Lone Mountain Road.

5 MS. WECKERLY: Okay. And are you security there?

6 PROSPECTIVE JUROR #109: Yeah and loss prevention.
7 We bring the trucks in and send the trucks out.

8 MS. WECKERLY: Okay. So, are you in the stores at all in
9 prevention or it's all in the warehouse?

10 PROSPECTIVE JUROR #109: Just the warehouse.

11 MS. WECKERLY: Okay. Have you ever had to call the police
12 or come to court for any of your work?

13 PROSPECTIVE JUROR #109: We only call the police if a car
14 was ripped off the parking lot or stuff like that.

15 MS. WECKERLY: Well you mentioned this morning, and I
16 don't want to put words in your mouth, that you have an issue kind of
17 philosophically sitting in judgment of people?

18 PROSPECTIVE JUROR #109: Yeah, I do have a problem
19 with that 'cause it's been, you know, it's happened before when an
20 innocent person was put in prison and never would get out and then their
21 life is wrecked.

22 MS. WECKERLY: So, in your frame of mind do you think
23 you'd be able to sit as a juror or do you think that's something that is --
24 something you can't participate in or --

25 PROSPECTIVE JUROR #109: I don't really think I can. It

1 would be optimistic. I just don't think I could, you know, 'cause I wouldn't
2 really be sure.

3 MS. WECKERLY: Okay. And is it the -- any kind of trial or is
4 it this type of trial in particular that you think you can't sit on?

5 PROSPECTIVE JUROR #109: Probably any kind of trial.

6 MS. WECKERLY: Okay. And in your frame of mind, are you
7 able to -- do you think you'd be able to listen to the witnesses and the
8 evidence as presented in this case?

9 PROSPECTIVE JUROR #109: I have -- sometimes I have
10 what you call memory loss 'cause I was hit in the head with a hammer.
11 So, sometimes I forget things too.

12 MS. WECKERLY: I mean, this isn't going to be a really long
13 month to month type of trial. The memory loss that you experienced, is
14 that something that affects your short term memory or long term memory
15 or --

16 PROSPECTIVE JUROR #109: Sometimes the short term
17 memory.

18 MS. WECKERLY: And have you had a medical diagnosis
19 about that?

20 PROSPECTIVE JUROR #109: No. Because the one that did
21 it was dying of a brain tumor anyways so I didn't pursue it.

22 MS. WECKERLY: So, you have sort of a medical concern
23 that you're mentioning with your memory loss. I want to ask you a little
24 bit more about some of your feelings that you don't want to sit as a juror
25 and make a decision.

1 PROSPECTIVE JUROR #109: Right.

2 MS. WECKERLY: And if you were sitting as a juror, I think
3 you said you had concerns about your ability to, I guess, assess the
4 evidence; is that fair?

5 PROSPECTIVE JUROR #109: Yeah, and make the right
6 decision.

7 MS. WECKERLY: And --

8 PROSPECTIVE JUROR #109: And retain it all.

9 MS. WECKERLY: Okay. And you're worried about your
10 ability then to serve as a juror and what you would be deciding as an
11 individual and as a group is whether the case is proven beyond a
12 reasonable doubt; and do you think you could do that?

13 PROSPECTIVE JUROR #109: I don't know.

14 MS. WECKERLY: Okay. And I know --

15 PROSPECTIVE JUROR #109: I can't say for sure. I mean, I
16 have trouble just remembering how to use a computer because they
17 show me over and over and over and I just keep forgetting things.

18 MS. WECKERLY: So -- and I apologize. And I'm not trying to
19 badger you, but this is the only time we get to talk to you is right now
20 during the jury selection, and so we got to pick people who can actually
21 serve as a jurors. And so I realize that you're not going to know exactly
22 what is right, but we need some level of assurance that you would be
23 able to kind of complete the task as a juror. And you're sort of
24 expressing that you don't think you can do that.

25 PROSPECTIVE JUROR #109: No, I don't.

1 MS. WECKERLY: Thank you. Can I ask you to pass that to
2 Mr. Williams. And you're the engineer like five different ways; right?

3 PROSPECTIVE JUROR #113: Somewhat.

4 MS. WECKERLY: When you are doing your work, are you --
5 day to day, are you working as a team or individually?

6 PROSPECTIVE JUROR #113: Sort of both. Work as a team
7 to assigned tasks, but once you're assigned the task it's your
8 responsibility to get it done. Other than the fact that since I have -- I'm a
9 SE, that's structural engineer.

10 MS. WECKERLY: Okay.

11 PROSPECTIVE JUROR #113: I'm the highest ranking
12 engineer and usually the highest ranking professional on any one project.
13 So, things do have to ultimately get passed through me and if something
14 goes wrong, I'm the first one to be sued. So, it's not clearly, you know,
15 one on one or a team.

16 MS. WECKERLY: So, then you're having to trust the work of
17 other people that you work with?

18 PROSPECTIVE JUROR #113: Yes.

19 MS. WECKERLY: And are you double checking their work
20 because of the position that you described yourself being in that unique
21 position as the structural engineer?

22 PROSPECTIVE JUROR #113: Yes.

23 MS. WECKERLY: Is it something that is easy for you to kind
24 of trust the work product of someone else or -- I guess you're probably
25 used to or maybe other people that you're relying upon pretty well at this

1 point?

2 PROSPECTIVE JUROR #113: Yeah. I work with two kinds of
3 projects I call the bread and butter which are small projects and I can
4 delegate the entire project away. And I have large projects which is the
5 biggest volume of my business and most of my buildings are on the East
6 Coast because my specialty are hurricane wind loads.

7 MS. WECKERLY: Oh, okay.

8 PROSPECTIVE JUROR #113: In that regard I have a second
9 company. I have Sky Structures here in Las Vegas and then intellectual
10 properties in Middle Tennessee. I have two partners there. One is an
11 architect and has his own architectural firm. The other engineer is -- has
12 his own engineering firm and he does the electrical and mechanical and
13 fire protection and plumbing. And so we shuffle work back and forth and
14 we've worked on many projects together. So, we have a great deal of
15 confidence.

16 MS. WECKERLY: Okay. So, you -- because you have that
17 working history with them, you're able, you know, you're able to trust their
18 work and communicate pretty clearly about how projects are going and
19 that type of thing?

20 PROSPECTIVE JUROR #113: Yes. It doesn't mean we don't
21 make mistakes. But once a contract goes out, contractors oftentimes find
22 better ways of doing things and we back up and regroup.

23 MS. WECKERLY: Is there ever a disagreement amongst the
24 partners?

25 PROSPECTIVE JUROR #113: Not that I lose. Yeah, we

1 constantly do. We actually had -- we actually sued one of our partners
2 for a partnership violation. He threatened to sue. There were -- originally
3 there were four of us partners in the intellectual properties company.
4 One of our partners went out on his own and violated our partnership
5 agreement, and then threatened to sue us if we didn't let him do what he
6 wanted to do. And we were intimidated because his father was a very
7 hated lawyer in North Carolina. So, we were somewhat intimidated. So,
8 we decided we'd better beat him to the punch. So, we sued him and we
9 settled out of the court and he lost.

10 MS. WECKERLY: How long ago was that?

11 PROSPECTIVE JUROR #113: That was eight years ago.

12 MS. WECKERLY: So, it was a little while ago?

13 PROSPECTIVE JUROR #113: Yes.

14 MS. WECKERLY: Anything about that that, and that's
15 obviously civil, is there anything about that that you think would affect you
16 in this type of case?

17 PROSPECTIVE JUROR #113: I don't see how they're
18 related. The one thing that I did learn through that is that -- these -- that
19 particular lawsuit was all about business, and the irony is that after we
20 sued one of my partners, the very next day he and I went to lunch and,
21 you know, we're good. But I don't see how the two are related.

22 MS. WECKERLY: Okay. Thank you very much, sir. If you
23 could pass that. How are you?

24 PROSPECTIVE JUROR #128: Good.

25 MS. WECKERLY: Now I have written down that -- you're Ms.

1 Tucker; right?

2 PROSPECTIVE JUROR #128: Yeah, Lacey Tucker.

3 MS. WECKERLY: I have written down from this morning that
4 -- I just wrote many contacts with law enforcement.

5 PROSPECTIVE JUROR #128: Yeah. Actually that was the
6 dumb down approach of the community law enforcement I have around
7 me.

8 MS. WECKERLY: Okay. And is it like -- it's for your --

9 PROSPECTIVE JUROR #128: Both.

10 MS. WECKERLY: Mostly through work or [indiscernible].

11 PROSPECTIVE JUROR #128: Both.

12 MS. WECKERLY: And you know what the next question's
13 going to be. Because you have these contacts, do you think that you
14 would be pre-deposed to favoring one side or the other in the trial?

15 PROSPECTIVE JUROR #128: I think initially I would go with
16 the law enforcement's testimony or a criminal's testimony.

17 MS. WECKERLY: Mm-hmm.

18 PROSPECTIVE JUROR #128: But at the same time because
19 I have so much social interactions with them, I know that they're humans
20 and not everything they say is in stone. That's why here and I feel like I
21 can look at the evidence and give a just verdict.

22 MS. WECKERLY: Okay. And you kind of took the words out
23 of mouth. What we need are people that can be fair to both sides and
24 listen to the testimony and give it whatever weight they think is proper
25 and you do that in your own head, and then also you'll be deliberating

1 with other members of the jury panel, obviously. We just can't have
2 people that are, you know, automatically I don't care what else I hear, I'm
3 going to [indiscernible] law enforcement. It sounds like you're not that
4 person?

