

1 question regarding be able to be available for the next three  
2 weeks to attend the trial. And in that -- in that session I  
3 may not have made my -- been very specific, but I have very  
4 limited availability over the next three weeks, and it would  
5 be very difficult to rearrange my schedule.

6 MS. MERCER: Okay. And I might have missed that --  
7 your response yesterday. What was the reason for your --

8 PROSPECTIVE JUROR NO. 058: Well, my job entails a  
9 tremendous amount of travel, okay. And over the next three  
10 weeks, I'm only scheduled to be in Las Vegas two days where I  
11 have eight flights over the next three weeks for client  
12 meetings, contract negotiations and a conference a couple day  
13 a conference. So being able to rearrange that would be --  
14 would be a cost impact for other people in my meetings as  
15 well as myself and cancellations and (inaudible), so.

16 MS. MERCER: Is it stuff that could be rescheduled  
17 if they needed to be but it would be inconvenient?

18 PROSPECTIVE JUROR NO. 058: It would be difficult  
19 because in negotiations there is a deadline for the  
20 agreements and proposals that we're putting together. It's  
21 Arizona Public Service is the deadline. It's a public --  
22 it's a very well known request for power, so.

23 MS. MERCER: And is there anyone that can fill in  
24 for you?

25 PROSPECTIVE JUROR NO. 058: No. No. I'm -- it's

1 -- this is my -- southwest region is my region and it's --  
2 there's no one really steps in.

3 MS. MERCER: Thank you, sir. And I believe, Ms.  
4 Lockhart had her hand up.

5 PROSPECTIVE JUROR NO. 062: Back to the question if  
6 anybody's ever been accused --

7 THE COURT: Are you Regina Lockhart?

8 PROSPECTIVE JUROR NO. 062: Yes.

9 THE COURT: Badge 62?

10 PROSPECTIVE JUROR NO. 062: Yes.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 062: Back to the question  
13 about being accused of something, us or someone close to us,  
14 could you repeat that question?

15 MS. MERCER: I think it was a question from the  
16 judge --

17 PROSPECTIVE JUROR NO. 062: Oh, maybe.

18 MS. MERCER: -- and he asked you if you or anyone  
19 close to you had ever been accused of a crime.

20 PROSPECTIVE JUROR NO. 062: Accused and convicted,  
21 my youngest -- no?

22 MS. MERCER: Not necessarily convicted but --

23 PROSPECTIVE JUROR NO. 062: Okay.

24 MS. MERCER: -- accused in general, like you've  
25 been charged with a crime, not necessarily convicted, but

1 charged with or arrested for.

2 PROSPECTIVE JUROR NO. 062: Not me but one of my  
3 kids.

4 MS. MERCER: You said you have a 33-year-old,  
5 34-year-old and a 28-year-old; is that right?

6 PROSPECTIVE JUROR NO. 062: Thirty-four, 30 and 28.

7 MS. MERCER: Oh, 30. I miss -- okay.

8 PROSPECTIVE JUROR NO. 062: Thirty-four, 30 and 28.  
9 Twenty-eight.

10 MS. MERCER: How long ago was that?

11 PROSPECTIVE JUROR NO. 062: I don't know, I think  
12 it was like three to four years ago. He did eight months in  
13 Indian Springs.

14 MS. MERCER: So that was here in Clark County?

15 PROSPECTIVE JUROR NO. 062: Yes.

16 MS. MERCER: Do you know what he was accused of?

17 PROSPECTIVE JUROR NO. 062: He was -- it was drug  
18 paraphernalia. Then they sent him to like drug court and all  
19 these other things he had to do and he didn't comply with it,  
20 and then he was in a car that had a missing taillight or  
21 something and they got pulled over. When they ran his thing,  
22 he had a warrant, and went.

23 MS. MERCER: Okay. Were you heavily involved in  
24 the case?

25 PROSPECTIVE JUROR NO. 062: No, I wasn't heavily

1 involved. He was -- you know, he's an adult. I went to  
2 Indian Springs to visit him one time.

3 MS. MERCER: But you never went to court with him  
4 or anything like that?

5 PROSPECTIVE JUROR NO. 062: I went to one of the  
6 court times, not -- you know, and sat behind the glass or  
7 whatever over there on the side and while he was having his  
8 case done.

9 MS. MERCER: Is there anything about that  
10 experience that causes you to have ill will towards the State  
11 of Nevada?

12 PROSPECTIVE JUROR NO. 062: No, no, no. Not for  
13 State of Nevada. Just coming to the courthouse and the whole  
14 is --

15 MS. MERCER: Traumatizing?

16 PROSPECTIVE JUROR NO. 062: -- nerve wracking,  
17 yeah.

18 MS. MERCER: Do you believe he was treated fairly  
19 under the circumstances?

20 PROSPECTIVE JUROR NO. 062: I believe that it's  
21 really hard for people after they're convicted to comply with  
22 the stuff. That's why he ended up with the bigger thing and  
23 had to go to prison. It was really hard for him to -- in  
24 fact, when I -- the day I had got him out of the prison, I  
25 picked him up, he had to go meet with a parole officer and

1 they gave us a flyer at the prison where to bring him here in  
2 Vegas, and we went to it, and it hadn't been in effect, that  
3 building for six months. So if I hadn't been there with a  
4 car someone able to him all over and find where he really  
5 needed to go, it was important that he check in, he would  
6 have been across town in a building that they didn't even  
7 have the thing there anymore for six months.

8 MS. MERCER: Okay. When you say that --

9 PROSPECTIVE JUROR NO. 062: So --

10 MS. MERCER: -- it --

11 PROSPECTIVE JUROR NO. 062: Go ahead.

12 MS. MERCER: When you say that it's difficult for  
13 people to do what they're supposed to do after court, were  
14 you referring to his term of probation or were you referring  
15 to when he got out of prison and was on parole?

16 PROSPECTIVE JUROR NO. 062: Well, before that it  
17 was hard, too. He'd have to go across town. He didn't have  
18 a ride. That's how he got in the trouble. He had to go give  
19 a urine sample, I don't know, a few times a week, I think it  
20 was, and sometimes he would have a ride and times he  
21 wouldn't, and he would try to take the bus and then one day  
22 the bus broke down and he was late getting over there, and it  
23 just seemed like a lot for him to have to go through and  
24 comply with and he couldn't do it, and he ended up doing the  
25 time to pay for the fines. That's what happened.

1 MS. MERCER: Thank you, ma'am, I appreciate that.  
2 Is there anyone else that needs to -- okay. And if we could  
3 pass the microphone back to Ms. Halford, Badge 003.

4 PROSPECTIVE JUROR NO. 003: Carole Halford, No. 3.  
5 Before I met my husband, he was accused and arrested for  
6 international drug smuggling.

7 MS. MERCER: Do you know what happened with the  
8 case?

9 PROSPECTIVE JUROR NO. 003: It went to trial and he  
10 was found not guilty.

11 MS. MERCER: How long before you met your husband  
12 was that?

13 PROSPECTIVE JUROR NO. 003: Three years after that  
14 I had met him.

15 MS. MERCER: Okay. And if you could just keep the  
16 microphone, I'm going to ask you some more questions.

17 PROSPECTIVE JUROR NO. 003: Sure.

18 MS. MERCER: Now I'm going to address those of you  
19 that I have follow-up questions for. So that experience, to  
20 me, seems inconsistent with the prior statement that you made  
21 where you believe that if someone is arrested they're guilty.  
22 Would you agree with that?

23 PROSPECTIVE JUROR NO. 003: Well, that was before I  
24 even went and worked at the DA's Office.

25 MS. MERCER: Okay. Do you --

1 PROSPECTIVE JUROR NO. 003: And plus, he wasn't  
2 guilty.

3 MS. MERCER: Right. So that's what I'm getting at.  
4 Just because they're accused doesn't mean they're necessarily  
5 guilty, correct?

6 PROSPECTIVE JUROR NO. 003: That's correct.

7 MS. MERCER: And you're still willing to hold us to  
8 our burden in this case, correct?

9 PROSPECTIVE JUROR NO. 003: I'm sorry, what?

10 MS. MERCER: You're still going to hold us to our  
11 burden of proof in this case, correct?

12 PROSPECTIVE JUROR NO. 003: Correct.

13 MS. MERCER: In other words --

14 PROSPECTIVE JUROR NO. 003: But --

15 MS. MERCER: -- you're not going to, just because  
16 they're sitting there and accused of these crimes, find them  
17 guilty?

18 PROSPECTIVE JUROR NO. 003: Yeah, but it's still  
19 hard to be impartial for that.

20 MS. MERCER: Okay. Let me ask you this.

21 PROSPECTIVE JUROR NO. 003: Sure.

22 MS. MERCER: If right now we selected our jury and  
23 then the State rested its case without ever putting any  
24 evidence on and you were asked to go back to the deliberation  
25 room and return a verdict, what would your verdict have to

1 be?

2 PROSPECTIVE JUROR NO. 003: Without you doing any  
3 kind of a case?

4 MS. MERCER: Yes.

5 PROSPECTIVE JUROR NO. 003: It would have to be not  
6 guilty.

7 MS. MERCER: And could you do that?

8 PROSPECTIVE JUROR NO. 003: I don't know.

9 MS. MERCER: Under the circumstances?

10 PROSPECTIVE JUROR NO. 003: I really don't know.  
11 To be fair and honest, I don't know.

12 MS. MERCER: So do you believe that -- with regards  
13 to your husband when you said that he wasn't guilty.

14 PROSPECTIVE JUROR NO. 003: He was found not  
15 guilty.

16 MS. MERCER: Right. Do you believe that he didn't  
17 commit a crime?

18 PROSPECTIVE JUROR NO. 003: I think he might have  
19 been culpable in it, yes.

20 MS. MERCER: Okay. Do you understand the  
21 importance of the presumption of innocence?

22 PROSPECTIVE JUROR NO. 003: Yes.

23 MS. MERCER: Have you heard the phrase that it's  
24 better to let one guilty man go free than convict ten  
25 innocent?



1 PROSPECTIVE JUROR NO. 003: Yep.

2 MS. MERCER: Do you agree with that?

3 PROSPECTIVE JUROR NO. 003: Yeah, I guess so.

4 MS. MERCER: The judge asked if -- he asked the  
5 entire 36 of you if you would follow the instructions that he  
6 gives you, and no one indicated that they wouldn't do so. So  
7 my question to you is if he instructed that you -- instructed  
8 you that you couldn't form any opinions about evidence in  
9 this case until the close of evidence or the guilt of the  
10 defendants in this case until the close of evidence, could  
11 you follow that instruction?

12 PROSPECTIVE JUROR NO. 003: Yes.

13 MS. MERCER: And would you be open-minded and  
14 willing to deliberate with your fellow jurors if selected as  
15 a juror in this case?

16 PROSPECTIVE JUROR NO. 003: Yes.

17 MS. MERCER: Okay. You also mentioned that you in  
18 Albuquerque had to testify against a friend of yours?

19 PROSPECTIVE JUROR NO. 003: Yes, I did.

20 MS. MERCER: And you said that was a difficult  
21 experience?

22 PROSPECTIVE JUROR NO. 003: Yes, very traumatic.

23 MS. MERCER: But you were still able to do it?

24 PROSPECTIVE JUROR NO. 003: Yes.

25 MS. MERCER: Did you ever consider not complying

1 with the subpoena or changing the way that you testified to  
2 assist your friend?

3 PROSPECTIVE JUROR NO. 003: Well, what happened was  
4 they found me. I had moved from -- to another job, and they  
5 said we want you to go ahead and testify, and I said I can't  
6 do it against my friend, and that's when they went ahead and  
7 sent the subpoena.

8 MS. MERCER: And because you were served with the  
9 subpoena, you complied with --

10 PROSPECTIVE JUROR NO. 003: I had to do it.

11 MS. MERCER: -- the subpoena?

12 PROSPECTIVE JUROR NO. 003: Yeah.

13 MS. MERCER: And then once you testified, were you  
14 placed under oath?

15 PROSPECTIVE JUROR NO. 003: Yes.

16 MS. MERCER: And then did you testify truthfully  
17 because of the fact that you were under oath?

18 PROSPECTIVE JUROR NO. 003: Yes.

19 MS. MERCER: Even though it hurt your friend?

20 PROSPECTIVE JUROR NO. 003: Yeah. It was horrible.  
21 And I lost that friendship because of it.

22 MS. MERCER: Thank you, ma'am. Let's see who I  
23 have more questions for. Okay, and if you could pass the  
24 microphone to Ms. Miller.

25 PROSPECTIVE JUROR NO. 007: Susan Miller.

1 MS. MERCER: Badge No. --

2 PROSPECTIVE JUROR NO. 007: No. 7.

3 MS. MERCER: Okay. Ms. Miller, you indicated that  
4 you hold a grudge against the State because of the  
5 incident --

6 PROSPECTIVE JUROR NO. 007: You know, I'm having a  
7 very difficult time hearing you.

8 MS. MERCER: Okay. You indicated that you hold a  
9 grudge against the State because of the burglaries at your  
10 business and the fact that no one was caught; is that  
11 correct?

12 PROSPECTIVE JUROR NO. 007: Yes.

13 MS. MERCER: And you indicated that you were able  
14 to obtain a license plate number for the police?

15 PROSPECTIVE JUROR NO. 007: Able to -- yes, I was.

16 MS. MERCER: How did you --

17 PROSPECTIVE JUROR NO. 007: From the camera.

18 MS. MERCER: From the surveillance camera as if.

19 PROSPECTIVE JUROR NO. 007: Video camera.

20 MS. MERCER: So --

21 PROSPECTIVE JUROR NO. 007: Security cameras.

22 MS. MERCER: I take it your store's equipped with  
23 surveillance cameras, then?

24 PROSPECTIVE JUROR NO. 007: Yes, in our building.

25 MS. MERCER: Do you have them -- do you have

1 internal cameras as well as external or only external?

2 PROSPECTIVE JUROR NO. 007: There were -- there  
3 were outside cameras from the building next door and inside  
4 camera that because they pulled right up to our front window,  
5 we were able to see the plate clearly --

6 MS. MERCER: Okay.

7 PROSPECTIVE JUROR NO. 007: -- from the inside  
8 also.

9 MS. MERCER: Inside your business?

10 PROSPECTIVE JUROR NO. 007: Yes.

11 MS. MERCER: Did your surveillance equipment  
12 actually catch them entering your store?

13 PROSPECTIVE JUROR NO. 007: Did it actually what?

14 MS. MERCER: Did it catch them entering your store  
15 and inside of your store?

16 PROSPECTIVE JUROR NO. 007: Yes.

17 MS. MERCER: Were they wearing anything to conceal  
18 their faces?

19 PROSPECTIVE JUROR NO. 007: No. When they -- they  
20 -- the vehicle was -- you could see the vehicle. You could  
21 see the license plate. They broke in a side window and then  
22 when they -- that was not alarmed, but then when we got into  
23 the hallway that was alarmed, the alarm went off and they  
24 just went right back into there and we never -- they never  
25 got far enough out to get the faces in the -- from the

1 lobby --

2 MS. MERCER: Okay.

3 PROSPECTIVE JUROR NO. 007: -- camera.

4 MS. MERCER: Could you tell from the surveillance  
5 equipment that you -- or the cameras that you did have  
6 whether or not they were wearing gloves when they entered  
7 your business?

8 PROSPECTIVE JUROR NO. 007: No, couldn't tell that.  
9 They dusted and they said they did get prints, but nothing  
10 happened with that either.

11 MS. MERCER: Okay. And you believe that because  
12 they found a -- because you were able to provide a license  
13 plate that they should have been able to determine who the  
14 suspects were based off that?

15 PROSPECTIVE JUROR NO. 007: Well, you could see the  
16 car, you could see the plate. I mean, they could have at  
17 least gotten back to us. You know, that -- that's over and  
18 done with. You know, I need to let go of that, I understand.  
19 But I'm kind of glad that some things have been brought up.  
20 I was rather embarrassed to bring up the fact that I have two  
21 grandsons that were involved in a robbery with a weapon 18  
22 months ago.

23 I actually wrote a letter to the judge today  
24 because I didn't want to bring it up. Anyway, they weren't  
25 persecuted and my one -- one grandson is on probation. But I

1 also have another grandson that at the moment is in the Clark  
2 County Jail for grand larceny.

3 MS. MERCER: The grandson is?

4 PROSPECTIVE JUROR NO. 007: Right now he is in  
5 Clark County. His comes up, he has review the 17th of this  
6 month. And I apologize to the -- that I have family members  
7 that are not upstanding community people.

8 MS. MERCER: Thank you for sharing that. I know  
9 that was hard for you. The grandson that was involved with  
10 the armed robberies --

11 PROSPECTIVE JUROR NO. 007: Yes.

12 MS. MERCER: -- was that also here in Las Vegas?

13 PROSPECTIVE JUROR NO. 007: Yes, 18 months ago here  
14 in Vegas. It was a Roberto's Taco Shop. I have very little  
15 empathy, especially for my grandsons, but for anybody that  
16 would traumatize people with a gun, you know, for their own  
17 benefit of a few bucks. I mean, to me it's just totally  
18 unreasonable. I just have a very difficult time with that.

19 MS. MERCER: You indicated that he's currently on  
20 probation for that?

21 PROSPECTIVE JUROR NO. 007: Yes.

22 MS. MERCER: Do you believe that he was treated  
23 fairly by the system in that case?

24 PROSPECTIVE JUROR NO. 007: Oh, he -- my grandson,  
25 the one grandson was the driver. The other one, they didn't

1 get a good enough description. He did have gloves and they  
2 weren't able to really pin anything on him, and so I mean, I  
3 don't know that he really did it or not, but there were  
4 people that thought he did.

5 MS. MERCER: Okay. You said that you have little  
6 empathy for someone that would traumatize a victim for a few  
7 bucks?

8 PROSPECTIVE JUROR NO. 007: Yeah.

9 MS. MERCER: You'd agree that most people probably  
10 feel that way, correct?

11 PROSPECTIVE JUROR NO. 007: I would think so.

12 MS. MERCER: Would you be able to set those  
13 feelings aside and judge the guilt of these two defendants  
14 fairly?