5 PROSPECTIVE JUROR #128: No.

6 MS. WECKERLY: You can be fair to both sides?

7 PROSPECTIVE JUROR #128: Absolutely.

8 MS. WECKERLY: And sort of shifting gears, similar to what I
9 asked earlier, is there anything about the October 1st experience that you
10 had that you think would carry over in this case?

11 PROSPECTIVE JUROR #128: No, not in the case. However,
12 like, walking through security this morning, I panicked a little just because
13 that morning they were tight on security. They searched us all in the long
14 line of security and I texted my dad and he said, careful, watch your back.

15 MS. WECKERLY: Mm-hmm.

16 PROSPECTIVE JUROR #128: And so that kind of -- just
17 anytime I go through security kind of triggers it. So, as long as I get
18 through that part I think I'll be fine.

19 MS. WECKERLY: Okay. And that -- and I'm not trying to
20 minimize those feelings you have. That's, you know, to maintain security
21 in the courthouse.

22 PROSPECTIVE JUROR #128: Absolutely.

23 MS. WECKERLY: Then I guess what I need to make sure of
24 is once you sit as a juror, what you're deciding a case on is what you
25 hear in this courtroom?

1 PROSPECTIVE JUROR #128: Correct.

2 MS. WECKERLY: Can you do that?

3 PROSPECTIVE JUROR #128: Yeah. I wouldn't -- I couldn't
4 -- I know I could have easily called the courts and told them my story and
5 they would of let me go, but feel like I could have been here and that's
6 why I'm here.

7 MS. WECKERLY: Thank you very much. And last but not
8 least Mr. Rivera, how are you, sir?

9 PROSPECTIVE JUROR #130: Great. Thank you.

10 MS. WECKERLY: You're a computer tech; right?

11 PROSPECTIVE JUROR #130: Correct.

12 MS. WECKERLY: And are you in charge of computers for the
13 school or is it part of the district?

14 PROSPECTIVE JUROR #130: I'm assigned to elementary
15 schools. So, it's roughly 600 students, 150 staff, yeah.

16 MS. WECKERLY: Did you always start off in that job or did
17 your responsibility increase?

18 PROSPECTIVE JUROR #130: No. I started with the school
19 district as the tech. I'm there by choice. I like working with elementary
20 students. My children -- my child goes to my school that I work at so
21 that's really great.

22 MS. WECKERLY: Oh, that's good.

23 PROSPECTIVE JUROR #130: Yeah.

24 MS. WECKERLY: And so are you dealing with the kids when
25 they have problems with their Chromebooks or --

1 PROSPECTIVE JUROR #130: It's Chromebooks, iPads.
2 MS. WECKERLY: Whatever.
3 PROSPECTIVE JUROR #130: Dells, Lenovos.
4 MS. WECKERLY: So, you have to know all the different --
5 PROSPECTIVE JUROR #130: Right; yeah, it's a lot of tech.
6 MS. WECKERLY: And what -- is your educational
7 background in that or --
8 PROSPECTIVE JUROR #130: Correct.
9 MS. WECKERLY: So, you --
10 PROSPECTIVE JUROR #130: I've been doing it for 14 years.
11 MS. WECKERLY: Okay. So, this is the perfect job for you?
12 PROSPECTIVE JUROR #130: Oh, yeah, yeah.
13 MS. WECKERLY: You mentioned that your brother --
14 PROSPECTIVE JUROR #130: Mm-hmm.
15 MS. WECKERLY: Is that yes?
16 PROSPECTIVE JUROR #130: That's correct.
17 MS. WECKERLY: It sounds to me like that was a while ago
18 because I wrote down that you were a small child when that --
19 PROSPECTIVE JUROR #130: I was seven or eight, but it's a
20 very vivid memory in my mind and I'll never forget it.
21 MS. WECKERLY: Okay.
22 PROSPECTIVE JUROR #130: Because the police came to
23 our home and it was like literally surrounded. I'm the one that opened the
24 front door too so I was kind of freaked out
25 MS. WECKERLY: Absolutely. As a child experiencing that

1 and the police descending on your home, how do you think that affected
2 you?

3 PROSPECTIVE JUROR #130: It was scary, you know. He's
4 blood, he's my brother.

5 MS. WECKERLY: Yeah.

6 PROSPECTIVE JUROR #130: But as I got older and I
7 understood exactly what happened, I understood why they needed that
8 level of force for what he did. So, I understand.

9 MS. WECKERLY: And how would that affect you as a juror do
10 you think?

11 PROSPECTIVE JUROR #130: Not at all. I have respect for
12 law enforcement and the regular Joe walking down the street. I think
13 ultimately we're all just people, you know, police officers included.

14 MS. WECKERLY: So, you can be fair to both sides in this
15 trial?

16 PROSPECTIVE JUROR #130: That's correct.

17 MS. WECKERLY: I think that's all I have. Thank you very
18 much, sir.

19 PROSPECTIVE JUROR #130: Mm-hmm.

20 MS. WECKERLY: May we approach?

21 THE COURT: Yeah. We're going to go ahead and take a
22 break anyway.

23 MS. WECKERLY: Oh, okay.

24 THE COURT: Ladies and gentlemen, I'm going to give you a
25 recess for about 15 minutes. During the recess, you're admonished not

1 to talk or converse among yourselves or with anyone else on any subject
2 connected with the trial or read, watch or listen to any report or
3 commentary on the trial by any medium of information, including without
4 limitation, newspapers, television, internet and radio, and you cannot
5 form or express an opinion on any subject about the case till it's finally
6 submitted to you. We'll be in recess. If you guys go ahead and all step
7 outside for me. Thank you.

8 [Outside the presence of the prospective jury panel]

9 THE COURT: Do you guys want to take a break first?

10 MS. WECKERLY: That's fine. I just have a cause challenge.

11 THE COURT: Yeah, I figured.

12 MS. WECKERLY: Okay.

13 THE COURT: Why don't you go ahead and use the restroom,
14 take a break.

15 MS. WECKERLY: Okay.

16 THE COURT: And then we'll do it when we get back.

17 MR. BASHOR: Assuming mine isn't the same as hers, are --
18 would you be entertaining from the defense at this time or do you want to
19 wait until --

20 THE COURT: What I usually just say is tell us who you're
21 going to challenge for cause. That way if you guys are agreeing, you
22 don't need to worry about questioning those folks and you know who it is
23 you may need to talk to to rehabilitate or whatever.

24 MR. BASHOR: My point is if -- is this a right time if the
25 defense has a for cause challenge?

1 THE COURT: You can bring them up.

2 MR. BASHOR: Okay.

3 THE COURT: And if they have an agreement, then I would
4 rule on that as well and just excuse those people.

5 MR. BASHOR: Very good.

6 THE COURT: Usually I wait till both of you are done with all
7 your questions.

8 MR. BASHOR: I see.

9 THE COURT: To see what comes back up, if there's any
10 disagreement about a challenge.

11 MS. WECKERLY: Okay.

12 MR. BASHOR: Okay. Very good.

13 MS. WECKERLY: So, we'll confer.

14 MR. BASHOR: We'll confer, Your Honor. Thank you.

15 THE COURT: Okay.

16 [Recess taken at 3:52 p.m.]

17 [Proceedings resumed at 4:03 p.m.]

18 [Outside the presence of the prospective jury panel]

19 THE COURT: All right. So, Ms. Weckerly?

20 MS. WECKERLY: Well, I think we have an agreement, with
21 the Court's permission.

22 THE COURT: Okay.

23 MS. WECKERLY: I was going to challenge 109, Ms. Burleson
24 for cause.

25 THE COURT: Okay.

1 MS. WECKERLY: But I believe they'll agree to that, provided
2 153 who is in seat 25, Nelub is also kicked.

3 THE COURT: Okay. And are you in agreement with that?

4 MS. WECKERLY: Yeah.

5 THE COURT: Okay. Correct, gentlemen?

6 MR. BASHOR: Yes.

7 THE COURT: All right. So, we will have those two be
8 excused. And I'll probably just leave them there for now and let you
9 guys -- because I'm not going to go back and start over with new people
10 right now.

11 MS. WECKERLY: Yeah.

12 THE COURT: We'll just let you guys question the other parts
13 of the panel as much as you can tonight understanding you don't need to
14 worry about those two. And then when we come back tomorrow and you
15 guys finish up your questions, we'll excuse in mass whoever we're going
16 to be excusing.

17 MS. WECKERLY: Okay.

18 THE COURT: Well, actually, you know -- no -- I'm going to
19 leave them sitting there now, but at the end of the day I'll excuse them so
20 they don't have to come back tomorrow.

21 MS. WECKERLY: Okay.

22 MR. BASHOR: And then you'll refill them all?

23 THE COURT: Yeah.

24 MR. BASHOR: Okay.

25 THE COURT: Okay. Anything else? Is that the only ones

1 that you had a challenge to, was Ms. Burleson?

2 MS. WECKERLY: Yes.

3 THE COURT: Okay. All right. Mike, you can go ahead and
4 get them back in.

5 MR. BASHOR: While he's assembling the jury, Judge, is it
6 nine any way you want them or is it eight and then one on the last?

7 THE COURT: So, here's what I always say about that.

8 Off the record.

9 [Off the record at 4:04 p.m.]

10 [Proceedings resumed at 4:08 p.m.]

11 THE COURT MARSHAL: All rise for the jury.

12 [In the presence of the prospective jury panel]

13 THE COURT: All right. We'll be back on the record. Our
14 prospective jurors are here. The Defendant and his attorney, State's
15 attorneys are all present as well. We will move over to questioning from
16 defense counsel, Mr. Shaygan or Mr. Bashor.

17 MR. SHAYGAN-FATEMI: Thank you, Your Honor.

18 THE COURT: It's not likely that we get done today. I'm not
19 going to rush anybody because I'm sure you can understand the
20 seriousness of this. So, I apologize in advance that we'll probably be
21 coming back tomorrow. We had some discussion at our recess. We'll
22 probably start at 10:30 tomorrow, and I would anticipate that we can get
23 the jury selection finished up tomorrow morning instead of this evening;
24 okay?

25 All right. You can go ahead.

1 MR. SHAYGAN-FATEMI: Thank you.

2 Good afternoon, folks. As Mr. Bashor told you, my name is
3 Kambiz Shaygan, and I have the pleasure of representing Vernon in this
4 case. And forgive me if I'm a little nervous. I always get a little nervous
5 when I speak in front of people. So, I appreciate your patience this late
6 afternoon; it's now past four o'clock.

7 I'm going to hit a number of different topics. Many of them
8 have already been covered. So, let's begin. Let's start, folks, with the
9 presumption of innocence. Let's start with Ms. Lamerato.

10 PROSPECTIVE JUROR #037: Yes.

11 MR. SHAYGAN-FATEMI: How are you, ma'am?

12 PROSPECTIVE JUROR #037: I'm good. How are you?

13 MR. SHAYGAN-FATEMI: I appreciate you asking. I'm doing
14 well, thank you. Ma'am, the presumption of innocence is the core
15 principal that Vernon is innocent until the State proves their case. Do
16 you agree with that?

17 PROSPECTIVE JUROR #037: Yes.

18 MR. SHAYGAN-FATEMI: Okay. At this stage the State has
19 presented zero evidence in this case. If you were to go back right now
20 and deliberate, what would your verdict be, ma'am?

21 PROSPECTIVE JUROR #037: I don't know because I don't
22 have any facts yet.

23 MR. SHAYGAN-FATEMI: Okay. Because of the presumption
24 of innocence and because Honorable Herndon advised you that he sits
25 before you an innocent man and because there has been zero evidence

1 presented at this point by the State, would your verdict return not guilty?

2 PROSPECTIVE JUROR #037: I don't know. I would have to
3 hear the facts. I would assume he's innocent unless the State can prove
4 otherwise.

5 MR. SHAYGAN-FATEMI: I appreciate your candor, ma'am.
6 Thank you.

7 PROSPECTIVE JUROR #037: You're welcome.

8 MR. SHAYGAN-FATEMI: Ms. Lewison.

9 PROSPECTIVE JUROR #007: Hi.

10 MR. SHAYGAN-FATEMI: Hello. How are you feeling?

11 PROSPECTIVE JUROR #007: I feel okay.

12 MR. SHAYGAN-FATEMI: All right.

13 PROSPECTIVE JUROR #007: Thanks for asking.

14 MR. SHAYGAN-FATEMI: All right. As we sit here right now,
15 is it your opinion that he's not guilty of what the State has charged him
16 with?

17 PROSPECTIVE JUROR #007: To be honest I am not sure. I
18 feel like he's sitting there for a reason. So, I cannot at this point say
19 whether he's guilty or not guilty, like she mentioned, without seeing facts.

20 MR. SHAYGAN-FATEMI: And I appreciate your candor. If I
21 can remind you of Honorable Herndon's instruction to you that the
22 presumption of innocence -- he sits before you an innocent man unless
23 the State is able to prove their case. In allowing me to remind you of
24 that, at this moment if you were to go back and deliberate, what would
25 your verdict be?

1 PROSPECTIVE JUROR #007: I'm sorry, I can't say right
2 now.

3 MR. SHAYGAN-FATEMI: Okay. Thank you. I appreciate
4 you.

5 PROSPECTIVE JUROR #007: Sorry.

6 MR. SHAYGAN-FATEMI: Folks, I'm going to move on now to
7 the -- what -- attorneys use very fancy shmancy words -- the burden of
8 proof. In other words, the State has the responsibility of proving this
9 case. That's the way the system is designed. Let me go to Mr.
10 Thompson.

11 PROSPECTIVE JUROR #133: Hi.

12 MR. SHAYGAN-FATEMI: How are you, sir?

13 PROSPECTIVE JUROR #133: Good, thanks. You?

14 MR. SHAYGAN-FATEMI: Good, thank you. You know, Ms.
15 Weckerly and Mr. Portz are attorneys who happen to be employed by the
16 Clark County District Attorney's Office, therefore, making them
17 prosecutors. Do you tend to give them more credibility because they're
18 prosecutors?

19 PROSPECTIVE JUROR #133: As a lawyer or what do you
20 mean?

21 MR. SHAYGAN-FATEMI: I mean that they are attorneys that
22 work for the government.

23 PROSPECTIVE JUROR #133: Okay.

24 MR. SHAYGAN-FATEMI: And because they're prosecutors --

25 PROSPECTIVE JUROR #133: Right.

1 MR. SHAYGAN-FATEMI: -- do you tend to give them more
2 credibility than defense attorneys like Mr. Bashor and myself?

3 PROSPECTIVE JUROR #133: To be honest I'd have to know
4 your background, your history, your accreditations, your education before
5 I'd form that kind of an opinion, or even your history.

6 MR. SHAYGAN-FATEMI: That's a very eloquent answer.
7 Thank you. Knowing that they have the burden, in other words, the
8 responsibility, would you agree that it's up to them to prove the case?

9 PROSPECTIVE JUROR #133: Yes.

10 MR. SHAYGAN-FATEMI: Okay. So, in other words, if Mr.
11 Bashor and I fell asleep during trial -- and we don't intend on doing that,
12 but if we did --

13 PROSPECTIVE JUROR #133: Okay.

14 MR. SHAYGAN-FATEMI: -- and you didn't believe that Mr.
15 Portz and Ms. Weckerly have proved their case, what would your verdict
16 be at that time?

17 PROSPECTIVE JUROR #133: Not guilty.

18 MR. SHAYGAN-FATEMI: Not guilty. Thank you, sir. Let me
19 phrase it a little bit differently for you.

20 PROSPECTIVE JUROR #133: Okay.

21 MR. SHAYGAN-FATEMI: What if you thought he was guilty?

22 PROSPECTIVE JUROR #133: If I thought or they proved it?

23 MR. SHAYGAN-FATEMI: What if you thought he was guilty,
24 but they didn't prove their case, in your opinion?

25 PROSPECTIVE JUROR #133: Then I wouldn't have anything

1 to find him guilty with but my own opinion.

2 MR. SHAYGAN-FATEMI: I appreciate that, sir. Thank you. If
3 I can ask you to hand the microphone to your left to Ms. Tamariz.

4 Good afternoon, ma'am.

5 PROSPECTIVE JUROR #078: Good afternoon.

6 MR. SHAYGAN-FATEMI: Ma'am, do you believe that Mr.
7 Bashor and I need to prove anything to you?

8 PROSPECTIVE JUROR #078: The case just needs to be
9 proven.

10 MR. SHAYGAN-FATEMI: In your opinion, ma'am, whose
11 responsibility is it to prove the case?

12 PROSPECTIVE JUROR #078: The plaintiff.

13 MR. SHAYGAN-FATEMI: Okay. And so it's strictly up to
14 them, in your opinion, to prove the case?

15 PROSPECTIVE JUROR #078: Well, it's up to both sides.

16 MR. SHAYGAN-FATEMI: Okay.

17 PROSPECTIVE JUROR #078: For them to prove that he's
18 guilty and for you to prove that he's not guilty.

19 MR. SHAYGAN-FATEMI: Okay. So, in your -- what you're
20 saying, just so I'm clear, is that you would expect us to prove his
21 innocence in the case?

22 PROSPECTIVE JUROR #078: Well, it depends on what's
23 presented as far as evidence goes.

24 MR. SHAYGAN-FATEMI: Okay. Thank you so much for your
25 honest answer. May I ask you one last question since you're so honest?

1 PROSPECTIVE JUROR #078: Okay.

2 MR. SHAYGAN-FATEMI: You know, one has a constitutional
3 right in this country to not testify. That's a right that you have. If Vernon
4 chooses to not testify in this case would you hold it against him?

5 PROSPECTIVE JUROR #078: No.

6 MR. SHAYGAN-FATEMI: Okay. Just a quick question for the
7 panel. And hello to you folks back there. Will anybody hold it against
8 him if he chooses to not testify? Will anybody hold it against him?

9 Let's talk a little bit about -- and Judge Herndon had
10 mentioned to you don't worry about what proof beyond a reasonable
11 doubt means; you'll get that instruction at the end of trial, but what we
12 can talk about is -- just a quick show of hands, how many people here
13 value their freedom more than money? Let the record reflect it's a show
14 of most hands.

15 Well, that's the way our justice system views it, folks,
16 because the burden in a criminal case is the highest that we have in our
17 justice system, which is proof beyond a reasonable doubt; more so than
18 in a civil system. Does everybody agree with that? Show of hands. And
19 it should be that way; right?

20 If I can ask you to hand the microphone directly behind you to
21 Ms. Howlett.

22 How are you, ma'am?

23 PROSPECTIVE JUROR #040: I'm good.

24 MR. SHAYGAN-FATEMI: As an attorney would you agree
25 that the standard should be higher in a criminal case than in a civil case?