15 PROSPECTIVE JUROR NO. 007: I would certainly try.

16 MS. MERCER: I think that's all anyone can do.  
17 Thank you, ma'am. Going back to the incident at your store.

18 PROSPECTIVE JUROR NO. 007: Yes.

19 MS. MERCER: Is there a possibility that the people  
20 -- or the license plate that you provided to the police  
21 belonged to a vehicle that had been stolen from someone and  
22 used to commit the crime at your business?

23 PROSPECTIVE JUROR NO. 007: Anything's possible.

24 MS. MERCER: Okay. And if that were the case, you  
25 wouldn't be surprised if they weren't ever able to locate the

1 people who actually did it?

2 PROSPECTIVE JUROR NO. 007: I would not be  
3 surprised.

4 MS. MERCER: And if you could pass the microphone  
5 to Ms. Addington. Ma'am, you indicated that at some point  
6 you were robbed while at work and you had to do a photo  
7 lineup; is that correct? Was that you or are my notes wrong?

8 PROSPECTIVE JUROR NO. 020: They brought -- they  
9 just brought in photos that I -- um-h'm, yeah.

10 MS. MERCER: How long ago was that?

11 PROSPECTIVE JUROR NO. 020: I'm not sure. I think  
12 it was about 2012.

13 MS. MERCER: Were you able to make an  
14 identification?

15 PROSPECTIVE JUROR NO. 020: Yes.

16 MS. MERCER: How much time did you spend with those  
17 people?

18 PROSPECTIVE JUROR NO. 020: With who?

19 MS. MERCER: The people who committed the crime  
20 against --

21 PROSPECTIVE JUROR NO. 020: Oh, I'm -- it seems  
22 like longer, but I'm sure it was only about five minutes, if  
23 that.

24 MS. MERCER: I take it they weren't wearing  
25 anything that concealed their faces?



1 PROSPECTIVE JUROR NO. 020: Not her face, no.

2 MS. MERCER: And you indicated that you received a  
3 subpoena, went to court, but then it was resolved while you  
4 were in the courtroom?

5 PROSPECTIVE JUROR NO. 020: They subpoenaed me to  
6 go to court to testify because I was the pharmacy tech that  
7 was robbed.

8 MS. MERCER: Okay.

9 PROSPECTIVE JUROR NO. 020: I was the one that she  
10 approached. And I did go to court and I was -- they came  
11 over after I got there and told me that she was doing a plea  
12 bargain or something and that I wouldn't need to testify.

13 MS. MERCER: When -- before you got to court and  
14 found out that you weren't going to have to testify, were you  
15 nervous about testifying against that person?

16 PROSPECTIVE JUROR NO. 020: No.

17 MS. MERCER: Not at all?

18 PROSPECTIVE JUROR NO. 020: Well, I had done it  
19 before, but it wasn't criminal, but no, not really.

20 MS. MERCER: When did you have to testify before?

21 PROSPECTIVE JUROR NO. 020: In a civil lawsuit. In  
22 probably '96.

23 MS. MERCER: What was your involvement with that  
24 case?

25 PROSPECTIVE JUROR NO. 020: I worked for a swimming

1 pool company, and I was the finance manager. The swimming  
2 pool company was sold to another pool company, and we -- we  
3 had -- I worked for Tango Pools (phonetic). Tango Pools was  
4 sold to Tropicana. Tango Pools had home builder agreements  
5 to build prior to close of escrow and put pools in for some  
6 mortgages.

7 And when all of us went to Tropicana Silven  
8 (phonetic), they didn't offer us the same kind of money and  
9 we didn't like it so we left, and we went to another pool  
10 company, and the majority of the home builders followed us.

11 So then Tropicana Silven sued the salesmen saying  
12 that they had stolen what rightfully belonged to them since  
13 they had purchased Tango Pools.

14 MS. MERCER: Okay.

15 PROSPECTIVE JUROR NO. 020: So I was the financial  
16 director so I had to testify.

17 MS. MERCER: Were you nervous about testifying in  
18 that case?

19 PROSPECTIVE JUROR NO. 020: A little because it was  
20 new. I had never done it before, but I didn't have any  
21 problem.

22 MS. MERCER: How long were you on the stand in that  
23 case?

24 PROSPECTIVE JUROR NO. 020: Almost a whole day.

25 MS. MERCER: Thank you, ma'am.

1 PROSPECTIVE JUROR NO. 020: Um-h'm.

2 MS. MERCER: And if you could pass the microphone  
3 down to Ms. Owen, Badge No. 23. Ms. Owen, you indicated that  
4 because of the two robberies that occurred at your fireworks  
5 business and your home being burglarized, you weren't sure  
6 that you could be impartial in this case; is that what I  
7 heard?

8 PROSPECTIVE JUROR NO. 023: Yes.

9 MS. MERCER: You understand that as they sit there  
10 right now, they're innocent, correct?

11 PROSPECTIVE JUROR NO. 023: I understand that.  
12 Logically, I understand that, but I'm not sure if I can get  
13 past what's happened.

14 MS. MERCER: Okay. I'm going to ask you the same  
15 questions that I asked Ms. Halford. If right now we selected  
16 our jury, and then the State rested without putting any  
17 evidence on in its case and we asked you to go back and  
18 deliberate, what verdict would you have to return?

19 PROSPECTIVE JUROR NO. 023: If you guys didn't put  
20 any evidence onto show that they were guilty, I'd probably  
21 have to do not guilty, but it would be very hard for me. I  
22 don't -- I don't know. It's very -- that's a difficult  
23 question for me.

24 MS. MERCER: You said you would have to. Could  
25 you? Under that scenario, would you be able to do it?

1 PROSPECTIVE JUROR NO. 023: Under that scenario,  
2 it's like they weren't accused of anything then, because  
3 you're not showing any proof that they were accused so yeah,  
4 I guess it would be not guilty, but I -- I'm trying to be  
5 honest with you. I don't know, yeah.

6 MS. MERCER: I appreciate that. We appreciate you  
7 being honest. Would you be able to follow the instructions  
8 in this case?

9 PROSPECTIVE JUROR NO. 023: I would try, yes.

10 MS. MERCER: Would you wait until you had heard all  
11 the evidence in this case to make your decision as to whether  
12 or not these defendants are guilty of the crimes they're  
13 accused of?

14 PROSPECTIVE JUROR NO. 023: I would hope I would,  
15 but I don't know if I could.

16 MS. MERCER: Thank you, ma'am. I appreciate your  
17 honesty. And if you could pass the microphone to Mr. Luhar  
18 right here in front of you. And that's Badge No. 58, for the  
19 record. Mr. Luhar, you also indicated the same concerns  
20 about your ability to be fair and impartial because of your  
21 prior experiences.

22 PROSPECTIVE JUROR NO. 058: Correct.

23 MS. MERCER: So I'm going to ask you the same  
24 thing.

25 PROSPECTIVE JUROR NO. 058: Okay.

1 MS. MERCER: If I didn't present -- if we picked  
2 you guys -- if we picked our 12 jurors, we didn't present any  
3 evidence, we sent you back to the jury room, what verdict  
4 would you have to return?

5 PROSPECTIVE JUROR NO. 058: Based on preliminary  
6 assumptions and, you know, I'm kind of feeling like from what  
7 I know, I've already kind of made a judgment of thinking that  
8 I see, you know, two thugs that probably have had been  
9 accused of multiple things, so I'm probably thinking to  
10 myself, well, guilty until proven innocent.

11 MS. MERCER: So even if the State presented no  
12 witnesses, no evidence --

13 PROSPECTIVE JUROR NO. 058: If it was clear --  
14 clearly nothing to relate them to that, then, I mean, that  
15 would be maybe a different story. But you always kind of  
16 make assumptions, make judgments on what you know and I'm  
17 sure everyone here has probably made some kind of a judgment  
18 based on what -- what has been presented so far so --

19 MS. MERCER: Could you wait until you heard all the  
20 evidence in this case to make a determination as to whether  
21 or not --

22 PROSPECTIVE JUROR NO. 058: I would -- I would try  
23 to process everything that has been given to me.

24 MS. MERCER: Okay. So --

25 PROSPECTIVE JUROR NO. 058: But you ask me what I

1 think right now, and that's what I told you.

2 MS. MERCER: I'm not sure that I phrased my  
3 question appropriately, but my question was if we didn't  
4 present any witnesses at all, not a single victim, and we  
5 brought no evidence into this courtroom --

6 PROSPECTIVE JUROR NO. 058: But then they wouldn't  
7 be accused of anything, would they?

8 MS. MERCER: Okay.

9 PROSPECTIVE JUROR NO. 058: And so it would be --  
10 we wouldn't be sitting here.

11 MS. MERCER: So you think that simply because  
12 they're sitting there, they must have done something?

13 PROSPECTIVE JUROR NO. 058: Well, there's obviously  
14 something related to their arrest and that you've already  
15 indicated that, you know, have a dozen type incidences. I  
16 may not have an exact number correct, but, you know -- you  
17 know, you -- it -- you base opinion right away on something  
18 like that. Okay?

19 MS. MERCER: Okay.

20 PROSPECTIVE JUROR NO. 058: And sometimes you feel  
21 like your past experiences may -- may bias that and I do have  
22 that.

23 MS. MERCER: Thank you, sir. I appreciate your  
24 honesty. And if you could pass the microphone to Ms.  
25 Lockhart. Ma'am, yesterday when the judge asked about

1 whether or not it would be a hardship to sit in this trial  
2 for two or three weeks, you indicated that you're the main  
3 breadwinner in your home; is that --

4 PROSPECTIVE JUROR NO. 062: Yes.

5 MS. MERCER: -- accurate?

6 PROSPECTIVE JUROR NO. 062: Yes.

7 MS. MERCER: Does your husband work?

8 PROSPECTIVE JUROR NO. 062: He does work.

9 MS. MERCER: Where does he work?

10 PROSPECTIVE JUROR NO. 062: Top Notch Services.

11 MS. MERCER: And you also indicated that you helped  
12 care for your dad and an adult son?

13 PROSPECTIVE JUROR NO. 062: Yes. My son --  
14 financially, twice a month I give them each a little bit of  
15 money.

16 MS. MERCER: Does your dad live with you?

17 PROSPECTIVE JUROR NO. 062: No, he lives in a  
18 studio apartment by himself.

19 MS. MERCER: Here in Las Vegas, though?

20 PROSPECTIVE JUROR NO. 062: Uh-huh.

21 MS. MERCER: Do you have siblings that also help  
22 care for him?

23 PROSPECTIVE JUROR NO. 062: I have siblings, but  
24 none of them talk to him. I have four. Three sisters and a  
25 brother. They don't speak to my dad.

1 MS. MERCER: Thank you, ma'am. And if I could get  
2 the microphone passed over to this side of the room now,  
3 please. And specifically, Mr. Baugus, is that how you  
4 pronounce it?

5 PROSPECTIVE JUROR NO. 004: Exazavion Baugus.

6 MS. MERCER: And that's Badge No. 004. For the  
7 record.

8 PROSPECTIVE JUROR NO. 004: Yeah.

9 MS. MERCER: This morning you brought up some  
10 concerns about childcare issues --

11 PROSPECTIVE JUROR NO. 004: Yes.

12 MS. MERCER: -- and indicated that you're a single  
13 father?

14 PROSPECTIVE JUROR NO. 004: Yeah, I'll -- I'll  
15 reword it. I said it kind of different. I have two kids,  
16 but I take care of four. Two of them, their mom only has  
17 them two to three days a week, and I have them the rest. And  
18 then the other two I have seven days a week.

19 MS. MERCER: So you're caring for four children?

20 PROSPECTIVE JUROR NO. 004: Total, yeah. But two  
21 are mine.

22 MS. MERCER: You brought up the five-year-old,  
23 seven-year-old. How old are the other two?

24 PROSPECTIVE JUROR NO. 004: One and three. And on  
25 the 18th of May, I go to court for custody for them. And I'm



1 the only one that works in the household.

2 MS. MERCER: You're the sole income provider?

3 PROSPECTIVE JUROR NO. 004: Yeah.

4 MS. MERCER: Are you paid a salary or hourly?

5 PROSPECTIVE JUROR NO. 004: It's hourly.

6 MS. MERCER: If you're here, will your employer pay  
7 you still?

8 PROSPECTIVE JUROR NO. 004: Probably not because  
9 it's a staffing company, and it's construction.

10 MS. MERCER: Which two children do you have full  
11 time, the five --

12 PROSPECTIVE JUROR NO. 004: The one and  
13 three-year-old.

14 MS. MERCER: One and three-year-old?

15 PROSPECTIVE JUROR NO. 004: And then my two are  
16 four days a week.

17 MS. MERCER: Were you able to talk to, I think, it  
18 was your brother that you indicated takes your five-year-old  
19 and seven-year-old to school in the morning?

20 PROSPECTIVE JUROR NO. 004: I called him on the  
21 break, but he -- they didn't -- he didn't answer.

22 MS. MERCER: Okay. So you haven't been able to  
23 work anything out with regards to getting them to school?

24 PROSPECTIVE JUROR NO. 004: No.

25 MS. MERCER: Thank you, sir. And if you could pass

1 the microphone to Ms. Greenhough, Badge No. 12. You  
2 indicated that you would also because of your prior  
3 experiences, you weren't certain that you would -- that it  
4 wouldn't affect you but that you would try to keep an open  
5 mind?

6 PROSPECTIVE JUROR NO. 012: That's correct.

7 MS. MERCER: Are you still of that position?

8 PROSPECTIVE JUROR NO. 012: I am, but I forget to  
9 mention it over there, it's -- I think we all walk into this  
10 room understanding our -- our jobs as potential jurors. It  
11 is difficult to hear all of the charges that were presented  
12 here. I mean, I think about it more and more with your other  
13 question about if you didn't present any evidence, what would  
14 your verdict have to be.

15 At the same time, I remember at least one of the  
16 attorneys saying that they were denying all the charges, and  
17 your mind just goes how do you get that many charges and you  
18 deny all of them and maybe I'm not a legal expert by any  
19 means. I'd do my best to lose the emotions that stick with  
20 you when you go through things like that, whether it's gun,  
21 knife point or robberies, whatever. But I would do my best  
22 because I -- I also believe in second chances for -- for  
23 people when they do make mistakes.

24 But if there's a lot -- can I ask you a question?  
25 We don't -- we don't do the sentencing, that's the judge; is

1 that correct? We just do the guilt part; is that true?

2 THE COURT: Yes.

3 PROSPECTIVE JUROR NO. 012: Okay.

4 THE COURT: Ladies and gentlemen, you're going to  
5 be instructed that sentencing is entirely up to the Court and  
6 that you will not be -- you will be not allowed to even  
7 consider sentencing at -- during deliberation so --

8 MS. MERCER: You said that you were thinking about  
9 my question to some of these other jurors about whether or  
10 not you could return a verdict of not guilty if State rested  
11 its case right now?

12 PROSPECTIVE JUROR NO. 012: If they rested the  
13 case, I would have to say in my mind they haven't been  
14 convicted beyond a reasonable doubt because they haven't been  
15 convicted so it would have to be not guilty.

16 MS. MERCER: And you could do that?

17 PROSPECTIVE JUROR NO. 012: Yeah.

18 MS. MERCER: Thank you, ma'am. And if I could get  
19 it passed to Mr. Bigelow. You also indicated that with  
20 relation to the theft that occurred at your bowling alley,  
21 you had to do a photo lineup?

22 PROSPECTIVE JUROR NO. 019: Correct. They brought  
23 it to my work probably a couple days later.

24 MS. MERCER: Were you able to make an  
25 identification?

1 PROSPECTIVE JUROR NO. 012: Yes.

2 MS. MERCER: How much time did you have to observe  
3 the people when they were inside of your establishment?

4 PROSPECTIVE JUROR NO. 012: It was back in the mid  
5 90s. Probably they -- they came into the front of the  
6 building, they went straight to the video game area, they  
7 took the boards out, I let them go because I saw them do it  
8 because I wasn't going to approach them because I don't know  
9 if they had a weapon or not.

10 So when they went out, probably about a half hour.

11 MS. MERCER: You mentioned something about them  
12 wearing long jackets. Is that what made you focus your  
13 attention on them when they entered your establishment?

14 PROSPECTIVE JUROR NO. 019: Correct, because we've  
15 already -- we were already informed that other -- three other  
16 bowling centers had already got hit so all they had to do was  
17 take a crowbar and get into the backup.

18 MS. MERCER: Because you were able to make an  
19 identification in the photo lineup, I'm assuming they weren't  
20 wearing anything to conceal their faces, correct?

21 PROSPECTIVE JUROR NO. 019: Correct, no, they're  
22 just normal 20-year-olds, probably.

23 MS. MERCER: And you never had to go to court and  
24 testify?

25 PROSPECTIVE JUROR NO. 019: No.

1 MS. MERCER: Court's indulgence, Your Honor.

2 THE COURT: Okay.

3 MS. MERCER: Your Honor, I don't have any  
4 additional questions at this time.

5 THE COURT: Would the parties approach, please?

6 (Off-record bench conference)

7 THE COURT: Okay. Ladies and gentlemen, based on  
8 the questioning and answering of the district attorney, at  
9 this time, I'm going to excuse three additional individuals.  
10 So if you hear your name, I'm going to ask that you -- you're  
11 going to be excused, and I'll need you to go immediately from  
12 here over to the jury commission room and let them know  
13 you've been excused.

14 It's Juror No. 3, Carole Halford; Juror No. 23,  
15 Lori Owen; and Juror Badge No. 58, Nitin Luhar. All right,  
16 you three are excused. I want to thank you for your time  
17 that you've give us at this point, okay? Please go back to  
18 the jury commission room. Take any items you brought with  
19 you, and let them know you've been excused, okay?

20 Okay. Ladies and gentlemen, it's not 5 to 5:00.  
21 We're going to go ahead and take my evening recess. Tomorrow  
22 when we come back, we'll fill in those three seats and  
23 continue in the questioning. I'll have to ask some questions  
24 to get them caught up to the rest of the panel that's in here  
25 and then I'll let the DA ask some questions, if they choose,

1 and then the defense will have an opportunity. Okay?

2           So during this evening recess, you are admonished  
3 not to converse amongst yourself or with anyone else on any  
4 subject connected with this trial, read, watch or listen to  
5 any report or commentary on the trial or any person connected  
6 with this case by any medium of information, including  
7 without limitation, newspapers, television, radio and  
8 Internet. You are further admonished not to form or express  
9 any opinion on any subject connected with this trial until  
10 the case is finally submitted to you.