1 PROSPECTIVE JUROR #040: I do agree.

2 MR. SHAYGAN-FATEMI: Okay. And can you just give me
3 some thoughts on why you feel that way?

4 PROSPECTIVE JUROR #040: Well, I think you put it well.
5 Freedom is more important than money. In a civil case you're not talking
6 about taking away someone's rights; it's typically just their money. And
7 so in that case, you need to make sure you get it right because it's the
8 person's life. It's their livelihood. It's everything.

9 MR. SHAYGAN-FATEMI: I think you put it better than me.
10 Thank you. Let me ask you if you are chosen to be a juror in this case
11 and you were to go back in deliberation and you believe Vernon to be not
12 guilty of what the State is asking you to find him guilty of and the other 11
13 jurors are saying that he's guilty, can you describe for me your
14 personality and how you think? Do you think you would be easily
15 persuaded just because now you have 11 eyes looking at you frowning,
16 kind of being like, are you kidding me, dude, like, what are we doing
17 here?

18 PROSPECTIVE JUROR #040: No, I don't. Opposition
19 doesn't bother me. I would stick to my beliefs based on the facts as I
20 perceive them.

21 MR. SHAYGAN-FATEMI: Okay. Is there anybody here -- and
22 it's okay to answer this differently. Is there anybody here that feels that
23 they will succumb to the pressure in that 11 to 1 scenario, either way,
24 eleven not guilty, one guilty, vice versa? Does everyone in other words --
25 show of hands, everyone feels strong enough that if they believe that the

1 State has or has not proven their case, they will stand strong in their own
2 belief? Show of hands.

3 Is there anyone that doesn't feel that way? And it's okay to
4 feel that. Frankly, we want the fairest jury as possible. You know, it's not
5 a mystery, so I'd like to know that if somebody will succumb to that.
6 Please tell me. Thank you, folks.

7 Let's stop talking about the law and move on to drug use. I
8 know the State had asked you folks some questions about drug use.

9 Mr. Barber?

10 If we can get the microphone to Mr. Barber.

11 PROSPECTIVE JUROR #030: How you doing?

12 MR. SHAYGAN-FATEMI: How are you, sir? Thank you. Mr.
13 Barber, when Mr. Portz had asked for people to put up their hands with
14 regards to drug use, you were candid; in kind you put up your hand. Can
15 you elaborate for me why you put up your hand?

16 PROSPECTIVE JUROR #030: Well, my uncle's -- he's
17 addicted to various drugs right now. My brother was taking them
18 constantly. I've been around it a lot.

19 MR. SHAYGAN-FATEMI: Were you close with your uncle?

20 PROSPECTIVE JUROR #030: He lived with us. For a year
21 he lived with us.

22 MR. SHAYGAN-FATEMI: Okay. And in your interactions with
23 him did you feel -- let me rephrase my question. Were you ever around
24 him when he wasn't high?

25 PROSPECTIVE JUROR #030: Yes.

1 MR. SHAYGAN-FATEMI: And you were obviously around
2 him when he was high. And could you tell the difference when he was
3 high?

4 PROSPECTIVE JUROR #030: Yes.

5 MR. SHAYGAN-FATEMI: How so?

6 PROSPECTIVE JUROR #030: Just the way he acts, what he
7 says, just his actions.

8 MR. SHAYGAN-FATEMI: More reactive?

9 PROSPECTIVE JUROR #030: Or not active at all.

10 MR. SHAYGAN-FATEMI: Or not active at all?

11 PROSPECTIVE JUROR #030: Mm-hmm.

12 MR. SHAYGAN-FATEMI: Can you share with us what kind of
13 substances he was on?

14 PROSPECTIVE JUROR #030: Lortabs, right now he's on
15 heroin.

16 MR. SHAYGAN-FATEMI: So, more of the downer --

17 PROSPECTIVE JUROR #030: Yeah.

18 MR. SHAYGAN-FATEMI: -- kind of drug; not saying like
19 methamphetamine or something like that?

20 PROSPECTIVE JUROR #030: Right.

21 MR. SHAYGAN-FATEMI: Okay. I appreciate you raising your
22 hand and sharing with us today. Thank you.

23 Folks, with regards to drugs, does anybody here have any
24 experiences with friends, family members in dealing with
25 methamphetamine?

1 PROSPECTIVE JUROR #030: Yeah, all drugs.
2 MR. SHAYGAN-FATEMI: All drugs?
3 PROSPECTIVE JUROR #030: He was on everything.
4 MR. SHAYGAN-FATEMI: He was on everything?
5 PROSPECTIVE JUROR #030: Mm-hmm.
6 MR. SHAYGAN-FATEMI: Did you notice him acting differently
7 when he was on methamphetamine?
8 PROSPECTIVE JUROR #030: I noticed when he was
9 doing -- yeah.
10 MR. SHAYGAN-FATEMI: How was he acting?
11 PROSPECTIVE JUROR #030: He -- either he's bouncing on
12 the walls, going crazy or he's sleeping, passed out.
13 MR. SHAYGAN-FATEMI: Going crazy, bouncing on the
14 walls?
15 PROSPECTIVE JUROR #030: Yes.
16 MR. SHAYGAN-FATEMI: Then just crashing, passing out?
17 PROSPECTIVE JUROR #030: Yeah.
18 MR. SHAYGAN-FATEMI: Unpredictable; is that safe to say?
19 PROSPECTIVE JUROR #030: Very unpredictable.
20 MR. SHAYGAN-FATEMI: Okay. Thank you, sir.
21 Ms. Stokey, I saw you raise your hand.
22 Forgive me, folks, if some of you raised your hand and I didn't
23 see it.
24 Can you share your experience with us with regards to
25 methamphetamine?

1 PROSPECTIVE JUROR #027: Yeah, I shot my hand up
2 really quick. Again, my nephew, even though he's doing very well now,
3 when he was on meth he, well, like I said, he stole from my father. He
4 stole his car, and it was only two weeks after my mom had died who took
5 care of him.

6 So, I don't think drugs is -- I hate to say it because I think I
7 know where you're going with this. I don't care what drug you're on, you
8 don't hurt somebody. And he hurt my mom and my dad.

9 MR. SHAYGAN-FATEMI: When -- and obviously, you had
10 experiences with him prior to that use?

11 PROSPECTIVE JUROR #027: Oh, yes, mm-hmm.

12 MR. SHAYGAN-FATEMI: And methamphetamine is a -- you
13 would agree it's one of the uppers; it makes you more frantic and --

14 PROSPECTIVE JUROR #027: Mm-hmm.

15 MR. SHAYGAN-FATEMI: -- acting out of your ordinary
16 course, so to speak?

17 PROSPECTIVE JUROR #027: Yes.

18 MR. SHAYGAN-FATEMI: Okay. Thank you so much for
19 sharing.

20 I want to try to keep the focus on the first row in this group
21 right here. With regards to methamphetamine, has anybody else been
22 affected?

23 PROSPECTIVE JUROR #128: When my father-in-law
24 strangled and raped my mother-in-law, he was high on meth. And then
25 he still is. He's just on the run in Sacramento. And now his daughter, my

1 sister-in-law, just went to jail last December for meth.

2 MR. SHAYGAN-FATEMI: Well, I'm appreciative that you
3 shared that with us. It's not easy in a group sharing things about your
4 family, so I appreciate that.

5 PROSPECTIVE JUROR #128: Thank you.

6 MR. SHAYGAN-FATEMI: Thank you.

7 Anybody else?

8 PROSPECTIVE JUROR #133: Can I say something when
9 you get the chance?

10 MR. SHAYGAN-FATEMI: Please, Mr. Thompson.

11 PROSPECTIVE JUROR #133: I don't have family
12 experience, but with a career in fire I have lots and lots of experience
13 dealing with it personally.

14 MR. SHAYGAN-FATEMI: What goes through your mind
15 when -- right now we're talking about methamphetamine. What would
16 you like to share with us?

17 PROSPECTIVE JUROR #133: Just nothing. It's people you
18 know, you don't know them anymore. You have no idea what's going to
19 happen. Control in the situation is very hard. And as a captain you had
20 to look for scene safety and stuff, so it was always paramount. So,
21 there's a lot more to it than the average person thinks about as well. So,
22 no personal in our family, but it's been a huge part of what I've had to
23 deal with as meth took over the country, so --

24 MR. SHAYGAN-FATEMI: Thank you for your wise answer.
25 Thank you, sir.

1 Ms. Batara, I saw you --

2 PROSPECTIVE JUROR #041: Raise my hand, yes.

3 MR. SHAYGAN-FATEMI: -- raise your hand.

4 PROSPECTIVE JUROR #041: So, my dad used to do meth
5 in -- back home in Hawaii, and I saw it take over his life where he had a
6 job, then didn't have a job. And it was mostly prevalent -- also, my dad's
7 side of the family -- his brother, my uncle, passed away just using drugs
8 his whole life. He wasn't using drugs when he died, but he did have
9 heart disease and I think it was drug-related, you know?

10 MR. SHAYGAN-FATEMI: And I say this sincerely. Thank you
11 for sharing.

12 PROSPECTIVE JUROR #041: Mm-hmm.

13 MR. SHAYGAN-FATEMI: It's not easy standing up here and
14 sitting here talking about family and stuff.

15 PROSPECTIVE JUROR #041: Mm-hmm.

16 MR. SHAYGAN-FATEMI: Can you describe some of his
17 characteristics when he was high on meth?

18 PROSPECTIVE JUROR #041: Yeah, my uncle was just
19 very -- his personality was very out there. I mean, you could tell his highs
20 were very high and then, you know, he was -- very erratic behavior. His
21 relationship with my auntie was very -- I mean, to the point where it was
22 domestic violence and, I mean, at that -- it would just -- it was just his life
23 that was just pretty normal. That was the norm for him.