11           Ladies and gentlemen, I do not have a calendar  
12 tomorrow so we're going to get started early tomorrow. I'm  
13 going to ask that you be here by 8:30 tomorrow morning. I'm  
14 hoping to be able to get a jury tomorrow. Hopefully, by the  
15 afternoon the State and the defense will be able to do their  
16 opening statements.

17           We will go until 5:00 o'clock tomorrow. And we  
18 will be giving you lunch tomorrow. Well, we'll give you a  
19 lunch break, okay. I had to clarify that, all right. When  
20 you get to the jury, it's different. When you're in the  
21 actual jury room, that's different. We feed you. So, okay?

22           So do you have any questions? Ladies and  
23 gentlemen, also while you're here, I know it's probably a  
24 little uncomfortable for you. If you feel cold or something,  
25 bring a sweater with you. If you feel like you need to put

1 something for your back, a pillow, bring it with you, that's  
2 fine.

3 And I do allow you to bring any types of drinks  
4 that you'd like in the courtroom as long as you have some way  
5 of closing the bottle. When you're in the actually jury, in  
6 the trial, I also allow you to bring snacks in. So okay?

7 So if you have no further questions, I'll see you  
8 here by 8:30, okay? Just be outside the courtroom and we'll  
9 get you by then, okay?

10 (Outside the presence of the prospective jurors)

11 (Pause in the proceedings)

12 THE COURT: Okay, we're outside the presence of the  
13 jury. Is there anything that the parties need to put on the  
14 record at this time?

15 MS. MERCER: No, Your Honor.

16 MR. TANASI: Not from the defense, Your Honor.

17 MR. MANINGO: Your Honor, I'd just like to file a  
18 supplemental notice of witnesses, if I may. It's -- it's  
19 your witnesses. We just didn't do it --

20 MS. MERCER: Oh.

21 MS. MERCER: -- procedurally.

22 THE COURT: Okay.

23 MR. MANINGO: May I approach, Your Honor?

24 THE COURT: Yes.

25 MR. MANINGO: It's nothing new.

1 THE COURT: Okay. Is there anything other than  
2 that, that needs to be put on the record?

3 MS. MERCER: Not from the State, Your Honor.

4 MR. TANASI: Nothing, Your Honor. Thank you.

5 THE COURT: Okay. We'll see you tomorrow then at  
6 8:30, okay? Do not go out and have too much fun on Cinco de  
7 Mayo, please. I meant to tell the jury that, but I didn't so  
8 we'll see how many come back.

9 MR. TANASI: Right.

10 (Court recessed at 5:00 P.M., until Friday,  
11 May 6, 2016, at 8:49 A.M.)

12 \* \* \* \* \*

CERTIFICATE

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

*Julie Lord*

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JULIE LORD, INDEPENDENT TRANSCRIBER



1 Jim, in the back row.

2 PROSPECTIVE JUROR NO. 010: Robert Bass, No. 10. I  
3 had a nephew who was arrested and convicted for sales of a  
4 controlled substance.

5 THE COURT: Here in Las Vegas?

6 PROSPECTIVE JUROR NO. 010: No, it was in Reno.

7 THE COURT: And how long ago was that?

8 PROSPECTIVE JUROR NO. 010: Early '90s.

9 THE COURT: Okay. And were you involved at all in  
10 that case or was that --

11 PROSPECTIVE JUROR NO. 010: I was just trying to  
12 talk them (inaudible).

13 THE COURT: Okay. Do you believe that he was  
14 treated fairly?

15 PROSPECTIVE JUROR NO. 010: Yeah.

16 THE COURT: Is there anything about that experience  
17 you believe would affect your ability to be fair and  
18 impartial here?

19 PROSPECTIVE JUROR NO. 010: No.

20 THE COURT: All right. Okay, thank you. Anyone  
21 else? Okay. No one up to Mr. Bigelow? All right. And  
22 would you have a tendency to give more weight or credence or  
23 less weight or credence to a police officer's testimony  
24 simply because he or she is a police officer? Okay, no one  
25 has raised their hand. All right.

1 Can you wait in forming your opinion as to the  
2 guilt or innocence of the defendant -- defendants here --  
3 until all the evidence has been heard and after considering  
4 all the instructions I give you on the law?

5 Basically, I want to expand on that. Sometimes the  
6 concern is, is that people jump to conclusions in this case.  
7 First of all, because the two defendants are sitting here,  
8 somebody might already have an opinion about that. Once the  
9 State present -- does their opening statement, you might have  
10 another opinion about that. Once the State presents their  
11 evidence, you might get another opinion about that.

12 So if you look at it, the question is designed to  
13 see whether or not you can be fair and wait until all the  
14 evidence is presented to you and I give you the -- what the  
15 rules of law are before you make a decision. Is there anyone  
16 here that believes they can't do that? That they can't wait  
17 until all the evidence has been presented to you and I have  
18 charged you with the law before you make a decision? Is  
19 there anyone here that believes they can't do that? Okay, no  
20 one has raised their hand.

21 Of this group, do you know of any reason whatsoever  
22 why you don't believe you could be completely fair and  
23 impartial and if you're chosen as a juror? Any reason at  
24 all? Okay, Jim.

25 PROSPECTIVE JUROR NO. 003: Carole Halford, Badge

1 No. 3. As I was saying, I was -- the DA's -- with the DA's  
2 Office, and we worked hard to convict the robbers, the drug  
3 dealers to get them behind bars, and we worked diligently  
4 sometimes until 6:00, 7:00, 8:00 o'clock at night to do that.  
5 So I'm not sure if I could be impartial or not.

6 THE COURT: Okay. So you're saying because of your  
7 past experience work with the District Attorney's Office in  
8 Albuquerque, New Mexico, is that you believe based on what  
9 you've witnessed and what you watched is that you don't  
10 believe that you could be completely fair in this matter?

11 PROSPECTIVE JUROR NO. 003: No, sir.

12 THE COURT: Okay. All right, thank you. Anyone  
13 else in that back row? The second row? Okay. Ms. --

14 PROSPECTIVE JUROR NO. 023: Lori Owen, Badge No.  
15 23.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 023: From my prior  
18 experiences with my home burglarized and then being robbed  
19 with my business.

20 THE COURT: Okay. So what you're saying is that  
21 you -- based on what has happened to you in the past, is that  
22 you'll be unable to set that aside? That that would affect  
23 your ability to be fair and impartial and in some regards  
24 you've already got some opinion here now?

25 PROSPECTIVE JUROR NO. 023: Yes.

1 THE COURT: Okay. Okay, thank you. Anyone else?  
2 Okay. Okay.

3 PROSPECTIVE JUROR NO. 058: Nitin Luhar, Badge No.  
4 058. I think in a similar fashion that having dealt with  
5 being robbed twice with our family business and having to  
6 deal with a really emotional spouse in the result, you think  
7 it would be, you know, hard not to form some type of opinion.

8 THE COURT: Okay. So you believe based on your  
9 past, that you would be unable to be fair in this matter even  
10 though you don't know what the facts are at all?

11 PROSPECTIVE JUROR NO. 058: Yeah, somewhat.  
12 Somewhat I feel that way.

13 THE COURT: Okay. Okay, thank you. Anyone else in  
14 this group right here? All right. Anyone else in that front  
15 row up to Mr. Bigelow? All right.

16 PROSPECTIVE JUROR NO. 012: Judith Greenhough,  
17 Badge 12. I think based on what I said to you previously, I  
18 think it's -- it's a matter of beyond a reasonable doubt  
19 that, you know, our job -- I understand our job is to  
20 determine after you hear everything are they guilty of the  
21 charges. Beyond a reasonable doubt is what's needed, my  
22 understanding, for anybody to achieve a conviction.

23 And again, I would just have to hope that I don't  
24 -- there isn't some -- I hope it's clear cut so that I don't  
25 have a tendency to put more weight on what victims may have

1 experienced in the process of the crimes, the alleged crimes.

2 THE COURT: So are you saying that you wouldn't  
3 require the State to meet their burden if they produce a  
4 victim and the victim --

5 PROSPECTIVE JUROR NO. 012: No, I'm saying I  
6 believe I'd have the ability to understand my  
7 responsibility --

8 THE COURT: Okay. Um-h'm.

9 PROSPECTIVE JUROR NO. 012: -- and give the right  
10 verdict if I can say okay, guilty beyond any reasonable  
11 doubt, guilty.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 012: But if there's any  
14 question of that in my own mind --

15 THE COURT: Um-h'm.

16 PROSPECTIVE JUROR NO. 012: -- because I know I can  
17 have strong feelings, I know I would put some weight on what  
18 victims have gone through. And I don't know what their --

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 012: -- testimony is going  
21 to be, but based on what we heard when we walked in here --

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 012: -- with the robbery and  
24 the, I don't know if the word kidnapping or gunpoint,  
25 whatever was used, but I -- you know, I can identify with

1 those feelings. That's all I'm saying.

2 THE COURT: Okay. So my question, then, would be,  
3 I mean, we don't ask you to put your -- set aside --

4 PROSPECTIVE JUROR NO. 012: Yeah.

5 THE COURT: -- the things that's happened in your  
6 life, but the question here is that would you be fair and  
7 impartial or would you come in here already with a  
8 preconceived idea about how you would rule simply because a  
9 victim says something and you identify as a victim?

10 PROSPECTIVE JUROR NO. 012: No, I -- I can tell you  
11 right now I don't have any -- any preconceptions.

12 THE COURT: Okay. All right.

13 PROSPECTIVE JUROR NO. 012: But I --

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 012: I'd have to be honest  
16 about the history that I have and that reason --

17 THE COURT: No, yeah, I understand. Okay. All  
18 right. Okay, thank you. Anyone else? All right.

19 Another question. Is there any medical reason that  
20 you believe would prevent you from participating here as a  
21 juror at this time? Okay, no one has raised their hand.  
22 Okay. Will parties approach?

23 (Off-record bench conference)

24 THE COURT: So at this point in time, Ms. Mercer,  
25 Mr. Portz, did you want to address the jury?

1 MS. MERCER: Yes, Your Honor.

2 THE COURT: The panel of the 36 up to Mr. Bigelow.

3 MS. MERCER: Thank you.

4 THE COURT: Okay? All right.

5 (Pause in the proceedings)

6 MS. MERCER: Good afternoon, ladies and gentlemen.

7 I'm going to start out by asking the entire group of you  
8 first 36 some general questions, and then I'll follow up with  
9 some of you on the answers you've previously provided to the  
10 judge, okay?

11 Is there anyone in this group of the first 36 that  
12 feels that for any reason, whether it's religious,  
13 philosophical, et cetera, you are not capable of sitting in  
14 judgment of another person? And there are no hands raised.

15 Has anyone here ever worked, other than the ones  
16 we've already heard from, has anyone here ever worked in the  
17 fast food industry or have any of your teenaged children  
18 worked in the fast food industry or anything like that?

19 Okay, and if we could just start in the back.

20 PROSPECTIVE JUROR NO. 019: Our two older children  
21 that are 24 and --

22 MS. MERCER: If you could just state your badge  
23 number and your name for the record.

24 PROSPECTIVE JUROR NO. 019: Oh, I'm sorry, it's  
25 Badge No. 19, Vincent Gaeta.

1 MS. MERCER: Okay.

2 PROSPECTIVE JUROR NO. 019: And our two older  
3 children, they're 24 and 23, both work for Raising Cane's.  
4 They opened the store up on St. Rose Parkway. They took a  
5 year off of college --

6 MS. MERCER: Okay.

7 PROSPECTIVE JUROR NO. 019: -- to get a job and  
8 learn about life, and it was a good thing.

9 MS. MERCER: And they never experienced anything  
10 like (inaudible)?

11 PROSPECTIVE JUROR NO. 019: No, it was a wonderful  
12 experience because they saw a store get open from scratch and  
13 see an idea that somebody had come to fruition and --

14 MS. MERCER: Okay.

15 PROSPECTIVE JUROR NO. 019: -- I think they were --  
16 it was a both positive experience from that standpoint and --

17 MS. MERCER: Thank you.

18 PROSPECTIVE JUROR NO. 019: -- as well as learning  
19 about what it takes to make a buck.

20 MS. MERCER: Thank you. I appreciate that. Was  
21 there anyone else with their hand up in that back row? No?  
22 Next row?

23 PROSPECTIVE JUROR NO. 049: James Keegan, Badge No.  
24 49. I managed a Dairy Queen, opening that store on Guam in  
25 the '90s.



1 MS. MERCER: I'm sorry, where was it?

2 PROSPECTIVE JUROR NO. 049: Guam.

3 MS. MERCER: Okay.

4 PROSPECTIVE JUROR NO. 049: After I got out of the  
5 Marines Corps.

6 MS. MERCER: You were in the Marines Corps?

7 PROSPECTIVE JUROR NO. 049: That's correct.

8 MS. MERCER: How long were you in the Marines  
9 Corps?

10 PROSPECTIVE JUROR NO. 049: Nine and a half years,  
11 ma'am.

12 MS. MERCER: When was that?

13 PROSPECTIVE JUROR NO. 049: 1977 to 19 -- 1986.

14 THE COURT: What did you do while in the Marines  
15 Corps?

16 PROSPECTIVE JUROR NO. 049: I was a food service  
17 specialist. I started out as a private. I obtained the rank  
18 of E6 in a managing dining facilities social security when I  
19 got out.

20 MS. MERCER: Okay. And I'm sorry, how long had you  
21 indicated that you worked at that Dairy Queen in Guam?

22 PROSPECTIVE JUROR NO. 049: About a year and a  
23 couple of months, ma'am.

24 MS. MERCER: And you said you were a manager?

25 PROSPECTIVE JUROR NO. 049: Yes, ma'am.

1 MS. MERCER: How many employees did you oversee?

2 PROSPECTIVE JUROR NO. 049: A group of about seven  
3 altogether.

4 MS. MERCER: And were you ever in a position where  
5 you had to deal with employees that were having conflicts  
6 with one another?

7 PROSPECTIVE JUROR NO. 049: Not so much. It was --  
8 we seemed like a pretty happy crew. We all came together and  
9 did what we did.

10 MS. MERCER: Okay. Was that your only experience  
11 with the fast food industry?

12 PROSPECTIVE JUROR NO. 049: I used to work for the  
13 U.S.O. right when I got out of the Marines Corps, and that  
14 was kind of like a fast food establishment there where we'd  
15 take care of lunch basically for troops coming in, other  
16 people on the island of Okinawa.

17 MS. MERCER: Thank you.

18 PROSPECTIVE JUROR NO. 049: You're welcome.

19 MS. MERCER: And I think Mr. Burns had something?

20 PROSPECTIVE JUROR NO. 056: Yes, ma'am. William  
21 Burns, Badge No. 56. When I was still in high school for  
22 about two, two and a half years, I worked at Dairy Queen --  
23 it wasn't his -- in Ohio. I worked at Dairy Queen while I  
24 was in high school and before joining the military. No -- no  
25 incidents or anything while I worked there besides flipping

1 burgers so that was it.

2 MS. MERCER: And I was trying to write as quickly  
3 as I could, but I think I missed some of the judge's  
4 questions directed at you. How long have you been in the  
5 military?

6 PROSPECTIVE JUROR NO. 056: I'm actually retired  
7 from the military.

8 MS. MERCER: Okay.

9 PROSPECTIVE JUROR NO. 056: I spent 24 years in the  
10 military. I now work at the base as a civilian.

11 MS. MERCER: And what do you do at the base?

12 PROSPECTIVE JUROR NO. 056: I'm a -- the technical  
13 order distribution office. It -- technical manuals. I make  
14 sure they're current and accurate and available.

15 MS. MERCER: What did you do for the 24 years that  
16 you were in the military?

17 PROSPECTIVE JUROR NO. 056: Weapons -- weapons  
18 loader dealing with the aircraft. Aircraft mechanic.

19 MS. MERCER: Thank you, sir. Was anyone else's  
20 hand up in that row? What about the row in front? No. Were  
21 there any hands up on this side of the room? Oh, did I miss  
22 someone?

23 THE COURT: You going row by row?

24 MS. MERCER: Yeah.

25 PROSPECTIVE JUROR NO. 058: All right, Nitin Luhar,

1 Badge No. 058. Through college I worked in sandwich shop and  
2 then we had a family business that was a diner type store.

3 MS. MERCER: And where was that?

4 PROSPECTIVE JUROR NO. 058: That was in Norman,  
5 Oklahoma.

6 MS. MERCER: How long did you actually work in that  
7 business?

8 PROSPECTIVE JUROR NO. 058: The family business we  
9 had it for about four years, and through college working in a  
10 sandwich shop for about a year.

11 MS. MERCER: For about a year?

12 PROSPECTIVE JUROR NO. 058: Yeah.

13 MS. MERCER: Okay. Thank you. And I think there  
14 were some hands up (inaudible).

15 PROSPECTIVE JUROR NO. 012: Just my stepson worked  
16 for a Little Caesars. This was back in the '80s in Coral  
17 Springs, Florida. He did some counter work and delivery a  
18 couple years worth and everything was fine. No incidents.

19 MS. MERCER: Okay. And that was Badge No. 12,  
20 Ms. --

21 PROSPECTIVE JUROR NO. 012: I'm sorry.

22 MS. MERCER: -- Greenhough, for the record?

23 PROSPECTIVE JUROR NO. 012: Judy Greenhough,  
24 uh-huh. Badge 12.

25 MS. MERCER: Oh, I think there was --

1 PROSPECTIVE JUROR NO. 019: Dustin Bigelow, Badge  
2 No. 19. 1990 to '93, I worked at a Subway restaurant,  
3 sandwich place.

4 MS. MERCER: What --

5 PROSPECTIVE JUROR NO. 019: And pretty much had no  
6 problems. Best experience of my life.

7 MS. MERCER: Was that in Dallas or was that --

8 PROSPECTIVE JUROR NO. 019: Plano, Texas.

9 MS. MERCER: Plano --

10 PROSPECTIVE JUROR NO. 019: Dallas suburb.

11 MS. MERCER: And you never had -- experienced  
12 anything like the allegations in this case?

13 PROSPECTIVE JUROR NO. 019: No.

14 MS. MERCER: Were you in a managerial position  
15 there or --

16 PROSPECTIVE JUROR NO. 019: I was a key holder, but  
17 we didn't have titles.

18 MS. MERCER: You were a what?

19 PROSPECTIVE JUROR NO. 019: Key holder. Well, I  
20 mean, we closed the shop.

21 MS. MERCER: Okay. And you indicated that when you  
22 worked at the bowling alley in Dallas, you were the front  
23 desk manager?

24 PROSPECTIVE JUROR NO. 019: Correct.

25 MS. MERCER: Did you oversee employees?

1 PROSPECTIVE JUROR NO. 019: Yes.

2 MS. MERCER: Were you ever in a position where you  
3 had to deal with employees that had disagreements amongst  
4 each other?

5 PROSPECTIVE JUROR NO. 019: We didn't have too  
6 many.

7 MS. MERCER: Okay.

8 PROSPECTIVE JUROR NO. 019: What I -- it's one of  
9 those things, you know, when you work in a bowling center,  
10 sometimes it happens. But we never had too many issues.

11 MS. MERCER: How did you deal with conflict?

12 PROSPECTIVE JUROR NO. 019: Just made sure I heard  
13 both sides to it before I made any judgment calls on it.

14 MS. MERCER: And what types of things would you  
15 look in making that judgment call when you had two different  
16 versions of events?

17 PROSPECTIVE JUROR NO. 019: Depending on who  
18 actually started the conflict or if they made the wrong word,  
19 if they said the wrong -- you know, they spoke to the person  
20 the wrong way.

21 MS. MERCER: Would you speak to other employees?  
22 Would you, I mean -- or would you just --

23 PROSPECTIVE JUROR NO. 019: I would -- we would  
24 investigate it.

25 MS. MERCER: Okay. Thank you, sir. Were there any

1 other hands up? Is there anyone else, other than the people  
2 that have already identified themselves as prior military,  
3 that has military experience? And Ms. Greenhough has her  
4 hands up. Oh, actually --

5 PROSPECTIVE JUROR NO. 003: Carole Halford, No. 3.  
6 My dad was in the Navy, was a jet fighter pilot for 23 years.

7 MS. MERCER: Thank you, ma'am. Any other hands on  
8 this side?

9 UNKNOWN PROSPECTIVE JUROR: I have high blood  
10 pressure. Can I -- I'm supposed to take my high blood  
11 pressure at 2:30. It's past already. Can I take my high  
12 blood pressure now?

13 THE COURT: You want to -- what do you have to  
14 take?

15 UNKNOWN PROSPECTIVE JUROR: My high blood pressure.

16 THE COURT: Do you need to take a --

17 THE MARSHAL: Blood pressure medicine? What, do  
18 you need --

19 THE COURT: -- blood pressure medicine?

20 THE MARSHAL: -- water or (inaudible)?

21 UNKNOWN PROSPECTIVE JUROR: I need take my pills  
22 because my high --

23 THE MARSHAL: I can give you a glass of water.

24 UNKNOWN PROSPECTIVE JUROR: Yeah. I need to take  
25 my pills.

1 THE COURT: It's okay. You all right taking it  
2 there if we give you a glass of water?

3 UNKNOWN PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 023: I don't have military  
6 experience, but they were saying for military --

7 THE COURT: Okay, ma'am, can you identify yourself  
8 on --

9 PROSPECTIVE JUROR NO. 023: Oh, I'm -- I'm sorry.  
10 Lori Owen, No. 23. Do you want to know about relatives in  
11 the --

12 MS. MERCER: Sure.

13 PROSPECTIVE JUROR NO. 023: -- that are in the  
14 military? Oh, okay, my nephew is in the Army.

15 MS. MERCER: Currently?

16 PROSPECTIVE JUROR NO. 023: Yes.

17 MS. MERCER: And for how long?

18 PROSPECTIVE JUROR NO. 023: He's been for six  
19 years.

20 MS. MERCER: Do you know what he does in the Army?

21 PROSPECTIVE JUROR NO. 023: No. He's down at --  
22 he's down at Ft. Bragg right now. He just went through  
23 airborne school. Did three tours overseas.

24 MS. MERCER: Three tours?

25 PROSPECTIVE JUROR NO. 023: Yeah.



1 MS. MERCER: Thank you. Anyone else? If you could  
2 pass the microphone down a bit. Ms. Sneen.

3 PROSPECTIVE JUROR NO. 037: My husband was in the  
4 Army stationed in Vietnam. My dad was in the Korean War and  
5 my nephew is currently in the Army National Guard.

6 MS. MERCER: And that's Ms. Sneen. For the record,  
7 Badge No. 37.

8 PROSPECTIVE JUROR NO. 037: 37.

9 MS. MERCER: And I'm sorry, you're speaking kind of  
10 softly. Is there --

11 PROSPECTIVE JUROR NO. 037: My husband --

12 MS. MERCER: Could you repeat yourself?

13 PROSPECTIVE JUROR NO. 037: My husband --

14 THE COURT: Jim, can you see if that's on? I'm not  
15 hearing her. She's speaking right into that. (Inaudible)  
16 something.

17 PROSPECTIVE JUROR NO. 037: My husband --

18 THE COURT: Better.

19 PROSPECTIVE JUROR NO. 037: My husband was in the  
20 Army stationed in Vietnam, and my dad was in the Korean War,  
21 and my nephew is currently in the Army National Guards.

22 MS. MERCER: And where is your nephew? What state?

23 PROSPECTIVE JUROR NO. 037: Minnesota.

24 MS. MERCER: Thank you, ma'am.

25 THE COURT: Okay.

1 MS. MERCER: Any other hands up? Okay? Ms.  
2 (indecipherable)

3 PROSPECTIVE JUROR NO. 062: I'm Regina Lockhart,  
4 No. 62.

5 MS. MERCER: Oh, Lockhart. I was a little ahead.  
6 62.

7 PROSPECTIVE JUROR NO. 062: My dad was a  
8 paratrooper. My ex-husband was in the Army, and my grandpa  
9 was in World War II, the Navy.

10 MS. MERCER: I'm sorry, I missed what your husband  
11 did.

12 PROSPECTIVE JUROR NO. 062: He -- my ex-husband in  
13 the Army.

14 MS. MERCER: For how long?

15 PROSPECTIVE JUROR NO. 062: Three years, I think.

16 MS. MERCER: Do you know what he did?

17 PROSPECTIVE JUROR NO. 062: All I know is he went  
18 on -- he went in thinking he was going to do one thing and he  
19 ended up doing something else. That's all I remember.

20 MS. MERCER: Okay. Thank you. Anyone else?

21 PROSPECTIVE JUROR NO. 063: Angila Jenkins, Badge  
22 63. My husband was in the Navy, submarines, weapons, for  
23 eight years, and then my father was in the Marines.

24 MS. MERCER: Do you know what your father did?

25 PROSPECTIVE JUROR NO. 063: I don't.

1 MS. MERCER: Okay.

2 THE COURT: Okay.

3 MS. MERCER: Thank you.

4 THE COURT: In the back row, Ms. Mercer. Ms.  
5 Cabrera, she raised her hand.

6 PROSPECTIVE JUROR NO. 009: It's Fatima Cabrera,  
7 No. 9. Sorry, I didn't realize she said family members, but  
8 my cousin and her husband are active on the Air Force right  
9 now.

10 MS. MERCER: Are they here in Las Vegas?

11 PROSPECTIVE JUROR NO. 009: Yes.

12 MS. MERCER: So at Nellis?

13 PROSPECTIVE JUROR NO. 009: Yes.

14 MS. MERCER: And do you know how long they've been  
15 in the Air Force?

16 PROSPECTIVE JUROR NO. 009: For sure over eight  
17 years. I don't know the precise amount, but it's over eight  
18 years.

19 MS. MERCER: Do you know what either one of them  
20 does in the Air Force?

21 PROSPECTIVE JUROR NO. 009: No.

22 MS. MERCER: Okay. And I think there were hands up  
23 over here.

24 PROSPECTIVE JUROR NO. 019: I didn't realize it was  
25 family members either. Badge 19, Vincent Gaeta. My father

1 served in the Navy, submarines before I was born.

2 MS. MERCER: Okay.

3 PROSPECTIVE JUROR NO. 019: So --

4 MS. MERCER: Do you know how long?

5 PROSPECTIVE JUROR NO. 019: Four years. That was  
6 how he got out of the orphanage.

7 MS. MERCER: Okay.

8 PROSPECTIVE JUROR NO. 019: Joined the Navy.

9 MS. MERCER: Thank you.

10 PROSPECTIVE JUROR NO. 139: Bryce Gines, 139. In  
11 addition to our two sons that I've already mentioned, my  
12 father was in World War II on a destroyer. And my  
13 father-in-law was in the Army. I have two brothers who  
14 served in Vietnam.

15 MS. MERCER: Two brothers?

16 PROSPECTIVE JUROR NO. 139: Two brothers, um-h'm.

17 MS. MERCER: Thank you.

18 PROSPECTIVE JUROR NO. 012: Judy Greenhough, Badge  
19 12. I was in the Navy late '60s. I was a photographer. My  
20 dad was a navigator in the Air Force. I know he was in the  
21 Korean War. He's since passed about 20 years. My oldest  
22 brother was Army Reserves for, I don't know, for six years as  
23 was my ex-husband. I don't know what either of the latter  
24 two did.

25 MS. MERCER: Okay.

1 PROSPECTIVE JUROR NO. 012: Okay?

2 MS. MERCER: How long were you in the Navy?

3 PROSPECTIVE JUROR NO. 012: Almost three years. I  
4 got an early out.

5 MS. MERCER: Thank you.

6 PROSPECTIVE JUROR NO. 014: Scott Young, Badge No.  
7 14. My brother-in-law was a medic in the military probably  
8 mid 2000s. I'm not sure how long he was in the military,  
9 though.

10 MS. MERCER: Do you know what branch?

11 PROSPECTIVE JUROR NO. 014: Army.

12 MS. MERCER: Thank you, sir.

13 PROSPECTIVE JUROR NO. 019: Dustin Bigelow, Badge  
14 No. 19. Grandfather on my father's side, Army, World War II,  
15 and Pat, Navy, medical. And my oldest nephew on my brother's  
16 side Army National Guard.

17 MS. MERCER: Currently?

18 PROSPECTIVE JUROR NO. 019: No.

19 MS. MERCER: Thank you. Okay. The judge asked if  
20 anyone here has ever been the victim of a crime or accused of  
21 a crime. Has anyone here ever been a witness to a crime or  
22 something that caused them to have to give some sort of  
23 statement with regards to an event that they witnessed such  
24 as a car accident or something like that? No?

25 UNIDENTIFIED SPEAKER: (Inaudible).

1 MS. MERCER: Actually, sir, we're going to -- if  
2 you could pass it back to Ms. Halford.

3 UNIDENTIFIED SPEAKER: Oh, sorry.

4 PROSPECTIVE JUROR NO. 003: Carole Halford, No. 3.  
5 I was a witness in a trial for fraud. It was real estate  
6 fraud.

7 MS. MERCER: I'm sorry, it was real estate fraud?

8 PROSPECTIVE JUROR NO. 003: Real estate fraud.

9 MS. MERCER: Was that something that you became a  
10 witness in while you were employed with the DA's Office or  
11 was that separate from your employment?

12 PROSPECTIVE JUROR NO. 003: No, that was separate.

13 MS. MERCER: And how was it that you were involved  
14 with the case?

15 PROSPECTIVE JUROR NO. 003: After I was -- worked  
16 for the DA's Office, I worked for a title company, and I was  
17 an escrow officer, and it was a fraud case between a real  
18 estate agent and the plaintiff was the parties that had  
19 bought a house.

20 MS. MERCER: So it was a civil case?

21 PROSPECTIVE JUROR NO. 003: Yes.

22 MS. MERCER: Okay. Did you actually have to go to  
23 court and testify?

24 PROSPECTIVE JUROR NO. 003: Yes, I had to actually  
25 go to court. I was subpoenaed.

1 MS. MERCER: What was that experience like for you?

2 PROSPECTIVE JUROR NO. 003: I was -- I had a lot of  
3 anxiety with it. The attorney for the plaintiff -- what  
4 happened was the defendant was a friend of mine that was a  
5 real estate agent, and I had to testify for the plaintiff.  
6 She was the defendant, I had to testify for the plaintiff,  
7 and that was really traumatic for me having to testify  
8 against a friend.

9 MS. MERCER: When you were testifying, did you feel  
10 like you were able to recall everything pertinent to the  
11 case?

12 PROSPECTIVE JUROR NO. 003: No. No.

13 MS. MERCER: Was that because of nerves or  
14 (inaudible)?

15 PROSPECTIVE JUROR NO. 003: Probably nerves more  
16 than likely, yeah.

17 MS. MERCER: How long were you on the stand?

18 PROSPECTIVE JUROR NO. 003: About half an hour.

19 MS. MERCER: Were you able to maintain your  
20 friendship with the opposing party?

21 PROSPECTIVE JUROR NO. 003: No. After the trial,  
22 she moved to Colorado.

23 MS. MERCER: Okay. And if you could just pass it  
24 to the next row. Ms. Addington.

25 PROSPECTIVE JUROR NO. 020: You'd want to know if

1 we ever testified in a case?

2 THE COURT: She's 20.

3 MS. MERCER: Yes, if you've ever been a witness?

4 PROSPECTIVE JUROR NO. 020: Yes.

5 MS. MERCER: Badge No. 20?

6 PROSPECTIVE JUROR NO. 020: Yes, I'm sorry.

7 MS. MERCER: What kind of a -- or what kind of a  
8 case was it that you were a witness in?

9 PROSPECTIVE JUROR NO. 020: I believe, you would  
10 call it a civil case.

11 MS. MERCER: Okay. How was it that you were  
12 involved in that case?

13 PROSPECTIVE JUROR NO. 020: I worked for a company  
14 that was sold to another company and then we all left and  
15 went to work for a different company, and the company that  
16 the first company was sold to accused all of my salespeople  
17 of stealing their customers.

18 MS. MERCER: Okay. Did you actually have to go to  
19 court and testify in that one?

20 PROSPECTIVE JUROR NO. 020: Yes.

21 MS. MERCER: I'm going to ask you the same  
22 questions that I asked her.

23 PROSPECTIVE JUROR NO. 020: It's okay.

24 MS. MERCER: Was it -- what kind of experience was  
25 it for you?



1 PROSPECTIVE JUROR NO. 020: It was new.

2 MS. MERCER: Was it traumatizing? Okay.

3 PROSPECTIVE JUROR NO. 020: No.

4 MS. MERCER: Were you okay with it?

5 PROSPECTIVE JUROR NO. 020: I --

6 MS. MERCER: Were you nervous?

7 PROSPECTIVE JUROR NO. 020: I was a little nervous,  
8 but I mean, public speaking is not my thing.

9 MS. MERCER: Did you feel like you were able to  
10 remember everything that was relevant to the case that you  
11 needed to testify to?

12 PROSPECTIVE JUROR NO. 020: Yes, absolutely.

13 MS. MERCER: Do you know about how long it took the  
14 case to get to the point where you had to testify after it  
15 was filed?

16 PROSPECTIVE JUROR NO. 020: It was well over -- I  
17 believe, it was over a year at least.

18 MS. MERCER: Was that here in Las Vegas?

19 PROSPECTIVE JUROR NO. 020: Yes.

20 MS. MERCER: Thank you, ma'am.

21 PROSPECTIVE JUROR NO. 020: Um-h'm.

22 PROSPECTIVE JUROR NO. 023: When I worked at  
23 Ralph's grocery company in California as a checker someone  
24 was passing bad checks, and I had to identify them out of a  
25 -- not a lineup, but a six pack then that they did.

1 MS. MERCER: A photo lineup?

2 PROSPECTIVE JUROR NO. 023: The two people -- yeah,  
3 photo, yeah. Go down to the police station and do that.

4 MS. MERCER: Was it someone that you interacted  
5 with off you?

6 PROSPECTIVE JUROR NO. 023: No, a couple times.

7 MS. MERCER: Was it difficult to identify them in  
8 the --

9 PROSPECTIVE JUROR NO. 023: No.

10 MS. MERCER: No?

11 PROSPECTIVE JUROR NO. 023: No. I didn't have to  
12 do anything else other than just this is them, check it off  
13 and initial, and be that was it.

14 MS. MERCER: And you never had to go to court?

15 PROSPECTIVE JUROR NO. 023: Hum-um.

16 MS. MERCER: Were there any other hands up in that  
17 row? No?

18 PROSPECTIVE JUROR NO. 056: William Burns, Badge  
19 56. It was a military court marshal, not on the civilian  
20 side. I had a subordinate that just pretty much didn't come  
21 to work or report to the places he should have, and there was  
22 like five charges against him. I was just a witness. Maybe  
23 20 minutes worth of giving facts.

24 MS. MERCER: And were you okay with that  
25 experience?

1 PROSPECTIVE JUROR NO. 056: It was facts. That's  
2 all I had to do.

3 MS. MERCER: Did you ever get nervous about having  
4 to testify or anything like that?

5 PROSPECTIVE JUROR NO. 056: I think I got more  
6 nervous the thought of it, but once I got on it, just they  
7 asked questions, I gave the answers and my part was done.

8 MS. MERCER: So once you were on the stand, you  
9 were fine?

10 PROSPECTIVE JUROR NO. 056: Yeah.

11 MS. MERCER: Leading up to it, you had a lot of  
12 anxiety?

13 PROSPECTIVE JUROR NO. 056: Not a lot of anxiety.  
14 I just didn't know what to expect. It was my first time so.

15 MS. MERCER: Was that the only time you've ever had  
16 to testify?

17 PROSPECTIVE JUROR NO. 056: Yes, sir, I -- I mean,  
18 yes, ma'am, I'm sorry. I do believe. Sorry, military habit.

19 MS. MERCER: It's okay. Okay. Were there any  
20 other hands up in that row?

21 PROSPECTIVE JUROR NO. 057: Steve Goulder, 57.  
22 Insurance fraud case. I had to testify as to what items were  
23 in the building, previous to the guy burning it down?