24 MR. SHAYGAN-FATEMI: They would argue a lot?

25 PROSPECTIVE JUROR #041: Oh, yeah, yeah, police being

1 called. They're on welfare, so it was -- I've seen it firsthand.

2 MR. SHAYGAN-FATEMI: Thank you for sharing.

3 PROSPECTIVE JUROR #041: Mm-hmm.

4 MR. SHAYGAN-FATEMI: Anybody else with regards to
5 methamphetamine?

6 You know, Mr. Portz -- let's move on from the drugs -- he
7 mentioned to you that, you know -- you know by now that this is a murder
8 case, and it's the most serious of cases. And, you know, you're going to
9 have really gnarly, aggressive emotions in this case, as you should.

10 Does anybody here feel that when they're going through this
11 whirlwind of emotions where you may hate Vernon when you hear things
12 in this case, does anybody here feel that their emotions will override their
13 ability to apply facts to law for them to not be on this case? So, in other
14 words -- show of hands, everyone can be fair? Is anyone not raising
15 their hand?

16 PROSPECTIVE JUROR #042: What was the question? I'm
17 sorry, I missed it.

18 MR. SHAYGAN-FATEMI: Let me try to remember it.

19 PROSPECTIVE JUROR #042: Did I think I could be fair even
20 though I was -- my emotions were running high?

21 MR. SHAYGAN-FATEMI: That is correct, ma'am.

22 PROSPECTIVE JUROR #042: Yeah. Okay. I'm raising my
23 hand.

24 MR. SHAYGAN-FATEMI: Okay.

25 PROSPECTIVE JUROR #042: Yeah.

1 MR. SHAYGAN-FATEMI: Ms. Dulin?

2 PROSPECTIVE JUROR #042: Yes.

3 MR. SHAYGAN-FATEMI: How are you, ma'am?

4 PROSPECTIVE JUROR #042: I'm not bad.

5 MR. SHAYGAN-FATEMI: You believe that emotions will be a

6 part of your reaching a decision in this case?

7 PROSPECTIVE JUROR #042: To a degree, but not to the

8 point where I couldn't be objective.

9 MR. SHAYGAN-FATEMI: I appreciate that, ma'am. If you --

10 you know, the photos in this case are very graphic. There is autopsy

11 photos, there is -- you know, they're photos that you never get used to

12 seeing them. You may never forget them. In light of that, do you think

13 you can still, you know, hold the State to that burden and make them

14 prove their case?

15 PROSPECTIVE JUROR #042: Yes, I do. I -- I'm not affected

16 by violent photos and things of that nature. My favorite programs are

17 horror movies.

18 MR. SHAYGAN-FATEMI: What's your favorite horror movie?

19 PROSPECTIVE JUROR #042: That's a good one. The

20 Thing.

21 MR. SHAYGAN-FATEMI: Those ones where the paranormal

22 activity with -- someone's sleeping and the door kind of closes, that's just

23 too much for me. I'm all right on that. Thank you so much.

24 PROSPECTIVE JUROR #042: You're welcome.

25 MR. SHAYGAN-FATEMI: I want to -- this question is for

1 Ms. -- and forgive me -- Svedin. Ms. Svedin, you shared with us that you
2 were a victim of child abuse?

3 PROSPECTIVE JUROR #006: Yes.

4 MR. SHAYGAN-FATEMI: As you heard Mr. Portz tell you
5 earlier today, Vernon is charged with child abuse in this case. Given
6 your own experiences in your life do you think that you can -- I don't
7 know if putting it aside is the right word, but what I'm trying to say is
8 objectively look at the facts, look at the law in this case and make a
9 determination if the State has proven up those charges?

10 PROSPECTIVE JUROR #006: I'd try to do my best.

11 MR. SHAYGAN-FATEMI: Do you think that because of what
12 you went through there's a strong or average or mild probability that it
13 could affect your ability to apply the facts to the law?

14 PROSPECTIVE JUROR #006: I believe very firmly in
15 upholding the law with -- and looking at the facts presented. I just know
16 my judgement could be clouded.

17 MR. SHAYGAN-FATEMI: Thank you so much, ma'am, I
18 appreciate it.

19 We heard when Honorable Herndon was going through
20 everything with everyone, every -- a lot of people here have children.
21 And like we're discussing with Ms. Svedin child abuse charges are in
22 play in this trial. Is there anyone that hears child abuse and immediately
23 doesn't believe they can be a fair juror because they've already made up
24 their mind? So, just show of hands, everyone could fairly apply the facts
25 to the law with regards to the child abuse charges? Is that everyone?

1 Is -- did anyone not raise their hand?

2 Mr. Rivera.

3 PROSPECTIVE JUROR #130: Hello.

4 MR. SHAYGAN-FATEMI: How are you, sir?

5 PROSPECTIVE JUROR #130: Good, thank you.

6 MR. SHAYGAN-FATEMI: Can you explain why you raised
7 your hand?

8 PROSPECTIVE JUROR #130: Well, we're told to be honest,
9 and I'm going to be completely honest. I mentioned earlier that my wife,
10 she's an ICU nurse for -- in the pediatric floor, so I hear a lot of -- you
11 know, she needs to unwind and vent; that's why I'm there. So, I hear
12 multiple stories on different cases of child abuse and, I think, over time
13 after hearing them over and over again I start to form my own opinions
14 on the type of people that are capable of doing that.

15 And I have, you know, I have two -- I have a five and a
16 three year old, and the moment you mention that, all I can do is think
17 about them. I'm not saying I won't be impartial, I just -- that for me was a
18 spark; every time you hear that.

19 So, yeah, I know, I know, I know, I'm sorry if it doesn't make
20 sense. It's just for me at least I just can't separate the two. I'm like
21 worst-case scenario guy. You know, these kids are being abused;
22 there's a reason behind it. No excuses.

23 MR. SHAYGAN-FATEMI: I think you're making perfect sense.
24 You know, that's your experiences and, you know, with your wife sharing
25 with you all the time. You're certainly allowed to have a rational opinion

1 of very serious, crazy subject matter.

2 PROSPECTIVE JUROR #130: Mm-hmm.

3 MR. SHAYGAN-FATEMI: Does anybody else share his
4 thoughts with regards to the child abuse charges?

5 PROSPECTIVE JUROR #109: Yeah, I agree completely with
6 him, his thoughts on that because I wonder when I hear something like
7 that how could somebody do that to a child and hurt an innocent child?

8 THE COURT: That's Ms. Burleson.

9 MR. SHAYGAN-FATEMI: Yes. Thank you, Your Honor.

10 PROSPECTIVE JUROR #109: And it makes me mad.

11 MR. SHAYGAN-FATEMI: Thank you, Ms. Burleson. I
12 appreciate your insight.

13 Anybody else?

14 Ms. Tucker?

15 PROSPECTIVE JUROR #128: I immediately go to not
16 necessarily even -- abuse is not just touching a child, it's robbing them of
17 their innocence. And so, like I don't -- it's not that I'm saying I can't be
18 unjust, but that's immediately what I went to is those children were
19 robbed of innocence. So, I need these facts now more than ever to
20 prove this innocence on that part of the case because to me I just think of
21 those sweet babies.

22 MR. SHAYGAN-FATEMI: So -- and let me try to respond to
23 what you said. So, from an attorney's standpoint, as an attorney for
24 Vernon, would I want you on this jury? Would you want yourself on this
25 jury?

1 PROSPECTIVE JUROR #128: That's a hard question.

2 MR. SHAYGAN-FATEMI: I appreciate it. That's okay.

3 PROSPECTIVE JUROR #128: That's -- I would say because
4 I have firmly took an oath and I'm going to be just and I'm going to take
5 the facts in, yes. What I just said could be frightening as an attorney.

6 MR. SHAYGAN-FATEMI: Thank you for your honest answer.
7 Thank you.

8 Folks, I know some people had raised their hands. Can I just
9 see a show of who else wanted to speak on this subject matter?

10 Ms. Nelub?

11 PROSPECTIVE JUROR #107: No, Cathy Timinski.

12 MR. SHAYGAN-FATEMI: Oh, I'm sorry. Ms. Timinski.

13 PROSPECTIVE JUROR #107: Well, when it says child abuse
14 and you have -- I have three beautiful little grandchildren, and if
15 somebody harmed them I would immediately think that they're guilty until
16 proven innocent.

17 MR. SHAYGAN-FATEMI: So, in other words, it would be up
18 to Mr. Bashor and I to prove Vernon's innocence to you with regards to
19 the child abuse charges?

20 PROSPECTIVE JUROR #107: Well, only because he's here
21 for a reason, yes.

22 MR. SHAYGAN-FATEMI: Okay. Thank you, ma'am.

23 I know I've said I'm done with the law, but I have to go back in
24 that pool very quickly. You know, folks, you're going to -- you've already
25 learned that this is a murder case and there's a killing involved.

1 Honorable Herndon had talked about you getting the law at
2 the end of trial. The killing is not just what the State is asking you it is.
3 There is different -- there's a spectrum when it comes to homicide.
4 There's all kinds of different charges. Show of hands, if you were to be
5 given the law where it shows a spectrum of different kinds of homicide, is
6 anybody here so headstrong that -- well, there's only -- a killing is a
7 killing, how could it be anything else?

8 Vehicular manslaughter is not the same as first degree
9 murder, for example. Someone gets in an accident, they're driving crazy
10 and recklessly, somebody dies. It's not the same as a first degree
11 murder. By show of hands does everyone agree with me on that? Does
12 anyone disagree with me? Does anyone think no matter what, a killing is
13 a killing; it doesn't matter the circumstances behind it? The record will
14 reflect there's no show of hands. Thank you.