24 MS. MERCER: Okay. So someone -- the accusation  
25 was that someone burned down a building --

1 PROSPECTIVE JUROR NO. 057: Yes, restaurant.

2 MS. MERCER: -- intentionally to claim --

3 PROSPECTIVE JUROR NO. 057: Yeah.

4 MS. MERCER: Okay. How long were you on the stand?

5 PROSPECTIVE JUROR NO. 057: Probably an hour.

6 MS. MERCER: Was there any anxiety leading up to or  
7 while you were testifying?

8 PROSPECTIVE JUROR NO. 057: There's always an  
9 anxiety when I have to speak in public.

10 MS. MERCER: Do you know how long it took from the  
11 filing of the case to the time that you testified?

12 PROSPECTIVE JUROR NO. 057: I don't recall.

13 MS. MERCER: Do you feel like you were able to  
14 remember everything once you were on the stand or --

15 PROSPECTIVE JUROR NO. 057: Oh, yes.

16 MS. MERCER: Okay. Thank you. Were there any  
17 other hands up in that row?

18 PROSPECTIVE JUROR NO. 062: Regina Lockhart, No.  
19 062. In 1979, I was subpoenaed to testify against my then  
20 boyfriend for vandalizing a house that I lived in. I rented  
21 a room in, that was my friend's house, and her mom's house.

22 MS. MERCER: Okay. Did you actually have to  
23 testify or --

24 PROSPECTIVE JUROR NO. 062: Yes.

25 MS. MERCER: What kind of experience was that for

1 you?

2 PROSPECTIVE JUROR NO. 062: Terrible.

3 MS. MERCER: What made it terrible? Was it just  
4 the --

5 PROSPECTIVE JUROR NO. 062: The whole thing.

6 MS. MERCER: -- entire process?

7 PROSPECTIVE JUROR NO. 062: Yeah, the whole  
8 process. Going, I was nervous. And on the stand I was asked  
9 a lot of personal questions. And there was -- it was a  
10 complicated thing because I knew that they did do some of it,  
11 but they had made some of it because they were -- we were in  
12 a house that was like a fixer-upper, so it turned into a big  
13 complicated thing.

14 MS. MERCER: Okay. Was that a criminal case or a  
15 civil case?

16 PROSPECTIVE JUROR NO. 062: I don't know. I --  
17 there was public defenders and things like that, attorneys  
18 so.

19 MS. MERCER: Okay. So it sounds like it was a --

20 PROSPECTIVE JUROR NO. 062: -- I think it was --

21 MS. MERCER: -- criminal case.

22 PROSPECTIVE JUROR NO. 062: I think so because I  
23 think the -- it was -- he had to pay \$5,000 restitution.

24 MS. MERCER: How long were you on the stand?

25 PROSPECTIVE JUROR NO. 062: I don't know. It

1 seemed like a blur. I don't know. I don't know what I said.  
2 I don't know how long I was on there. It was -- I was only  
3 19 then.

4 MS. MERCER: So you were extremely nervous and  
5 anxious?

6 PROSPECTIVE JUROR NO. 062: Yeah.

7 MS. MERCER: Was that the only time you've ever had  
8 to testify in court?

9 PROSPECTIVE JUROR NO. 062: Yes.

10 MS. MERCER: Okay. Thank you, ma'am. Were there  
11 any other hands up? I think you had your hand up initially,  
12 right?

13 PROSPECTIVE JUROR NO. 070: But I didn't really  
14 testify --

15 MS. MERCER: And --

16 PROSPECTIVE JUROR NO. 070: -- in the court. My  
17 badge number 70, Monte Lai.

18 MS. MERCER: Okay.

19 PROSPECTIVE JUROR NO. 070: I -- I was the witness  
20 make a statement to the police and to the court. I got  
21 subpoenaed, but -- and -- but I really didn't have to go. I  
22 think they got (indecipherable) or something.

23 MS. MERCER: Was that in regards to robbery that  
24 you're --

25 PROSPECTIVE JUROR NO. 070: No, not -- no, no, no.

1 It was like I was a pharmacist. There was like a -- was  
2 prescription for a control substance, and police came over,  
3 arrest the person right at pharmacy.

4 MS. MERCER: So you went to court, but then you  
5 didn't ultimately --

6 PROSPECTIVE JUROR NO. 070: No, I -- I received a  
7 subpoena from the court. I guess, when the date, I guess,  
8 they told me I don't have to go. They probably plea bargain,  
9 something.

10 MS. MERCER: Before you called in, were you nervous  
11 about having to go to court and testify?

12 PROSPECTIVE JUROR NO. 070: Yeah.

13 MS. MERCER: Was that the only time you've ever  
14 been subpoenaed?

15 PROSPECTIVE JUROR NO. 070: Actually, I was  
16 subpoenaed twice, but they -- I never really go to the court  
17 to -- to testify, but it happened quite a few times.

18 MS. MERCER: Okay. And the second time, was it  
19 also a forged prescription?

20 PROSPECTIVE JUROR NO. 070: Yes.

21 MS. MERCER: Thank you, sir. And --

22 PROSPECTIVE JUROR NO. 074: Glynis Bernard, Badge  
23 74. Your first question, I was -- I was in the Army, and I  
24 was in from '72 to '76. And my dad was also in the Army.

25 MS. MERCER: And what did you do while you were in

1 the Army?

2 PROSPECTIVE JUROR NO. 074: I was a clerk.

3 MS. MERCER: Do you know what your dad did?

4 PROSPECTIVE JUROR NO. 074: No.

5 MS. MERCER: Okay. Thank you.

6 PROSPECTIVE JUROR NO. 074: And I was -- I actually  
7 worked loss prevention for a chain of stores in Hawaii, and I  
8 was a witness, but I never -- it -- it never went as far as  
9 testifying because most of them, I guess, they pleaded  
10 guilty.

11 MS. MERCER: When you would receive subpoenas,  
12 would you start feeling nervous and anxious about the --

13 PROSPECTIVE JUROR NO. 074: You know, it was my  
14 job. I -- no.

15 MS. MERCER: Okay. How often were you subpoenaed?

16 PROSPECTIVE JUROR NO. 074: Very, very often.

17 MS. MERCER: How many times in a month?

18 PROSPECTIVE JUROR NO. 074: I'd say maybe about  
19 once a week.

20 MS. MERCER: Once a week?

21 PROSPECTIVE JUROR NO. 074: Yeah.

22 MS. MERCER: And how long did you do that job?

23 PROSPECTIVE JUROR NO. 074: I did it from 1990 to  
24 '94.

25 MS. MERCER: Were you being subpoenaed because you



1 witnessed the thefts or --

2 PROSPECTIVE JUROR NO. 074: Yes.

3 MS. MERCER: Okay. So when you would witness the  
4 thefts, did you -- were you ever in a position where you had  
5 to identify someone?

6 PROSPECTIVE JUROR NO. 074: No, because I always  
7 got them, brought them back into the store and then at the  
8 process that I had to do, write up my statement and then call  
9 the -- the police.

10 MS. MERCER: So --

11 PROSPECTIVE JUROR NO. 074: And they'd come in  
12 and --

13 MS. MERCER: -- they were always caught before they  
14 left the store?

15 PROSPECTIVE JUROR NO. 074: Yes. No. They had to  
16 leave the store.

17 MS. MERCER: Okay, but --

18 PROSPECTIVE JUROR NO. 074: Yeah.

19 MS. MERCER: -- the property?

20 PROSPECTIVE JUROR NO. 074: Yes.

21 MS. MERCER: Did your stores have surveillance  
22 equipment that helped you --

23 PROSPECTIVE JUROR NO. 074: Yes.

24 MS. MERCER: -- with that?

25 PROSPECTIVE JUROR NO. 074: They did, but I had to

1 actually witness it myself.

2 MS. MERCER: Did you -- as a loss prevention  
3 officer, did you oftentimes have to look at surveillance?

4 PROSPECTIVE JUROR NO. 074: Yes, especially when it  
5 was internal.

6 MS. MERCER: Internal thefts?

7 PROSPECTIVE JUROR NO. 074: Yes.

8 MS. MERCER: Meaning employees taking things?

9 PROSPECTIVE JUROR NO. 074: Yes.

10 MS. MERCER: Were you responsible for  
11 investigations of thefts?

12 PROSPECTIVE JUROR NO. 074: Yes.

13 MS. MERCER: By your employees?

14 PROSPECTIVE JUROR NO. 074: Yes.

15 MS. MERCER: What types of things would you look at  
16 in determining whether or not the employee --

17 PROSPECTIVE JUROR NO. 074: Videotapes.

18 MS. MERCER: Just the video?

19 PROSPECTIVE JUROR NO. 074: Yes.

20 MS. MERCER: And what if it wasn't obvious from the  
21 video?

22 PROSPECTIVE JUROR NO. 074: Actually -- well, the  
23 process was we would have like receipts and we'd have to  
24 watch the videos and match the receipts to what -- you know,  
25 as it was going along.

1 MS. MERCER: Okay.

2 PROSPECTIVE JUROR NO. 074: Yes.

3 MS. MERCER: Thank you. Appreciate it.

4 PROSPECTIVE JUROR NO. 074: You're welcome.

5 MS. MERCER: Were there any other hands up in this  
6 front row? No. What about on the left side over here?

7 PROSPECTIVE JUROR NO. 011: Virginia Plank, Badge  
8 11. I've never had to testify as a witness, but I was  
9 subpoenaed in a fraud case. It was settled out of court. I  
10 can't remember what they called the words before we got to --

11 MS. MERCER: Negotiated?

12 PROSPECTIVE JUROR NO. 011: She admitted that she  
13 had done it, you know, whatever that is.

14 MS. MERCER: Was it a civil case or a criminal  
15 case?

16 PROSPECTIVE JUROR NO. 011: A civil.

17 MS. MERCER: And how was it that you were a witness  
18 to that event?

19 PROSPECTIVE JUROR NO. 011: It was a fraud case in  
20 that she was writing bad checks while I was being a cashier  
21 at Home Depot.

22 MS. MERCER: How long ago was that?

23 PROSPECTIVE JUROR NO. 011: A year and a half.  
24 Plea deal. That's what it was. She did a plea deal.

25 MS. MERCER: Okay. Were you anxious about

1 potentially having to go to court?

2 PROSPECTIVE JUROR NO. 011: I was -- I was nervous  
3 about it because it was something new and never having been  
4 done, but other than that, no. But I didn't -- like I said,  
5 I didn't do it.

6 MS. MERCER: Okay. Thank you. Were there any  
7 other hands up over here? Does anyone here have any  
8 experience in security at all or experience with surveillance  
9 systems? There are no hands raised, for the record.

10 THE COURT: Will the parties approach, please? Ms.  
11 Mercer.

12 (Off-record bench conference)

13 THE COURT: Okay, ladies and gentlemen, we're going  
14 to take a 15-minute break at this time, give everybody an  
15 opportunity to stretch their legs and use the restroom if  
16 they need to.

17 During this recess, you're admonished not to talk  
18 or converse amongst yourself or with anyone else on any  
19 subject connected with this trial or read, watch or listen to  
20 any report or commentary on the trial or any person connected  
21 with this trial by any medium of information, including  
22 without limitation, newspapers, television, the Internet or  
23 radio. You're also not to form or express any opinion on any  
24 subject connected with this trial until the case is finally  
25 submitted to you.

1 We'll be at ease while the jury leaves the room.  
2 Be back here at 5 until, okay? Right outside the courtroom.

3 (Outside the presence of the prospective jurors)

4 (Pause in the proceedings)

5 THE COURT: All right. All right, so we'll be back  
6 at 5 until, all right. All right, we're off the record.

7 (Court recessed at 3:39 p.m. until 4:01 p.m.)

8 (Outside the presence of the prospective jurors)

9 (Pause in the proceedings)

10 THE COURT: Jim, you want to go ahead and get the  
11 jury back in. Jim, you want to go ahead and get the jury  
12 back in? Okay, thanks.

13 (Pause in the proceedings)

14 (In the presence of the prospective jurors)

15 THE MARSHAL: Please be seated. Department 19 is  
16 back in session.

17 THE COURT: Jim, is everybody here?

18 THE MARSHAL: No, we're missing somebody.

19 (Pause in the proceedings)

20 THE COURT: Okay, we're back on the record in C-  
21 303022, State of Nevada versus Tony Hobson and Brandon Starr.  
22 I'd like the record to reflect the presence of the State,  
23 their counsel as well as the defendant and their counsel, all  
24 members of the prospective jury panel. Will the parties  
25 stipulate to the members of the prospective jury panel?

1 MS. MERCER: Yes, Your Honor.

2 MR. TANASI: Yes, Your Honor.

3 MS. LOBO: Yes, Your Honor.

4 THE COURT: Okay. Before we took a break, Ms.  
5 Mercer, you were questioning the jury. Did you want to  
6 continue?

7 MS. MERCER: Yes, please, Your Honor.

8 THE COURT: Okay.

9 MS. MERCER: Okay. In the introduction, you heard  
10 my co-counsel mention that one of the witnesses in this case  
11 is Donte Johns, who is a co-defendant -- or was a  
12 co-defendant. Is there anyone here who would automatically  
13 disregard the testimony of someone who was a participant in  
14 crimes? And there are no hands raised, for the record, Your  
15 Honor.

16 THE COURT: Okay.

17 MS. MERCER: Is there anyone in this first 36 that  
18 would never under any circumstance be able to convict someone  
19 of a crime unless the victim of that crime came into court  
20 and told you that's the person who did it?

21 UNIDENTIFIED SPEAKER: Say that again.

22 UNIDENTIFIED SPEAKER: Yeah, say it again.

23 UNIDENTIFIED SPEAKER: Slow down.

24 MS. MERCER: Yeah. Is --

25 UNIDENTIFIED SPEAKER: Trying to keep up.

1 MS. MERCER: Is there anybody in the first 36 that  
2 would never under any circumstances be able to convict  
3 someone of a crime unless they heard from the victim of the  
4 crime that the defendant was the person who committed the  
5 crime?

6 PROSPECTIVE JUROR NO. 19: I actually have a  
7 question for the one you asked prior.

8 MS. MERCER: The accomplice?

9 PROSPECTIVE JUROR NO. 19: Yes.

10 MS. MERCER: Okay. And for the record --

11 PROSPECTIVE JUROR NO. 019: Badge No. 19, Vincent  
12 Gaeta. What did this gentleman get -- get for becoming a  
13 witness? Did he get completely relieved of any  
14 responsibility?

15 MS. MERCER: Okay. So you would want to know the  
16 answer to that question?

17 PROSPECTIVE JUROR NO. 019: I would.

18 MS. MERCER: Okay.

19 UNIDENTIFIED SPEAKER: I second that.

20 PROSPECTIVE JUROR NO. 019: Did he like get off  
21 Scott free for, you know (inaudible) --

22 MS. MERCER: Okay.

23 PROSPECTIVE JUROR NO. 019: -- on his friends?

24 MS. MERCER: So if he got Scott free, you would  
25 find him --

1 PROSPECTIVE JUROR NO. 019: I might be troubled by  
2 that.

3 MS. MERCER: What if you heard that he was also  
4 held accountable?

5 PROSPECTIVE JUROR NO. 019: Not so much.

6 MS. MERCER: So as long as he doesn't --

7 PROSPECTIVE JUROR NO. 019: Seems like an easy way  
8 out.

9 MS. MERCER: -- escape punishment -- as long as he  
10 doesn't escape punishment completely, you would be willing to  
11 listen to his testimony?

12 PROSPECTIVE JUROR NO. 019: Yeah, that would be an  
13 important factor for me to understand. If it was somebody  
14 that got immunity and wasn't held accountable and  
15 participated and then that would be troubling for me.

16 MS. MERCER: Anyone else? And for the record --

17 PROSPECTIVE JUROR NO. 012: Yeah, I would say that  
18 came up --

19 MS. MERCER: And if you could state your badge  
20 number, please.

21 PROSPECTIVE JUROR NO. 012: Judy Greenhough, 12. I  
22 would say that thought crossed my mind when you guys were  
23 doing the intro earlier today, and there was mention of this  
24 third person and I had to wonder what the status was.

25 MS. MERCER: Okay.



1 PROSPECTIVE JUROR NO. 012: And I would say I agree  
2 with what he said.

3 MS. MERCER: And what other factors would you use  
4 in evaluating his testimony? What other factors would you  
5 look at?

6 PROSPECTIVE JUROR NO. 012: That would be -- that'd  
7 be the main thing. My -- you know, my understanding of why  
8 it was he was now a witness and not on trial.

9 MS. MERCER: Okay.

10 PROSPECTIVE JUROR NO. 012: If he was involved  
11 somehow.

12 MS. MERCER: Thank you, ma'am.

13 PROSPECTIVE JUROR NO. 019: Especially if there was  
14 a --

15 MS. MERCER: And your badge number.

16 THE COURT: Hold on, hold on.

17 PROSPECTIVE JUROR NO. 019: 19.

18 THE COURT: You need to go one at a time.

19 PROSPECTIVE JUROR NO. 019: Okay. No. 19, Vincent  
20 Gaeta. Especially if there's a huge differential in the  
21 punishment. I mean, if he -- if his punishment's going to be  
22 very light and the punishment these gentlemen are facing is  
23 substantial, but that seems to me like that would be an easy  
24 way to get out of trouble.

25 MS. MERCER: Okay.

1 PROSPECTIVE JUROR NO. 019: And it would be hard to  
2 take what he had to say -- what he has to say in account  
3 wholeheartedly from where I sit.

4 MS. MERCER: Would you also be interested in  
5 knowing his role in the crimes?

6 PROSPECTIVE JUROR NO. 019: Certainly, I'm willing  
7 to hear the whole thing and be fair and impartial and do all  
8 the things that the judge asked early on. But again, that's  
9 something when you brought it up it up, it didn't occur to me  
10 until after you started talking about the next thing that it  
11 would be a factor for me. I would want to know that going  
12 in.

13 MS. MERCER: I'm trying to --

14 PROSPECTIVE JUROR NO. 019: What was offered to  
15 him.

16 MS. MERCER: I'm trying to figure out how to phrase  
17 my next question.

18 PROSPECTIVE JUROR NO. 019: Okay.

19 MS. MERCER: Give me a second.

20 PROSPECTIVE JUROR NO. 019: That's all right.

21 MS. MERCER: Do you believe that oftentimes there  
22 are different levels of culpability? In other words, one  
23 defendant might deserve more punishment than another?