15 Ms. Miller?

16 PROSPECTIVE JUROR #044: Hi.

17 MR. SHAYGAN-FATEMI: How are you, ma'am?

18 PROSPECTIVE JUROR #044: I'm fine. You?

19 MR. SHAYGAN-FATEMI: I'm well, thank you. We haven't
20 heard a lot from you today. What do you do if someone disagrees with
21 you in general? How do you react?

22 PROSPECTIVE JUROR #044: I'm not sure. I've never
23 really -- I don't know about this stuff, so I'm not sure.

24 MR. SHAYGAN-FATEMI: Are you someone that -- would you
25 consider yourself an opinionated person?

1 PROSPECTIVE JUROR #044: Yes.

2 MR. SHAYGAN-FATEMI: So, if everyone's sitting around the
3 table and there's a topic that you feel strongly about, you will chime in?

4 PROSPECTIVE JUROR #044: I think so.

5 MR. SHAYGAN-FATEMI: I'd like to think I'm the same way.
6 Are you -- would you consider yourself a follower?

7 PROSPECTIVE JUROR #044: No, not at all.

8 MR. SHAYGAN-FATEMI: No? So, if you make up your mind
9 on something you're not easily persuaded out of it by other people?

10 PROSPECTIVE JUROR #044: No, I never have been and I
11 never would be.

12 MR. SHAYGAN-FATEMI: Thank you, ma'am, I appreciate
13 your time.

14 Your Honor, may I have a moment of indulgence?

15 THE COURT: Sure.

16 MR. SHAYGAN-FATEMI: Mr. Solis, how are you, sir?

17 PROSPECTIVE JUROR #142: Good.

18 MR. SHAYGAN-FATEMI: What are your thoughts on the
19 criminal justice system just in general? If I didn't know you and we were
20 sitting on a plane and you -- we were sitting next to each other and I'm
21 the annoying guy; I'm trying to strike up a conversation and I say, what
22 are your thoughts on the criminal justice system, what would you have to
23 say?

24 PROSPECTIVE JUROR #142: [indiscernible]. Can you
25 rephrase it? I mean --

1 MR. SHAYGAN-FATEMI: Yeah, that was a lousy question.
2 You know, you shared with us your brother going through the system.

3 PROSPECTIVE JUROR #142: Yeah.

4 MR. SHAYGAN-FATEMI: At any point did you feel, man, the
5 system is just convicting everyone or he's going to get a free pass or did
6 you -- or were you concerned in terms of the system doing him wrong at
7 any point?

8 PROSPECTIVE JUROR #142: No, I mean, everybody gives
9 their -- they do -- how do you explain it? They do their own thing, so -- I
10 don't know how to say it. His actions take him to his consequences. So,
11 that's what I think.

12 MR. SHAYGAN-FATEMI: All right. Let's call the flight
13 attendant. I'll stop bugging you.

14 I want to just ask -- just jump around just slightly here. You
15 know, a few of you had mentioned that, you know, well, Vernon, he
16 probably did something because he wouldn't be sitting at that table at this
17 moment.

18 Folks, this is so important. Does everyone here understand
19 that the burden of proof that the State has to prove in this case, which is
20 the highest in our justice system, is not the same burden of proof that is
21 required for someone to be sitting at that table? Show of hands that
22 everyone understands that concept. Is anyone not understanding that
23 concept?

24 THE COURT: Ms. Timinski.

25 PROSPECTIVE JUROR #041: It was me and her, but I'll go

1 first.

2 THE COURT: Oh, I'm sorry.

3 MR. SHAYGAN-FATEMI: Well, let's begin with Ms. Batara.

4 PROSPECTIVE JUROR #041: Okay.

5 MR. SHAYGAN-FATEMI: Share your thoughts with us.

6 PROSPECTIVE JUROR #041: I just don't understand. Can
7 you repeat that again?

8 MR. SHAYGAN-FATEMI: Sure.

9 PROSPECTIVE JUROR #041: It was a lot of words.

10 MR. SHAYGAN-FATEMI: It was a lot of words, a lot of legal
11 words.

12 PROSPECTIVE JUROR #041: It's been a long day too, so --

13 MR. SHAYGAN-FATEMI: A lot of confusing legal words. I
14 appreciate you asking me because I think about it sometimes the same
15 way. The standard that the prosecution has to meet in this case is proof
16 beyond a reasonable doubt. You will be given an instruction on what that
17 means by Honorable Herndon at the end of this trial.

18 There had been some dialogue in this jury selection process
19 that, well, Vernon's sitting at that table so he must have done something.
20 But what I'm saying is that does everyone understand that the standard
21 for sitting at that table is way less than proof beyond a reasonable doubt?
22 It's a much lesser standard to simply be accused of a crime versus two
23 prosecutors proving their case up. Does everyone -- that's kind of what I
24 meant by that.

25 PROSPECTIVE JUROR #041: Okay. I think I understand,

1 but I think as a human being I would have to -- I mean, I can't -- everyone
2 has prejudices, everyone has like assumptions. And based on just -- I
3 don't -- I didn't see any facts obviously, but just based on face value, like
4 to me I feel like he is guilty, I mean, I just don't know what facts could
5 prove to me that he's not guilty, and that's just me being a human and
6 just me being honest.

7 MR. SHAYGAN-FATEMI: No, and I wouldn't ask for anything
8 else.

9 PROSPECTIVE JUROR #041: Yeah.

10 MR. SHAYGAN-FATEMI: Can I ask you to hand the
11 microphone over to Ms. Dulin?

12 PROSPECTIVE JUROR #042: Pretty much you explained the
13 standard, but are you telling me that the Defendant is accused of child
14 abuse and murder?

15 MR. SHAYGAN-FATEMI: That's what he's accused of in this
16 case, ma'am.

17 PROSPECTIVE JUROR #042: Murdering the child or just
18 abusing the child?

19 MR. SHAYGAN-FATEMI: He's not accused of murdering any
20 child, ma'am. That is not the case.

21 PROSPECTIVE JUROR #042: Just child abuse?

22 MR. SHAYGAN-FATEMI: He's just charged with child abuse
23 in this case.

24 PROSPECTIVE JUROR #042: And killing someone?

25 MR. SHAYGAN-FATEMI: He's charged with killing someone,

1 yes, ma'am.

2 PROSPECTIVE JUROR #042: Okay. And the State has the
3 burden of proving without a doubt that he's guilty?

4 MR. SHAYGAN-FATEMI: Yes, ma'am.

5 PROSPECTIVE JUROR #042: Okay. Well, the system
6 seems to work when something like that is required, so this ought to be a
7 very interesting trial.

8 MR. SHAYGAN-FATEMI: I appreciate your honesty. Thank
9 you. And I appreciate your questions as well.

10 MR. BASHOR: Kambiz, Ms. Timinski also had her hand up.

11 MR. SHAYGAN-FATEMI: Oh, thank you, Mr. Bashor.

12 Ms. Timinski.

13 PROSPECTIVE JUROR #107: Yeah, I didn't understand your
14 question. So, you cleared it up, and I kind of agree with the lady in the
15 stripes, her thoughts.

16 THE COURT: Ms. Batara.

17 PROSPECTIVE JUROR #107: And we have to see the facts.

18 MR. SHAYGAN-FATEMI: Thank you, ma'am.

19 Does anybody else want to comment on my question, my
20 long-winded question that I have to explain? Thank you, folks.

21 All right. This is a -- I can't recall if Honorable Herndon asked
22 this question.

23 So, forgive me, Your Honor, if I'm asking a --

24 THE COURT: Sure.

25 MR. SHAYGAN-FATEMI: -- repeated question.

1 Does anyone else here in the jury pool know any other jurors,
2 by any chance?

3 THE COURT: I did not ask that question, and that's a really
4 good question. I actually had a husband and wife that both got
5 summonsed and were both in my courtroom at the same time.

6 PROSPECTIVE JUROR #007: Hi. Ms. Tamariz and I know
7 each other.

8 MR. SHAYGAN-FATEMI: So --

9 THE COURT: That's Ms. Lewison.

10 MR. SHAYGAN-FATEMI: -- Ms. Lewison and Ms. Tamariz,
11 you know each -- and how do you know each other?

12 PROSPECTIVE JUROR #007: We used to work together.

13 MR. SHAYGAN-FATEMI: Okay. How would you describe
14 your relationship?

15 PROSPECTIVE JUROR #007: Employee and manager.

16 MR. SHAYGAN-FATEMI: All right.

17 PROSPECTIVE JUROR #007: Crazy coincidence.

18 MR. SHAYGAN-FATEMI: Certainly, we hope if you're both
19 jurors there's no hierarchy in the relationship in the back.

20 PROSPECTIVE JUROR #007: I don't think so.

21 MR. SHAYGAN-FATEMI: Okay. All right.

22 PROSPECTIVE JUROR #078: We don't work together
23 anymore.

24 PROSPECTIVE JUROR #007: Yeah.

25 MR. SHAYGAN-FATEMI: All right. Thank you.

1 PROSPECTIVE JUROR #078: For a long -- for --
2 coincidence.

3 PROSPECTIVE JUROR #007: Yeah, few years, yeah.

4 THE COURT: Was she good, Christiana, did you fire her or
5 anything or is it okay?

6 PROSPECTIVE JUROR #078: No, she was great, actually.

7 THE COURT: She was great? Good.

8 PROSPECTIVE JUROR #078: She left on her own terms.

9 THE COURT: All right.

10 MR. SHAYGAN-FATEMI: Folks, let's change topics here. I
11 know we're almost done, so I appreciate everyone's patience with me.
12 You know, this case involves the use of a gun, and you're going to hear a
13 lot of talk about a gun; how many times it was fired and where it was
14 fired. Is there anybody here that once they hear gun they can't be fair?
15 So, let me rephrase it. Show of hands, everyone here can be fair despite
16 hearing this case involves a gun? All right.

17 Folks, it's been a long day. There's been a lot of questions.
18 Is there anything as you sit here that you wish we would know; us as the
19 defense attorneys, the prosecutors on the case? Is there anything as
20 you're sitting here, you're saying to yourself, man, I wish somebody
21 would ask me this particular question because I need to get this off my
22 chest for whatever reason?

23 THE COURT: Mr. Barber.

24 PROSPECTIVE JUROR #030: 030, Merritt Barber. Earlier
25 you were saying that like a car accident that resulted in a fatality is the

1 same as a potential murder; were you saying that was the same?

2 MR. SHAYGAN-FATEMI: Thank you for that question and
3 thank you for allowing me to clarify. No.

4 PROSPECTIVE JUROR #030: Okay.

5 MR. SHAYGAN-FATEMI: It's the exact opposite.

6 PROSPECTIVE JUROR #030: Okay.

7 MR. SHAYGAN-FATEMI: In fact, there is a spectrum; it's like
8 a rainbow when it comes to a killing.

9 PROSPECTIVE JUROR #030: Right. Okay.

10 MR. SHAYGAN-FATEMI: It could be one of many different
11 charges.

12 PROSPECTIVE JUROR #030: The reason why I was asking,
13 my father-in-law was a -- he was involved in an accident that resulted in a
14 fatality, and I was just thinking about that.

15 MR. SHAYGAN-FATEMI: Thank you. Thank you for allowing
16 me to clarify with your smart question. Thank you.

17 PROSPECTIVE JUROR #030: Okay.

18 MR. SHAYGAN-FATEMI: Anybody else?

19 Ms. Stokey.

20 PROSPECTIVE JUROR #027: Thank you. We got a lot of
21 questions about knowing people or knowing the attorneys or anything,
22 but nobody asked if we had heard or read or saw the news when this
23 happened, and maybe most of us have, but I remember specifically
24 hearing and seeing this on the news. So, I don't know if that matters.

25 MR. SHAYGAN-FATEMI: I appreciate you sharing that with

1 us.

2 Your Honor, may we briefly approach?

3 THE COURT: Sure.

4 [Bench conference -- begins]

5 MR. SHAYGAN-FATEMI: First of all, I'm almost done.

6 THE COURT: Okay.

7 MR. SHAYGAN-FATEMI: I didn't want to go into this without,
8 frankly, speaking with my co-counsel.

9 THE COURT: Okay.

10 MR. SHAYGAN-FATEMI: To see how, you know --

11 THE COURT: In terms of what she just said?

12 MR. SHAYGAN-FATEMI: What she just said.

13 THE COURT: Okay. Generally, when somebody brings that
14 up I would just ask them is there anything about what you remember that
15 you see or heard that would affect your ability to be fair here. Oftentimes
16 when we get into the weeds it's probably -- it may not even be the right
17 case.

18 MR. SHAYGAN-FATEMI: Mm-hmm.

19 THE COURT: I don't even know if this case had a lot of
20 [indiscernible] attached to it or not, but even if it is, you know, a lot of
21 times people say, I just remember seeing somebody said that somebody
22 died and they were shot and that's the -- and I think it was that guy's
23 name or something. But I can keep her around as we exit tonight unless
24 you ask her a couple questions if you want to stop now, or in the morning
25 before we start; whatever your pleasure.

1 MR. SHAYGAN-FATEMI: I just -- I didn't want to open up a
2 can of -- that may be improper or something with regards to the media
3 stuff, so that's why I just wanted to make sure.

4 THE COURT: No, I know that. I mean, look, it's certainly
5 proper if somebody thinks they've seen something to ask them some
6 questions about it to make sure --

7 MR. SHAYGAN-FATEMI: Okay.

8 THE COURT: -- that it's not something that, you know, they
9 know something about or remember some specific fact that would affect
10 their ability to fair.

11 MR. SHAYGAN-FATEMI: Okay.

12 THE COURT: Do you guys want to chat with her tonight or do
13 you want to --

14 MR. BASHOR: I didn't hear that last part.

15 THE COURT: Do you want to chat with --

16 MS. WECKERLY: Either, whatever.

17 THE COURT: Do you want me to hold her and then you can
18 chat with her?

19 MR. BASHOR: Yeah, sure.

20 MS. WECKERLY: That's fine.

21 THE COURT: Okay. And do you have anything else or is that
22 it?

23 MR. SHAYGAN-FATEMI: I'm just going to ask for a moment
24 of indulgence.

25 THE COURT: Sure.

1 MR. SHAYGAN-FATEMI: I'm going to run things by Mr.
2 Bashor.

3 THE COURT: Okay.

4 MR. SHAYGAN-FATEMI: And then we'll be ready.

5 THE COURT: Okay.

6 [Bench conference -- concludes]

7 MR. SHAYGAN-FATEMI: Your Honor, may I have a moment
8 of indulgence?

9 THE COURT: Sure.

10 MR. SHAYGAN-FATEMI: Thank you.

11 Folks, thank you so much for your time this afternoon. I
12 appreciate it.

13 Your Honor, thank you so much.

14 THE COURT: Okay. And then, Ryan, you're going to have
15 some questions tomorrow; correct?

16 MR. BASHOR: I wasn't planning on it.

17 THE COURT: Well, okay. Approach the bench. Sorry.

18 [Bench conference -- begins]

19 THE COURT: I thought you said you guys were good with the
20 questioning.

21 MR. BASHOR: And then I told you when we left at the break
22 that I'm not -- he's going to do 99.9 --

23 THE COURT: I know, well, 99 left, I mean --

24 MR. BASHOR: Right.

25 THE COURT: -- there's going to be some.

1 MR. BASHOR: Right.

2 THE COURT: So, at this point, no?

3 MR. BASHOR: No, I mean, I have some cause challenges
4 obviously, but --

5 THE COURT: Okay. All right. So, we're still going to have
6 some people that we're going to have to replace and get others in. So --

7 MR. BASHOR: Right.

8 THE COURT: -- I'm going to go ahead -- we'll go ahead and
9 break now, but I'll ask her real quickly a couple of questions --

10 MR. BASHOR: Yes.

11 THE COURT: -- about the media thing. And I'll ask anybody
12 else just to raise their hands --

13 MR. BASHOR: Perfect.

14 THE COURT: -- if they think anything about it as well.

15 MR. SHAYGAN-FATEMI: Perfect.

16 MR. BASHOR: Thank you, Your Honor.

17 THE COURT: All right.

18 [Bench conference -- concludes]

19 THE COURT: Okay. Before we break for the evening let me
20 just ask in light of what Ms. Stokey said, is there anybody else that thinks
21 you may have seen or heard or read something about this, that you have
22 some familiarity with it?

23 PROSPECTIVE JUROR #030: I might have heard it on the
24 news.

25 THE COURT: Okay. And, look, sometimes media reports are

1 really, really generic. Other times they're specific. Do you -- Mr. Barber,
2 do you remember any -- assuming you're even remembering this case,
3 do you remember anything specific about it?

4 PROSPECTIVE JUROR #030: No, just that there was a
5 shooting off the freeway.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR #030: If I remember that.

8 THE COURT: All right. And is there anything that -- about
9 what you recall that causes you any concern about being able to be fair
10 and impartial in the case?

11 PROSPECTIVE JUROR #030: No.

12 THE COURT: Okay.

13 Mr. Minton, you raised your hand as well? And again, I don't
14 want you to go into anything that you heard, but is there anything about
15 what you heard that you think may have been associated with this case
16 that causes you any concern about being fair and impartial here?

17 PROSPECTIVE JUROR #001: No, just that I was aware that
18 it had happened.

19 THE COURT: Okay. And was it something you saw on the
20 news, read in the paper, saw online?

21 PROSPECTIVE JUROR #001: Saw online. It was a news
22 article that was online.

23 THE COURT: Online? Okay.

24 And, Mr. Barber, I didn't ask you that as well. Was it news --

25 PROSPECTIVE JUROR #030: News.

1 THE COURT: -- online?

2 PROSPECTIVE JUROR #030: No, it was television, I think.

3 THE COURT: Television? Okay.

4 PROSPECTIVE JUROR #030: Yeah.

5 THE COURT: And then, Ms. Stokey, since you started this --
6 and thank you for bringing it up.

7 PROSPECTIVE JUROR #027: Sorry.

8 THE COURT: No, no, no, you're perfectly fine. Do -- of what
9 you recall you think you saw was it television news, print news, online?

10 PROSPECTIVE JUROR #027: I think it was television and
11 print.

12 THE COURT: Okay. And was there anything about what you
13 saw or heard that, again, causes you any concerns about being fair and
14 impartial here?

15 PROSPECTIVE JUROR #027: No, I think I could be fair.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR #027: I just thought that was a
18 question somebody would have asked. Sorry.

19 THE COURT: Should have asked; right? Yeah, you know
20 what? At the end of the day, that's on me, so I shoulder that
21 responsibility. I apologize. So, thank you for bringing it up.