24 PROSPECTIVE JUROR NO. 019: I've heard of instances  
25 where -- in fact, a gentleman I knew, son was involved in

1 something similar, and he didn't even know that other guys  
2 were going to go rob the place, according could him.

3 MS. MERCER: I mean --

4 PROSPECTIVE JUROR NO. 019: He was riding in the  
5 car so now he's involved.

6 MS. MERCER: What --

7 PROSPECTIVE JUROR NO. 019: And he did serious  
8 time.

9 MS. MERCER: So he was the driver?

10 PROSPECTIVE JUROR NO. 019: Yeah.

11 MS. MERCER: Okay. Do you know how many incidents  
12 he was involved in?

13 PROSPECTIVE JUROR NO. 019: I don't know. It was  
14 just somebody I knew along the way. I'm not even in contact  
15 with him anymore, but at one point in my life I remember that  
16 had a big impact that he was the father, and watched his son  
17 go through that believing what his son told him, that he  
18 didn't know that they were going to do it. You know, what  
19 the truth was.

20 MS. MERCER: Okay.

21 PROSPECTIVE JUROR NO. 019: But -- but again, I --  
22 I would just want to understand if somebody got off with  
23 probation and somebody else is looking at some substantial  
24 time, that seems to me like that would be, you know, the easy  
25 thing to do and how much it would -- when he says could you

1 believe, if he's buying his freedom --

2 MS. MERCER: Okay.

3 PROSPECTIVE JUROR NO. 019: -- with -- that's  
4 basically capital. It's troubling.

5 MS. MERCER: Okay. Anyone else? I think somebody  
6 -- ma'am, you had your hand up. Or you were agreeing with  
7 something that he said?

8 PROSPECTIVE JUROR NO. 023: I was agreeing with  
9 him.

10 MS. MERCER: Could you pass the microphone down to  
11 her.

12 PROSPECTIVE JUROR NO. 019: Sure.

13 MS. MERCER: And if you could state your name and  
14 badge number for the record, please.

15 PROSPECTIVE JUROR NO. 023: Lori Owen, No. 23. I  
16 was agreeing with him because I think everybody would want to  
17 know what his role was in this.

18 MS. MERCER: What other factors would you look at  
19 in determining the credibility of his testimony?

20 PROSPECTIVE JUROR NO. 023: I'd have to hear his  
21 side of the story of why he was put -- you know, is giving  
22 testimony as opposed -- like exactly what he was saying, that  
23 why he was giving testimony against them as opposed to being,  
24 you know, being prosecuted for the crime.

25 MS. MERCER: And what if other evidence was

1 consistent with his testimony, would you --

2 PROSPECTIVE JUROR NO. 023: Yeah, if there was  
3 evidence that was consistent, but I think we need to hear the  
4 story of, you know, what was going on with him.

5 MS. MERCER: Okay. Thank you. Did anyone else  
6 have anything to add with regards to that line of  
7 questioning? Is there anyone here who for whatever reason  
8 has a distrust of law enforcement?

9 UNIDENTIFIED SPEAKER: Could you speak up, please?

10 MS. MERCER: I'm sorry. Is there anyone here that  
11 for any reason whatsoever has a distrust of law enforcement?  
12 And there are no hands raised.

13 Is there anyone here that has ever had an extremely  
14 negative experience with law enforcement? I'm not talking  
15 about a traffic ticket where you've got into an argument with  
16 the highway patrol officer that pulled you over, but is there  
17 anyone here that's ever had a negative interaction with law  
18 enforcement, a serious one? There are no hands raised.

19 Is there anyone here that believes that crime scene  
20 analysts and law enforcement should recover DNA or  
21 fingerprints from every single crime scene?

22 UNIDENTIFIED SPEAKER: Say that again, please.

23 MS. MERCER: Is there anyone here that believes  
24 that law enforcement or crime scene analysts should be able  
25 to recover fingerprints or DNA at every single crime scene?

1 THE MARSHAL: Right here.

2 MS. MERCER: And that Mr. Gaeta again.

3 PROSPECTIVE JUROR NO. 019: No. 19 --

4 MS. MERCER: No. 19.

5 PROSPECTIVE JUROR NO. 019: -- Vincent Gaeta. I  
6 believe it should be consistent. I mean, I think there's a  
7 certain amount of due diligence. If there's video graphic  
8 evidence or eyewitnesses, you know, and the perpetrator --  
9 the alleged perpetrators aren't wearing gloves and -- or  
10 touching things, I think that certainly is another layer of  
11 evidence that if they were able to recover it, it should have  
12 been, and I would kind of have a hard time if it got close, I  
13 would hold that against them for not doing it.

14 MS. MERCER: Okay. You said as long as they  
15 weren't wearing gloves. If they were wearing gloves, would  
16 you expect them to recover fingerprints or DNA from the crime  
17 scene?

18 PROSPECTIVE JUROR NO. 019: I would -- that would  
19 be an exception.

20 MS. MERCER: And you wouldn't hold it against --

21 PROSPECTIVE JUROR NO. 019: I would not --

22 MS. MERCER: -- the police --

23 PROSPECTIVE JUROR NO. 019: I would not, no.

24 MS. MERCER: Okay.

25 PROSPECTIVE JUROR NO. 019: But if -- but if the

1 opportunity was that there's possibly something there, they  
2 should do their utmost. It's a matter of due diligence.  
3 Something you do in business.

4 MS. MERCER: Because it's important?

5 PROSPECTIVE JUROR NO. 019: It's important. It's  
6 -- it's another, you know, if you're sewing up case, it's one  
7 more stitch --

8 MS. MERCER: Okay.

9 PROSPECTIVE JUROR NO. 019: -- that would give me  
10 comfort in making a decision one way or the other, certainly.

11 MS. MERCER: Were there any other hands raised?  
12 Mr. Burns. Badge No. 56.

13 PROSPECTIVE JUROR NO. 056: Yes. Yes, ma'am.  
14 William Burns, Badge 56. I guess, I feel like he would be.  
15 It would depend on the determination of was it -- it just  
16 wasn't done or, I mean, if it's something that there's 500  
17 prints, then obviously, no.

18 I mean, I guess, did they try and just not able to  
19 obtain it or did they just not even try?

20 MS. MERCER: Okay.

21 PROSPECTIVE JUROR NO. 056: That would be the  
22 determination. If it was not ever tried, then I might  
23 question it but --

24 MS. MERCER: And --

25 PROSPECTIVE JUROR NO. 056: -- if they tried and

1 weren't obtain something, I mean, that's just -- you can't  
2 always obtain everything so --

3 MS. MERCER: Well, I'm going to ask you the same  
4 question I asked him, the same follow-up question. What if  
5 they were wearing gloves, would you expect the law  
6 enforcement officers to bring in fingerprints or DNA?

7 PROSPECTIVE JUROR NO. 056: If they knew for sure  
8 they were wearing gloves?

9 MS. MERCER: Yes. Like they had it on video that  
10 they were wearing gloves?

11 PROSPECTIVE JUROR NO. 056: No. I mean, if they  
12 know there's no way they'll obtain it, no. But if they don't  
13 know it -- if they're not sure 300 percent, then try. I  
14 mean, not saying you're always going to get the print but at  
15 least try.

16 MS. MERCER: Right. Okay. Not an unrealistic  
17 expectation.

18 PROSPECTIVE JUROR NO. 056: Okay.

19 MS. MERCER: Thank you. Anyone else?

20 (Pause in the proceedings)

21 PROSPECTIVE JUROR NO. 012: 12. Concur with both  
22 of those statements. If they can do it and it's possible, I  
23 would hope they would do it.

24 MS. MERCER: And that's Ms. Green --

25 PROSPECTIVE JUROR NO. 012: Greenhough.



1 MS. MERCER: And with --

2 PROSPECTIVE JUROR NO. 012: 12.

3 MS. MERCER: Did someone else speak up back here?

4 PROSPECTIVE JUROR NO. 014: No. 14, Scott Young. I  
5 agree.

6 MS. MERCER: Okay.

7 (Pause in the proceedings)

8 MS. MERCER: Jim, can we get them the microphone.  
9 She didn't -- if you could give it to Ms. Greenhough.

10 PROSPECTIVE JUROR NO. 012: Judy Greenhough, 12.

11 MS. MERCER: If you could just repeat your  
12 response.

13 PROSPECTIVE JUROR NO. 012: Just agreeing with both  
14 of those gentlemen that if it's -- if it's -- I'm not saying  
15 it's a prerequisite, but if -- if it's something they could  
16 have done, I would hope they would have. I don't know that  
17 it's mandatory that they have it, but I would like to -- I  
18 would hope they would get that kind of evidence if it's  
19 possible.

20 MS. MERCER: And if the police knew that the  
21 suspects were wearing gloves, would you expect them to  
22 recover fingerprints or DNA under those circumstances?

23 PROSPECTIVE JUROR NO. 012: If they knew they had  
24 gloves on the whole time, no.

25 MS. MERCER: Thank you.

1 PROSPECTIVE JUROR NO. 012: I don't know how they  
2 would know that, but they might. Then I could live with  
3 that.

4 MS. MERCER: Thank you. And if could you pass it  
5 to Mr. Young.

6 PROSPECTIVE JUROR NO. 014: Scott Young, No. 14.

7 MS. MERCER: You just agree with --

8 PROSPECTIVE JUROR NO. 014: No, I agree with  
9 everything they've said. Just as long as they have the  
10 expectation like coming in, okay, let's see if we can recover  
11 any DNA, fingerprints. But obviously, if they're looking at  
12 the cameras to see the scenario, then that will answer the  
13 question if they'll be able to recover evidence of that sort.

14 MS. MERCER: Thank you, sir. Did anyone else have  
15 anything to add? And I have kind of a catch-all question.  
16 You've been asked a lot of questions today. Is there  
17 anything that we haven't asked you about that you think we  
18 should know about you in assessing whether or not you would  
19 be a good juror for this case? And that's directed at the  
20 first 36. If you could --

21 PROSPECTIVE JUROR NO. 058: I think --

22 MS. MERCER: Could you state your name and badge  
23 number?

24 PROSPECTIVE JUROR NO. 058: Oh, Nitin Luhar, Badge  
25 No. 058. In the processing yesterday we were asked a

1 challenges at the bench, right?

2 THE COURT: What's that?

3 MS. MERCER: You want for cause challenges at the  
4 bench, right?

5 THE COURT: Yeah, from this point on.

6 MS. MERCER: Okay.

7 THE COURT: I'll have you come up here and then  
8 because what we look at is if you have no objection then I do  
9 it. If you have an objection then during a break you'd put  
10 it on the record what I'm going to -- deciding what I do.

11 MS. MERCER: Okay.

12 THE COURT: Okay?

13 MR. TANASI: Understood.

14 THE COURT: All right. Okay, Jim, go ahead and  
15 bring them in. All right.

16 (Pause in the proceedings)

17 (In the presence of the prospective jurors)

18 THE MARSHAL: Please be seated. Department 19 is  
19 back in session.

20 THE COURT: Okay. Ladies and gentlemen, we're back  
21 on the record in C-303022, State of Nevada versus Tony Hobson  
22 and Brandon Starr. I'd like the record to reflect the  
23 presence of the State and their counsel, the defendant and  
24 their counsel and all members of the prospective jury panel.  
25 Will the parties stipulate to the prospective jury panel?

1 MS. MERCER: Yes, Your Honor.

2 MR. TANASI: Yes, Your Honor.

3 THE COURT: Okay. Where we left off, I was asking  
4 some questions generally of the group that we're going to be  
5 seeking on at this time.

6 So the next one in line is Charles Worth.

7 Mr. Worth -- Jim, can you give Mr. Worth -- oh, you have it?

8 PROSPECTIVE JUROR NO. 106: Yeah.

9 THE COURT: Okay. Mr. Worth, how long have you  
10 been in Las Vegas?

11 PROSPECTIVE JUROR NO. 106: Twenty-five years.

12 THE COURT: Okay. And are you employed, sir?

13 PROSPECTIVE JUROR NO. 106: I am.

14 THE COURT: What do you do for work?

15 PROSPECTIVE JUROR NO. 106: I'm an instructor at  
16 College of Southern Nevada.

17 THE COURT: And how high did you get in your  
18 education?

19 PROSPECTIVE JUROR NO. 106: Bachelor's.

20 THE COURT: In what area?

21 PROSPECTIVE JUROR NO. 106: Emergency services  
22 administration.

23 THE COURT: Okay. Are you married, sir?

24 PROSPECTIVE JUROR NO. 106: Yes.

25 THE COURT: Does your spouse work?

1 PROSPECTIVE JUROR NO. 106: She does. She's a  
2 baker.

3 THE COURT: She's a baker?

4 PROSPECTIVE JUROR NO. 106: Baker.

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

6 PROSPECTIVE JUROR NO. 106: One.

7 THE COURT: How old?

8 PROSPECTIVE JUROR NO. 106: Two.

9 THE COURT: Okay. And have you ever served as a  
10 juror before?

11 PROSPECTIVE JUROR NO. 106: No.

12 THE COURT: Okay. Can you pass it over to, is it  
13 Hernan Rios.

14 PROSPECTIVE JUROR NO. 124: Yes, sir.

15 THE COURT: Okay. Mr. Rios is Badge No. 124. How  
16 long have you been in Las Vegas?

17 PROSPECTIVE JUROR NO. 124: All my life, 20 years.

18 THE COURT: Okay. And are you employed, sir?

19 PROSPECTIVE JUROR NO. 124: Yes.

20 THE COURT: What do you do for work?

21 PROSPECTIVE JUROR NO. 124: Banquet -- banquet  
22 worker at the California.

23 THE COURT: Okay. And how high did you get in your  
24 education?

25 PROSPECTIVE JUROR NO. 124: Currently in school.

1 THE COURT: What are you studying?

2 PROSPECTIVE JUROR NO. 124: Electrical engineering.

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

4 PROSPECTIVE JUROR NO. 124: No.

5 THE COURT: Do you have any children?

6 PROSPECTIVE JUROR NO. 124: No.

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

8 PROSPECTIVE JUROR NO. 124: No, sir.

9 THE COURT: Okay, thank you, Mr. Rios. Mr. Rios,  
10 could you hand that to Gretchen Eisenman.

11 PROSPECTIVE JUROR NO. 132: Yeah.

12 THE COURT: Did I say it right?

13 PROSPECTIVE JUROR NO. 132: Yeah.

14 THE COURT: Ms. Eisenman is Badge 132. Ma'am, how  
15 long have you been in Las Vegas?

16 PROSPECTIVE JUROR NO. 132: About four years.

17 THE COURT: Four years?

18 PROSPECTIVE JUROR NO. 132: Um-h'm.

19 THE COURT: Where are you from originally?

20 PROSPECTIVE JUROR NO. 132: Massachusetts.

21 THE COURT: Okay. And are you employed, ma'am?

22 PROSPECTIVE JUROR NO. 132: Yes.

23 THE COURT: What do you do for work?

24 PROSPECTIVE JUROR NO. 132: I work at Le Reve, The  
25 Dream, the show at the Wynn. I'm in the costume department.

1 THE COURT: Okay. And how high did you get in your  
2 education?

3 PROSPECTIVE JUROR NO. 132: I have a master's  
4 degree.

5 THE COURT: In?

6 PROSPECTIVE JUROR NO. 132: My undergraduate degree  
7 is in drama. My master's is in English literature,  
8 specializing in Shakespeare and his contemporaries.

9 THE COURT: Okay. And are you married, ma'am?

10 PROSPECTIVE JUROR NO. 132: No.

11 THE COURT: Do you have any children?

12 PROSPECTIVE JUROR NO. 132: No.

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

14 PROSPECTIVE JUROR NO. 132: Yes.

15 THE COURT: How many times?

16 PROSPECTIVE JUROR NO. 132: Once.

17 THE COURT: Was it here in Las Vegas?

18 PROSPECTIVE JUROR NO. 132: No, it was in  
19 Massachusetts.

20 THE COURT: And do you remember if it was a  
21 criminal or a civil matter?

22 PROSPECTIVE JUROR NO. 132: It was a civil.

23 THE COURT: And were you the foreperson in that  
24 matter?

25 PROSPECTIVE JUROR NO. 132: No.

1 THE COURT: Without telling us what the jury  
2 verdict was, were you able to reach a verdict?

3 PROSPECTIVE JUROR NO. 132: Yes.

4 THE COURT: And is there anything about that  
5 experience you believe that would affect your ability to be  
6 fair and impartial in this matter?

7 PROSPECTIVE JUROR NO. 132: No.

8 THE COURT: Okay, thank you.

9 PROSPECTIVE JUROR NO. 132: Yep.

10 THE COURT: All right. Next juror is Bryce Gines.

11 PROSPECTIVE JUROR NO. 139: Gines, Your Honor.

12 THE COURT: Is it Gines?

13 PROSPECTIVE JUROR NO. 139: Gines.

14 THE COURT: Gines. And his badge number is.  
15 Mr. Gines, how long have you been in Las Vegas?

16 PROSPECTIVE JUROR NO. 139: Twenty-eight years.  
17 Grew up in southern Idaho.

18 THE COURT: Okay. Are you employed, sir?

19 PROSPECTIVE JUROR NO. 139: Yes. I'm a school  
20 counselor with Clark County School District.

21 THE COURT: Okay. And how far did you get in your  
22 education?

23 PROSPECTIVE JUROR NO. 139: Master's degree.

24 THE COURT: In education?

25 PROSPECTIVE JUROR NO. 139: Educational psychology,



1 school counseling.

2 THE COURT: Okay. And are you married?

3 PROSPECTIVE JUROR NO. 139: Yes. My wife and I  
4 have six children.

5 THE COURT: How old are your children?

6 PROSPECTIVE JUROR NO. 139: I thought you might  
7 ask. We have -- our oldest daughter is 32, she's a  
8 stay-at-home ma'am. They live in California. Our  
9 30-year-old son works as a range safety officer at Pro Gun  
10 Club. Our son, Steven is active duty Navy, U.S.S. Alabama  
11 submarine. He's 28. Our son, Brian, 26, is Air Force  
12 Reserves on orders right now at Nellis. We have twins,  
13 20-year-olds. One has finished his church mission. He's  
14 with us looking for a job. The other's in Brazil on her  
15 church mission.

16 THE COURT: Okay. Does your spouse work?

17 PROSPECTIVE JUROR NO. 139: Yes. She also works  
18 for Clark County School District. She is an attendance  
19 clerk.

20 THE COURT: Okay. And have you ever served as a  
21 juror before, sir?

22 PROSPECTIVE JUROR NO. 139: No, sir.

23 THE COURT: Okay, thank you. Can you pass that to  
24 Janet Swanson-Sulerud.

25 PROSPECTIVE JUROR NO. 147: Sulerud.

1 THE COURT: Ms. Sulerud is Badge No. 147. How long  
2 have you been in Las Vegas, ma'am?

3 PROSPECTIVE JUROR NO. 147: Ten years part-time.

4 THE COURT: And where are you from originally?

5 PROSPECTIVE JUROR NO. 147: Minnesota.

6 THE COURT: And are you employed?

7 PROSPECTIVE JUROR NO. 147: I'm retired.

8 THE COURT: What did you retire from?

9 PROSPECTIVE JUROR NO. 147: I was an insurance  
10 agency owner.

11 THE COURT: Okay. And how high did you get in your  
12 education?

13 PROSPECTIVE JUROR NO. 147: Bachelor's.

14 THE COURT: In?

15 PROSPECTIVE JUROR NO. 147: Education.

16 THE COURT: And are you married?

17 PROSPECTIVE JUROR NO. 147: I am.

18 THE COURT: Does your spouse work?

19 PROSPECTIVE JUROR NO. 147: He's retired?

20 THE COURT: What did he retire from?

21 PROSPECTIVE JUROR NO. 147: Firefighter.

22 THE COURT: And do you have any children?

23 PROSPECTIVE JUROR NO. 147: I have two.

24 THE COURT: How old?

25 PROSPECTIVE JUROR NO. 147: Thirty-nine and 35.

1 THE COURT: Do they work?

2 PROSPECTIVE JUROR NO. 147: Yes.

3 THE COURT: Can you tell me what they do?

4 PROSPECTIVE JUROR NO. 147: Real estate and  
5 international gaming technology headquarters.

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

8 PROSPECTIVE JUROR NO. 147: No.

9 THE COURT: Okay, thank you very much. Can you  
10 pass it to, is it Jerry Eldridge?

11 PROSPECTIVE JUROR NO. 154: Yes.

12 THE COURT: Mr. Eldridge is Badge 154. How long  
13 have you been in Las Vegas?

14 PROSPECTIVE JUROR NO. 154: Twenty-two years.

15 THE COURT: And are you employed?

16 PROSPECTIVE JUROR NO. 154: Yes.

17 THE COURT: What do you do for work?

18 PROSPECTIVE JUROR NO. 154: I work for Clark County  
19 RPM, Real Property Management.

20 THE COURT: Okay. And how high did you get in your  
21 education?

22 PROSPECTIVE JUROR NO. 154: High school.

23 THE COURT: And are you married?

24 PROSPECTIVE JUROR NO. 154: No.

25 THE COURT: Do you have any children?

1 PROSPECTIVE JUROR NO. 154: Yes.

2 THE COURT: How many?

3 PROSPECTIVE JUROR NO. 154: One.

4 THE COURT: How old?

5 PROSPECTIVE JUROR NO. 154: Thirty-two years old.

6 THE COURT: And does the child work?

7 PROSPECTIVE JUROR NO. 154: Yes.

8 THE COURT: What does he or she do?

9 PROSPECTIVE JUROR NO. 154: He's a bartender in  
10 California, Indian Casino.

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

13 PROSPECTIVE JUROR NO. 154: No.

14 THE COURT: Okay, thank you. All right. The next  
15 juror in line is Heather Hedrick.

16 PROSPECTIVE JUROR NO. 175: Yep.

17 THE COURT: Badge No. 175. Ms. Hedrick, how long  
18 have you been in Las Vegas?

19 PROSPECTIVE JUROR NO. 175: About 17 years.

20 THE COURT: And are you employed, ma'am?

21 PROSPECTIVE JUROR NO. 175: Yes.

22 THE COURT: What do you do for work?

23 PROSPECTIVE JUROR NO. 175: I'm a sales associate  
24 at Quiltique.

25 THE COURT: At Polte?

1 PROSPECTIVE JUROR NO. 175: Quiltique.

2 THE COURT: Quiltique. Okay. How high did you get  
3 in your education?

4 PROSPECTIVE JUROR NO. 175: I have five years trade  
5 school for cosmetology.

6 THE COURT: Okay. And are you married?

7 PROSPECTIVE JUROR NO. 175: Yes.

8 THE COURT: Does your spouse work?

9 PROSPECTIVE JUROR NO. 175: Yes.

10 THE COURT: What does your spouse do?

11 PROSPECTIVE JUROR NO. 175: He's a CPA for Advanced  
12 Management Group.

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

14 PROSPECTIVE JUROR NO. 175: Yes, two.

15 THE COURT: How old are your children?

16 PROSPECTIVE JUROR NO. 175: Seven and nine.

17 THE COURT: Okay. And have you ever served as a  
18 juror before, ma'am?

19 PROSPECTIVE JUROR NO. 175: No.

20 THE COURT: Okay. Thank you. Can you pass it to  
21 Exazavion Baugus.

22 PROSPECTIVE JUROR NO. 004: Yeah.

23 THE COURT: Did I say that right?

24 PROSPECTIVE JUROR NO. 004: Yeah, you said it  
25 right.

1 THE COURT: Okay. Mr. Baugus, how long have you  
2 been in Las Vegas?

3 PROSPECTIVE JUROR NO. 004: Twenty-six years.

4 THE COURT: Okay. And are you employed, sir?

5 PROSPECTIVE JUROR NO. 004: Yeah.

6 THE COURT: What do you do for work?

7 PROSPECTIVE JUROR NO. 004: General labor foreman  
8 for a solar plant.

9 THE COURT: Solar plant?

10 PROSPECTIVE JUROR NO. 004: Yeah.

11 THE COURT: Okay. And is it the one out --

12 PROSPECTIVE JUROR NO. 004: It's by the Valley of  
13 Fire in Moapa.

14 THE COURT: Oh, okay. And how high did you get in  
15 you are education?

16 PROSPECTIVE JUROR NO. 004: Almost two years.

17 THE COURT: In?

18 PROSPECTIVE JUROR NO. 004: Veterinary technology.

19 THE COURT: Okay. Are you married?

20 PROSPECTIVE JUROR NO. 004: No.

21 THE COURT: Do you have any children?

22 PROSPECTIVE JUROR NO. 004: Two.

23 THE COURT: How --

24 PROSPECTIVE JUROR NO. 004: Five and seven.

25 THE COURT: Okay. And have you ever served as a

1 juror before, sir?

2 PROSPECTIVE JUROR NO. 004: No.

3 THE COURT: Thank you. The next juror is Virginia  
4 Plank.

5 PROSPECTIVE JUROR NO. 011: Correct.

6 THE COURT: Badge 011.

7 PROSPECTIVE JUROR NO. 011: Correct.

8 THE COURT: Ms. Plank, how long have you been in  
9 Las Vegas?

10 PROSPECTIVE JUROR NO. 011: Sixty-two years.

11 THE COURT: And are you employed, ma'am?

12 PROSPECTIVE JUROR NO. 011: Yes, I am.

13 THE COURT: What do you do for work?

14 PROSPECTIVE JUROR NO. 011: I'm a cashier at Home  
15 Depot.

16 THE COURT: Okay. And how high did you get in your  
17 are education?

18 PROSPECTIVE JUROR NO. 011: High school.

19 THE COURT: And are you married?

20 PROSPECTIVE JUROR NO. 011: No.

21 THE COURT: Do you have any children?

22 PROSPECTIVE JUROR NO. 011: Yes, I do. I have two  
23 boys.

24 THE COURT: How old are they?

25 PROSPECTIVE JUROR NO. 011: They are 42 and 40.

1 THE COURT: Can you tell me what they do for work?

2 PROSPECTIVE JUROR NO. 011: The older one owns his  
3 own architecture company. And the younger one is a buyer for  
4 Wynn.

5 THE COURT: Okay. Have you ever served as a juror  
6 before, ma'am?

7 PROSPECTIVE JUROR NO. 011: No.

8 THE COURT: Okay. Thank you very much. Can you  
9 pass it to Judith, is it Greenhough?

10 PROSPECTIVE JUROR NO. 012: Greenhough.

11 THE COURT: Okay. Ms. Greenhough is Badge 012.  
12 How long have you been in Las Vegas?

13 PROSPECTIVE JUROR NO. 012: About 14 and a half  
14 years.

15 THE COURT: Okay. And where are you from  
16 originally?

17 PROSPECTIVE JUROR NO. 012: Born in Jamestown, New  
18 York. Moved here from Kennett Square, Pennsylvania.

19 THE COURT: Okay. Are you employed?

20 PROSPECTIVE JUROR NO. 012: I did 1099 work for a  
21 local company. Been with them for 12 years now. I'm like  
22 the public outreach. They have people all over the world on  
23 a spiritual healing technology program. So I do a lot of  
24 consulting work on the phone and via e-mail transferring  
25 information to them from the company to them.



1 THE COURT: Okay. How high did you get in  
2 education?

3 PROSPECTIVE JUROR NO. 012: BS BA accounting and  
4 management.

5 THE COURT: Okay. And are you married as if.

6 PROSPECTIVE JUROR NO. 012: Divorced for 13 years.

7 THE COURT: Do you have any children?

8 PROSPECTIVE JUROR NO. 012: Four step-kids. All  
9 grown, some more mature than others. I stuck with cats.

10 THE COURT: Okay. All right. I'm not going to  
11 touch that one.

12 PROSPECTIVE JUROR NO. 012: Just to summarize. I  
13 know the ages and everything and I love them. I pretty much  
14 brought them up. They're all in Florida --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 012: -- where my ex is.

17 THE COURT: All right. So have you ever served as  
18 a juror before?

19 PROSPECTIVE JUROR NO. 012: Just through this  
20 process about this far about seven years ago here.

21 THE COURT: Okay. So you never --

22 PROSPECTIVE JUROR NO. 012: It wasn't so much --

23 THE COURT: -- made it on a jury, just got -- okay.

24 JUROR NO. 012: Wasn't selected, no, sir.

25 THE COURT: Okay. All right, thank you. Can you

1 pass it to Scott Young.

2 PROSPECTIVE JUROR NO. 014: Yes, sir.

3 THE COURT: Mr. Young, how long have you been in  
4 Las Vegas?

5 PROSPECTIVE JUROR NO. 014: Twenty-seven years.

6 THE COURT: And are you employed now?

7 PROSPECTIVE JUROR NO. 014: Yes, sir.

8 THE COURT: What do you do for work?

9 PROSPECTIVE JUROR NO. 014: I coordinate adult  
10 sports leagues for City of Henderson.

11 THE COURT: Okay. And how high did you get in you  
12 are education, then?

13 PROSPECTIVE JUROR NO. 014: I made it all the  
14 course work for gaming management; however, I did never  
15 complete the work experience required because I took my  
16 current job as a full-time job.

17 THE COURT: Okay. Are you married?

18 PROSPECTIVE JUROR NO. 014: Yes, sir.

19 THE COURT: And what does your spouse do?

20 PROSPECTIVE JUROR NO. 014: She works at a front  
21 desk at one of the rec centers part-time.

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

23 PROSPECTIVE JUROR NO. 014: We've got one on the  
24 way end of June.

25 THE COURT: Oh, well, congratulations.

1 PROSPECTIVE JUROR NO. 014: Thank you, sir.

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

4 PROSPECTIVE JUROR NO. 014: No, sir.

5 THE COURT: All right, thank you. Can you pass it  
6 to Dustin Bigelow.

7 PROSPECTIVE JUROR NO. 019: Yes, sir.

8 THE COURT: Mr. Bigelow, how long have you been in  
9 Las Vegas?

10 PROSPECTIVE JUROR NO. 019: Sixteen years.

11 THE COURT: Where are you from originally?

12 PROSPECTIVE JUROR NO. 019: Dallas, Texas.

13 THE COURT: Okay. Are you employed, sir?

14 PROSPECTIVE JUROR NO. 019: Yes, sir.

15 THE COURT: What do you do for work?

16 PROSPECTIVE JUROR NO. 019: Stratosphere Casino,  
17 food and beverage management.

18 THE COURT: Okay. And how high did you get in your  
19 are education?

20 PROSPECTIVE JUROR NO. 019: Three years college.

21 THE COURT: What were you studying?

22 PROSPECTIVE JUROR NO. 019: Landscape design.

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

24 PROSPECTIVE JUROR NO. 019: No.

25 THE COURT: Do you have any children?

1 PROSPECTIVE JUROR NO. 019: No.

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

3 PROSPECTIVE JUROR NO. 019: Yes.

4 THE COURT: How many times?

5 PROSPECTIVE JUROR NO. 019: One time in Dallas,

6 Dallas County.

7 THE COURT: Was it a criminal or civil matter?

8 PROSPECTIVE JUROR NO. 019: Criminal.

9 THE COURT: And were you the jury foreman?

10 PROSPECTIVE JUROR NO. 019: Yes.

11 THE COURT: Without telling us what the verdict  
12 was, were you able to reach a verdict?

13 PROSPECTIVE JUROR NO. 019: Yes.

14 THE COURT: Okay. Was there anything about that  
15 experience you believe that would affect your ability to be  
16 fair and impartial in this matter?

17 PROSPECTIVE JUROR NO. 019: No.

18 THE COURT: Okay. All right, thank you. Okay.

19 For the whole group here, the ones I just spoke up to  
20 Mr. Bigelow, by a show of hands have you or anyone close to  
21 you such as a family member or friend ever been a victim of a  
22 crime? Not just reported a crime, but was actually the  
23 victim of a crime? Okay. All right. Okay, we'll get to  
24 you. Okay.

25 PROSPECTIVE JUROR NO. 003: Carole Halford, Badge

1 No. 3.

2 THE COURT: Okay. When was it?

3 PROSPECTIVE JUROR NO. 003: About ten years ago my  
4 uncle was mugged in New York City very badly. Traumatized  
5 him. He was robbed.

6 THE COURT: Okay. Were you there with him?

7 PROSPECTIVE JUROR NO. 003: No.

8 THE COURT: Okay. Do you believe there's anything  
9 about that experience and what you've talked to your uncle  
10 about that you believe would affect your ability to be fair  
11 and impartial in this matter?

12 PROSPECTIVE JUROR NO. 003: No, sir.

13 THE COURT: Okay. Anything else, Ms. Halford?

14 PROSPECTIVE JUROR NO. 003: Yeah, the -- I worked  
15 for the DA's Office --

16 THE COURT: Uh-huh.

17 PROSPECTIVE JUROR NO. 003: -- and for about --

18 THE COURT: You currently work for the DA's Office?

19 PROSPECTIVE JUROR NO. 003: No, I did.

20 THE COURT: The DA's Office here?

21 PROSPECTIVE JUROR NO. 003: No, in Albuquerque.

22 THE COURT: Okay. And I worked in robbery and the  
23 drug department.

24 PROSPECTIVE JUROR NO. 003: I worked for two  
25 assistant district attorneys.

1 THE COURT: How long were you with the  
2 Albuquerque's DA's Office?

3 PROSPECTIVE JUROR NO. 003: Three years.

4 THE COURT: And what did you do for them?

5 PROSPECTIVE JUROR NO. 003: I was secretary to --  
6 two assistant DAs.

7 THE COURT: Okay. Is there anything about that  
8 experience and knowing and seeing what was happening in  
9 Albuquerque you believe that would affect your ability to be  
10 fair and impartial in this matter?

11 PROSPECTIVE JUROR NO. 003: It might since --  
12 yeah --

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 003: -- working in the DA's  
15 Office, people who are arrested were guilty. Then you tried  
16 to get them, you know, sentenced. So there might be -- I  
17 might be partial to that.

18 THE COURT: Okay. Well, you understand as our  
19 principles of justice, as the defendants sit here now,  
20 they're presumed innocent?

21 PROSPECTIVE JUROR NO. 003: I know.

22 THE COURT: Okay. And surely, in the Albuquerque's  
23 DA's Office there was times where the DA was unable to prove  
24 their case; is that correct?

25 PROSPECTIVE JUROR NO. 003: That's true. Couple

1 times they did.

2 THE COURT: Okay. So okay, well, they'll probably  
3 have some more questions asked as a result, okay?

4 PROSPECTIVE JUROR NO. 003: Okay.

5 THE COURT: All right, thank you. Anyone else in  
6 the back row? All right. Okay.

7 PROSPECTIVE JUROR NO. 007: Susan Miller, 007.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 007: Our business was robbed  
10 twice.

11 THE COURT: Your businesses?

12 PROSPECTIVE JUROR NO. 007: Yes, our business. The  
13 same business, the same location twice. Once three and a  
14 half years ago and then about eight -- about 18 months ago.

15 THE COURT: Okay. Were you there when it happened?

16 PROSPECTIVE JUROR NO. 007: No, sir.

17 THE COURT: Okay. And did they catch anybody?

18 PROSPECTIVE JUROR NO. 007: No, sir.

19 THE COURT: And that's here in Las Vegas, right?

20 PROSPECTIVE JUROR NO. 007: Yes, in Las Vegas.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 007: And --

23 THE COURT: So --

24 PROSPECTIVE JUROR NO. 007: -- we even had it an  
25 camera but --

1 THE COURT: They weren't able to catch anybody?

2 PROSPECTIVE JUROR NO. 007: Nothing happened.

3 THE COURT: All right. Did you actually have the  
4 -- did the police actually come out and speak to you about  
5 it?

6 PROSPECTIVE JUROR NO. 007: Oh, yes.

7 THE COURT: And they actually assigned maybe a  
8 detective to the case?

9 PROSPECTIVE JUROR NO. 007: Yes, we had to fill out  
10 reports.

11 THE COURT: Okay. And but have you -- you don't  
12 know whether or not they caught anybody or --

13 PROSPECTIVE JUROR NO. 007: They never caught  
14 anybody.

15 THE COURT: Okay. Is there anything about that  
16 experience and the fact that they weren't able to catch  
17 anybody that you would believe you would hold it against  
18 either of the parties here?