22 Anybody over there that had their hand up? No? Okay.
23 We're going to go ahead and take our evening recess then. As I said,
24 we've got a little more to do tomorrow, but I'm confident that we'll get it all
25 done in the morning.

1 What I can tell everybody is that nobody's getting sent out to
2 any other, you know, jury panels obviously. We're going to get finished
3 up tomorrow and we'll have our 13 for the trial and everybody else will be
4 done. Because I don't know exactly what happens tomorrow, I've got to
5 ask everybody else to return to tomorrow as well though, not just my 31.
6 We're going to start at 10:30 because of some other calendaring issues
7 with everybody. So, we'll start at 10:30, and I would expect that before
8 noon probably we'll have our 13, and the rest of you will be on your way;
9 okay? So --

10 Yeah, go ahead.

11 PROSPECTIVE JUROR #027: I'm sorry. I had told him when
12 I came in that I have a kidney infection, so that's why I've been kind of
13 sitting weird.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR #027: But when I went out for my
16 break my doctor called, and I have to be there at eight o'clock tomorrow.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR #027: So, I don't know if you need a
19 doctor excuse or what I need to do for that.

20 THE COURT: No, go to that and keep --

21 PROSPECTIVE JUROR #027: I really want to be on this trial
22 though. I've never been asked.

23 THE COURT: Well, here's the thing. We're going to have
24 some discussion. I don't anticipate that for the bulk of you there's going
25 to need to be any more questioning of any of you all. There may be, if

1 we excuse some of you, questioning of the new folks.

2 So, you should be okay. Go to your doctor's appointment,
3 obviously, at eight o'clock, and then as it's getting close to ten if -- Mike's
4 going to give you a phone number for Molly. Just kind of check in with
5 her and let us know --

6 PROSPECTIVE JUROR #027: Okay.

7 THE COURT: -- what's going on.

8 PROSPECTIVE JUROR #027: Okay.

9 THE COURT: And if you need me to talk to your doctor about
10 seeing you quickly I'm happy to do that. Not that I got any juice or
11 anything. Look, I sit around like the rest of us do at the doctor's office.

12 PROSPECTIVE JUROR #027: Oh, no, she told me to be
13 there at eight so --

14 THE COURT: Okay. Well, that would be good then. And
15 then we'll let you know what you need to do; okay?

16 PROSPECTIVE JUROR #027: Okay. Thank you.

17 THE COURT: All right. Thank you.

18 Anybody else have any other questions right now?

19 Yes, Ms. Dulin?

20 PROSPECTIVE JUROR #042: When is the trial scheduled to
21 begin?

22 THE COURT: We started today, hon, this was it.

23 PROSPECTIVE JUROR #042: Oh. I thought this was just --

24 THE COURT: So, we pick our jury, and then as soon as we
25 get you seated tomorrow, the 13 of you that are going to hear the trial, as

1 soon as we get you seated if it's right around noon we'd take our lunch
2 break, but when you come back we have opening statements, then we
3 start calling witnesses.

4 PROSPECTIVE JUROR #042: Okay. Thank you.

5 THE COURT: Okay. Sure.

6 Yeah, oh, got a lot of questions here.

7 Yes, Ms. Lamerato.

8 PROSPECTIVE JUROR #037: I just wanted to make sure we
9 come right back up here at 10:30.

10 THE COURT: We're going to have that discussion in just one
11 moment.

12 PROSPECTIVE JUROR #037: Okay. Thank you.

13 UNIDENTIFIED PROSPECTIVE JUROR: Same question.

14 THE COURT: Is that -- everybody else had that same
15 question?

16 UNIDENTIFIED PROSPECTIVE JUROR: Yeah.

17 THE COURT: Yeah?

18 Ms. Timinski? Yeah.

19 Okay. So, Mike, do you want them in jury services and then
20 bring them back up or do you want them outside the courtroom?

21 THE COURT MARSHAL: Let's do jury services then I'll pick
22 them up.

23 THE COURT: Okay. So, when you get here tomorrow if
24 you'd get here a little before 10:30, if you would, please, and just collect
25 down in jury services on the third floor and Mike will come and get you

1 and then he'll bring you all back up here; okay? All right. Thank you very
2 much for your --

3 Yes, ma'am, Ms. Svedin.

4 PROSPECTIVE JUROR #006: Do we need to wear our name
5 badges?

6 THE COURT: Yep, keep your little name badge and wear it
7 tomorrow, if you would, please, as well.

8 During the recess, again, you're admonished not to talk or
9 converse among yourselves or with anyone else on any subject
10 connected with the trial, or read, watch or listen to any report of or
11 commentary on the trial by any medium of information, including without
12 limitation, the newspapers, television, the Internet and radio, or form or
13 express any opinion on any subject connected with the case till it's finally
14 submitted to you. Thank you very much for your time today. I will see
15 you tomorrow; okay?

16 MR. BASHOR: Your Honor, the two individuals?

17 THE COURT: Yeah, Mike, when you -- will you come up
18 here, please?

19 [Bench conference -- begins]

20 THE COURT: We're going to excuse Ms. Burleson and Ms.
21 Nelub; those two ladies in that front row over there behind the
22 prosecutor's table; okay?

23 THE COURT MARSHAL: Nelub?

24 THE COURT: Yeah, and so as you get them out there you
25 can tell them they don't have to come back.

1 THE COURT MARSHAL: Okay.

2 THE COURT: Okay. Thank you.

3 [Bench conference -- concludes]

4 THE COURT: Okay. Ladies and gentlemen, thank you again.

5 I will see most all of you tomorrow. Have a good evening. You can go.

6 THE COURT MARSHAL: All rise for the jury.

7 THE COURT: Hey, Ms. Lewison, hold on for just a second.

8 PROSPECTIVE JUROR #007: Okay.

9 THE COURT: Stay -- go -- just grab a seat in the audience

10 right there; okay? Once we seat a jury, you don't have to park way down

11 on Fremont Street anymore.

12 PROSPECTIVE JUROR #007: Okay.

13 THE COURT: You park right across the street. There's a

14 parking garage.

15 PROSPECTIVE JUROR #007: Okay.

16 THE COURT: If you want to park there tomorrow so you don't

17 have to walk eight blocks --

18 PROSPECTIVE JUROR #007: Yes.

19 THE COURT: -- then -- and just bring in the ticket or

20 something. I'll see if we can stamp it or something so --

21 PROSPECTIVE JUROR #007: Awesome.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR #007: It's right across the street?

24 THE COURT: Yeah, ask Mike outside about where to --

25 where's the -- the judge said to ask you about where the parking garage

1 is once we're seated as a juror because I'm going to use that one
2 tomorrow.

3 PROSPECTIVE JUROR #007: Okay.

4 THE COURT: And he'll explain it to you.

5 PROSPECTIVE JUROR #007: Okay. Thank you so much.

6 THE COURT: All right.

7 PROSPECTIVE JUROR #007: I appreciate it.

8 THE COURT: Uh-huh.

9 [Outside the presence of the prospective jury panel]

10 THE COURT: Okay. You guys got anything outside the
11 presence?

12 MR. BASHOR: You wanted us to cause challenges in the
13 morning?

14 THE COURT: Well, okay. So, Ms. Burleson and Ms. Nelub,
15 Badge numbers 109 and 153 we talked about earlier. 109, Ms. Burleson
16 was the only challenge for cause that the State was making; correct?

17 MS. WECKERLY: Yes.

18 THE COURT: And the defense agreed to excuse Ms.
19 Burleson because you all had also agreed to their request to excuse Ms.
20 Nelub; correct?

21 MS. WECKERLY: Correct.

22 MR. PORTZ: Correct.

23 THE COURT: Okay. And then who all beyond that is the
24 defense going to challenge for cause?

25 MR. BASHOR: Ms. Svedin. She said her --

1 THE COURT: Okay.

2 MR. BASHOR: -- judgment would be clouded in a child abuse

3 case. I think she'd be a good juror in a case that just isn't of this nature.

4 THE COURT: I'll tell you what, Ryan, just tell me who all they

5 are first.

6 MR. BASHOR: Oh, okay.

7 THE COURT: Let's start there. So, Ms. Svedin is Badge

8 number 006.

9 MR. BASHOR: Right. Ms. Batara.

10 THE COURT: Ms. Batara, okay, 041.

11 MR. BASHOR: And Ms. Timinski.

12 THE COURT: And Ms. Timinski. Okay. Badge number --

13 MR. BASHOR: I'm sure the State will probably want an

14 opportunity to inquire, but just --

15 THE COURT: Well, that's why I was just going to ask who

16 they were first.

17 Do you guys agree on any of those?

18 MS. WECKERLY: Not at this time. We don't want to agree.

19 THE COURT: Okay. You want a chance to follow up with

20 them?

21 MS. WECKERLY: Yes, please.

22 THE COURT: Okay. So, we'll hold off ruling on those, and

23 you can -- guys can make a more complete record of the basis for the

24 challenge after they have an opportunity to traverse tomorrow.

25 MR. BASHOR: Absolutely.

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THE COURT: Okay.

MR. BASHOR: Okay.

THE COURT: All right. We will see you tomorrow morning,
guys.

MS. WECKERLY: Thank you.

MR. PORTZ: And thank you too.

MR. BASHOR: Thank you, Your Honor.


THE COURT: Thank you.

[Jury Trial, Day 1, concluded at 5:09 p.m.]

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


PATRICIA SLATTERY
Court Transcriber

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


Trisha Garcia
Court Transcriber

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VERNON NEWSON JR.,) No. 75932
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 Appellant,)
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 v.)
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 THE STATE OF NEVADA,)
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 Respondent.)

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