19 PROSPECTIVE JUROR NO. 007: Well, I couldn't hold  
20 it against them; however, the fact that, you know, we even  
21 got the shot of the license plate, I was kind of disappointed  
22 that they weren't able to do something.

23 THE COURT: So maybe your disappointment would be  
24 the -- with the police or the --

25 PROSPECTIVE JUROR NO. 007: Yeah.



1 THE COURT: -- prosecuting agency here?

2 PROSPECTIVE JUROR NO. 007: Afraid so.

3 THE COURT: So you would -- you think you couldn't  
4 put that out of your mind and you would hold that --

5 PROSPECTIVE JUROR NO. 007: Of course, I could.

6 THE COURT: You would like hold it against them  
7 knowing that has nothing to do with that case?

8 PROSPECTIVE JUROR NO. 007: Of -- no, I would not  
9 do that.

10 THE COURT: You would not do what?

11 PROSPECTIVE JUROR NO. 007: Hold it against anybody  
12 else here.

13 THE COURT: Okay. All right. Well, let me ask you  
14 this, if you were seated in either the State's position or  
15 either the defendants' here's position, would you want 12  
16 jurors with your same frame of mind seated on your jury?

17 PROSPECTIVE JUROR NO. 007: Absolutely not.

18 THE COURT: Absolutely not?

19 PROSPECTIVE JUROR NO. 007: Well, not -- if I was  
20 going to -- if, you know, I had to hold a grudge, but I'm --  
21 I wouldn't.

22 THE COURT: Okay. Well, then let me ask the  
23 question again, and I don't know if you understand it.

24 PROSPECTIVE JUROR NO. 007: Okay. Maybe I didn't  
25 hear.

1 THE COURT: My question is if you're seated -- if  
2 you're one of the prosecutors or you're one of the defendants  
3 here or the defense attorneys, would you want 12 people with  
4 your same frame of mind -- I don't know your frame of mind.  
5 You know your frame of mind. Would you want 12 people seated  
6 as jurors with your same frame of mind, if you're either one  
7 of these parties?

8 PROSPECTIVE JUROR NO. 007: Probably not.

9 THE COURT: Which side?

10 PROSPECTIVE JUROR NO. 007: I'll say not.

11 THE COURT: I know, you said you probably would  
12 not want anybody seated on the jury with your frame of mind.  
13 But which side would you be on if you were thinking that way?

14 PROSPECTIVE JUROR NO. 007: Well, it's -- I guess,  
15 it's difficult when I -- when I remember what all we went  
16 through and then nothing occurring so --

17 THE COURT: Okay, so you would hold it against the  
18 State because nobody did investigations for you or nothing  
19 happened and so you would hold a grudge? That's what you're  
20 saying?

21 PROSPECTIVE JUROR NO. 007: Bad on my part.

22 THE COURT: Okay. All right, thank you. Okay.  
23 Anything else, though? Anything else that happened? You  
24 told us about two incidents where your business was  
25 burglarized or robbed. Anything further as a victim of a

1 crime?

2 PROSPECTIVE JUROR NO. 007: Not a victim of a  
3 crime, no.

4 THE COURT: Okay. Well, we've got other questions  
5 so we'll probably come back to you.

6 PROSPECTIVE JUROR NO. 007: Okay.

7 THE COURT: All right? Okay.

8 PROSPECTIVE JUROR NO. 007: Um-h'm.

9 THE COURT: Why don't you hand it over to the next  
10 one in line who's -- anyone in the back row? Okay. In the  
11 second row? Okay.

12 PROSPECTIVE JUROR NO. 020: It's Badge 20, Lin  
13 Addington.

14 THE COURT: Okay. What do you want to tell me?

15 PROSPECTIVE JUROR NO. 020: I was robbed while I  
16 was at work.

17 THE COURT: When did this happen?

18 PROSPECTIVE JUROR NO. 020: I'm not sure. I think  
19 it was about five years ago.

20 THE COURT: It was here in Vegas?

21 PROSPECTIVE JUROR NO. 020: Yes.

22 THE COURT: Okay. And what happened?

23 PROSPECTIVE JUROR NO. 020: Well, I was a pharmacy  
24 technician so they came for the drugs.

25 THE COURT: Okay. Do you know if anybody was

1 apprehended?

2 PROSPECTIVE JUROR NO. 020: Yes.

3 THE COURT: So they caught someone?

4 PROSPECTIVE JUROR NO. 020: Yes.

5 THE COURT: What -- did you have to do anything or  
6 were you -- did you testify in that?

7 PROSPECTIVE JUROR NO. 020: No, because they plea  
8 bargained.

9 THE COURT: Oh, okay. Were you aware of the plea  
10 bargaining? Meaning, did the State or whoever was  
11 prosecuting the case, did they talk to you about it to let  
12 you know that they were going to negotiate it?

13 PROSPECTIVE JUROR NO. 020: Well, they subpoenaed  
14 me to come to court because I had picked her out of a lineup.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 020: And when I got to  
17 court, it turned out they were plea bargaining.

18 THE COURT: Oh, okay, so you --

19 PROSPECTIVE JUROR NO. 020: -- and the lady told me  
20 that I could call later and find out the results, and I did.

21 THE COURT: Whether or not they accepted it and --

22 PROSPECTIVE JUROR NO. 020: Uh-huh.

23 THE COURT: Okay. Were you ever called again back  
24 to --

25 PROSPECTIVE JUROR NO. 20: No.

1 THE COURT: -- to go back to court or anything? So  
2 as far as you know, they may have went through with the plea  
3 bargain?

4 PROSPECTIVE JUROR NO. 020: I believe they did.

5 THE COURT: Okay. Is there anything about that  
6 experience you think that would affect your ability to be  
7 fair and impartial, meaning would you hold it against either  
8 party here?

9 PROSPECTIVE JUROR NO. 020: No.

10 THE COURT: Okay. All right, thank you, Ms.  
11 Addington. Okay. Anyone else in the second row? Okay.  
12 Mr. Boggs.

13 PROSPECTIVE JUROR NO. 021: Yes, sir.

14 THE COURT: Badge 021. All right.

15 PROSPECTIVE JUROR NO. 021: Yes, sir. Forty-seven  
16 years ago I -- when I was working at a convenience store, we  
17 were held up.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 021: Told to get on the  
20 ground.

21 THE COURT: You personally were?

22 PROSPECTIVE JUROR NO. 021: Well, there was a few  
23 of us at the front of the store when we were closing, and a  
24 guy walked in and told us to get on the floor and took money  
25 from the register and he took off.

1 THE COURT: Were you in a position where you  
2 actually saw the individual?

3 PROSPECTIVE JUROR NO. 021: Oh, yeah.

4 THE COURT: Were you in a position where you were  
5 -- where they pointed a gun at you or --

6 PROSPECTIVE JUROR NO. 021: Yeah.

7 THE COURT: Okay. Did you have anything to do with  
8 actually turning over anything to them?

9 PROSPECTIVE JUROR NO. 021: No, I was on the floor.

10 THE COURT: Okay. Were you asked as -- were you  
11 ever treated -- worked as a witness in that matter?

12 PROSPECTIVE JUROR NO. 021: As far as I know, they  
13 never caught him?

14 THE COURT: They never caught anybody?

15 PROSPECTIVE JUROR NO. 021: No.

16 THE COURT: Okay. That was forty-seven years ago?

17 PROSPECTIVE JUROR NO. 021: Yeah.

18 THE COURT: Okay. Is there anything about -- I  
19 mean, because you heard allegations that there's at least a  
20 7-Eleven in this case. Was it a 7-Eleven?

21 PROSPECTIVE JUROR NO. 021: No, it was a privately  
22 owned convenience store for my neighbor.

23 THE COURT: Is there anything about that situation  
24 you believe that you wouldn't be able to put out of your mind  
25 and that you would hold it against either one of these

1 parties here?

2 PROSPECTIVE JUROR NO. 021: I don't think so.

3 THE COURT: Okay. Okay, thank you, Mr. Boggs.

4 PROSPECTIVE JUROR NO. 021: Okay.

5 THE COURT: Okay. Anyone else in the second row?

6 Okay.

7 PROSPECTIVE JUROR NO. 023: Lori Owen, Badge No.  
8 23.

9 THE COURT: Okay, Ms. Owen.

10 PROSPECTIVE JUROR NO. 023: Our business in  
11 California was robbed twice. We sold fire works. I'm a fire  
12 works wholesaler or was, and it was robbed several years ago,  
13 and then the last one was in 2009, and that was with a gun.  
14 And then our house here in Henderson was burglarized in 2005.

15 THE COURT: Okay. Was there -- did they catch  
16 anybody in the cases involving the business in California?

17 PROSPECTIVE JUROR NO. 023: No.

18 THE COURT: Did they catch anybody involving the  
19 burglary from 2005 in Henderson?

20 PROSPECTIVE JUROR NO. 023: No.

21 THE COURT: Did the police actually investigate the  
22 one in Henderson?

23 PROSPECTIVE JUROR NO. 023: Yes.

24 THE COURT: And did they investigate the case out  
25 of California?

1 PROSPECTIVE JUROR NO. 023: California reports were  
2 taken, but it was -- it was, you know, a quick things come  
3 in, you know.

4 THE COURT: Um-h'm.

5 PROSPECTIVE JUROR NO. 023: Hold up and they're  
6 gone.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 023: And I don't believe  
9 anyone was caught there at all that I -- I mean, I was never  
10 contacted anymore about it. And the one in Henderson we were  
11 contacted, they had, I guess, arrested some people and they  
12 came in to have us look to see if any of the items were ours,  
13 but it wasn't.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 023: It -- at that time,  
16 there was nothing, and we never heard anything more about it.

17 THE COURT: Did they come out to the house and  
18 speak to you?

19 PROSPECTIVE JUROR NO. 023: Um-h'm, fingerprint,  
20 everything out there and stuff.

21 THE COURT: And just nothing has come from that?

22 PROSPECTIVE JUROR NO. 023: Nope.

23 THE COURT: Other than you went down to see if you  
24 could identify any property that may have been yours?

25 PROSPECTIVE JUROR NO. 023: Correct.



1 THE COURT: And nothing --

2 PROSPECTIVE JUROR NO. 023: Filed police reports  
3 and then insurance took care of our stuff, but it was a  
4 matter of somebody coming in the house.

5 THE COURT: Okay. Is there anything about those  
6 cases, either the ones in California or the one in Henderson  
7 that you believe would --

8 PROSPECTIVE JUROR NO. 023: Yeah, I'm not real sure  
9 I could be impartial about it.

10 THE COURT: Okay. Can you tell me why?

11 PROSPECTIVE JUROR NO. 023: Well, being a business  
12 owner and having my -- my business -- you know, my business  
13 invaded and you know, stuck up and robbed there of cash.

14 THE COURT: Um-h'm.

15 PROSPECTIVE JUROR NO. 023: They took cash and  
16 left. And then my home being invaded, that was -- that was  
17 even a little bit more traumatic. You know, somebody coming  
18 into the house and especially knowing that we just happened  
19 to be out that afternoon.

20 THE COURT: Yeah. You understand that at least at  
21 this point, there's certainly no allegations at all that  
22 these two gentlemen here were involved in either one of your  
23 cases? You understand that?

24 PROSPECTIVE JUROR NO. 023: Oh, no, I understand  
25 that.

1 THE COURT: But you don't believe that you could  
2 set that aside? You think that that --

3 PROSPECTIVE JUROR NO. 023: I -- truthfully, I  
4 don't know if I could. I don't know.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 023: I'm being truthful to  
7 you. I don't know.

8 THE COURT: No, no, that's what we want.

9 PROSPECTIVE JUROR NO. 023: Yeah.

10 THE COURT: That's fair. Okay. Okay. We'll have  
11 some more questions, okay?

12 PROSPECTIVE JUROR NO. 023: Okay.

13 THE COURT: All right, thank you, Ms. Owen. Can  
14 you -- anyone in the third row? All right. Just hand it up  
15 to right in front of you. I guess, it's Mr. Goulder.

16 PROSPECTIVE JUROR NO. 057: Yes.

17 THE COURT: Mr. Goulder, what do you want to tell  
18 me?

19 PROSPECTIVE JUROR NO. 057: So when I had my  
20 nightclub, we were the victims of several crimes, including  
21 theft, burglary, and I had a gun pulled on me one time.

22 THE COURT: Okay. How long ago was the most  
23 recent?

24 PROSPECTIVE JUROR NO. 057: It was 15 years ago, 18  
25 years ago, maybe.

1 THE COURT: Is that the one when you -- they had a  
2 gun pulled on you?

3 PROSPECTIVE JUROR NO. 057: Yes.

4 THE COURT: Was it here?

5 PROSPECTIVE JUROR NO. 057: Yes, at the nightclub.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 057: It was the Beach  
8 Nightclub.

9 THE COURT: Oh, okay. And is there anything about  
10 those experiences that you think you would be unable to set  
11 that aside and would it affect your ability to be fair and  
12 impartial?

13 PROSPECTIVE JUROR NO. 057: Yeah, no, I think I'm  
14 okay. You asked, I thought I'd mention those in case it came  
15 up later.

16 THE COURT: Okay. All right, thank you.

17 PROSPECTIVE JUROR NO. 057: All right.

18 THE COURT: All right. And --

19 PROSPECTIVE JUROR NO. 058: Nitin Luhar, Badge No.  
20 058.

21 THE COURT: Okay. Mr. --

22 PROSPECTIVE JUROR NO. 058: Mid-90s, our family  
23 business was robbed at gunpoint a couple of times.

24 THE COURT: When was the most recent one?

25 PROSPECTIVE JUROR NO. 058: Probably about '95.

1 THE COURT: Okay. And then the one before that?

2 PROSPECTIVE JUROR NO. 058: Probably around '93.

3 THE COURT: Okay. And --

4 PROSPECTIVE JUROR NO. 058: And you want me to --

5 THE COURT: Yeah, go ahead.

6 PROSPECTIVE JUROR NO. 058: -- elaborate?

7 THE COURT: Uh-huh.

8 PROSPECTIVE JUROR NO. 058: So on the -- on the  
9 first time our -- my -- my father was there, and he was made  
10 to lay down, put a gun in his head and they -- they robbed  
11 the -- the cash register and him, and that, you know -- and  
12 that was investigated and they caught the criminals for that.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 058: On the second incident  
15 my sister and my wife were there. I was just 30 seconds  
16 after they left, arrived, and they -- the two -- two gunmen  
17 come in, they grabbed our desk clerk at the time and put a  
18 gun to his head and, you know, really kind of traumatized my  
19 -- my wife and my sister to, you know, show a safe and, you  
20 know, bring whatever money out they could. And that took a  
21 couple of weeks for my wife to get over the emotional, you  
22 know, being able to sleep and not, you know, waking up crying  
23 and that type of thing because they really -- really  
24 threatened our -- our desk clerk, you know, with shooting and  
25 so.

1 THE COURT: Yeah. So with respect to the first  
2 one, that was with your father?

3 PROSPECTIVE JUROR NO. 058: Yeah.

4 THE COURT: And you weren't there?

5 PROSPECTIVE JUROR NO. 058: No.

6 THE COURT: Is that right?

7 PROSPECTIVE JUROR NO. 058: That's correct.

8 THE COURT: Okay. And the second one was with your  
9 wife and daughter and --

10 PROSPECTIVE JUROR NO. 058: My wife and sister.

11 THE COURT: Sister and other employees?

12 PROSPECTIVE JUROR NO. 058: Other employees.

13 THE COURT: But you weren't -- you showed up right  
14 after it happened?

15 PROSPECTIVE JUROR NO. 058: Like 30 seconds. I  
16 just missed them.

17 THE COURT: Okay. Is there anything about those  
18 events, you believe, that --

19 PROSPECTIVE JUROR NO. 058: I -- I don't really  
20 have sympathy for -- for somebody that does that type of  
21 thing.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 058: I'm definitely would be  
24 firm handed than on the plaintiff's side than the defendant's  
25 side.

1 THE COURT: Okay. You understand that -- I mean,  
2 you'll be instructed on what the law is, and as I said, you  
3 have to determine whether or not the State has proved their  
4 case beyond a reasonable doubt, and so you'd be just  
5 determining the facts. At this point in time, based on what  
6 you just explained to me, that's why I'm asking because you  
7 don't know what the facts are. You've heard some general --

8 PROSPECTIVE JUROR NO. 058: Sure.

9 THE COURT: -- statements, but do you believe that  
10 you can be fair and impartial here?

11 PROSPECTIVE JUROR NO. 058: I -- I -- you know, you  
12 always in your -- in the back of your mind that always -- you  
13 think about those things.

14 THE COURT: Um-h'm.

15 PROSPECTIVE JUROR NO. 058: All I can do is try.

16 THE COURT: Okay. All right, thank you. All  
17 right, is there anyone in the fourth row? All right. Want  
18 to hand that forward to, I believe, it's -- is it --

19 PROSPECTIVE JUROR NO. 070: Monte Lai, No. 70.

20 THE COURT: Uh-huh.

21 PROSPECTIVE JUROR NO. 070: Yeah, back, I think,  
22 when I was teenager in the middle school, we had to stay  
23 living (indecipherable) in the dormitory and there are two  
24 (indecipherable) the previous student came over at night to  
25 our room. We have a room that is six students of the same

1 grade, and they kind of showed the knife and robbed everybody  
2 in the room.

3 THE COURT: Okay. So you were a victim --

4 PROSPECTIVE JUROR NO. 070: Yes.

5 THE COURT: -- of a robbery?

6 PROSPECTIVE JUROR NO. 070: Yeah.

7 THE COURT: From knife point?

8 PROSPECTIVE JUROR NO. 070: They didn't really  
9 point at the person. They just like show the knife --

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 070: -- tell the give me the  
12 money to that for whole --

13 THE COURT: And you were --

14 PROSPECTIVE JUROR NO. 070: -- everybody in the  
15 room.

16 THE COURT: And you were in middle school?

17 PROSPECTIVE JUROR NO. 070: Yeah. In the school,  
18 yes.

19 THE COURT: Was this other middle school students  
20 doing it or was it -- were adults?

21 PROSPECTIVE JUROR NO. 070: I think they are just  
22 probably a few years older than --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 070: -- I was.

25 THE COURT: And where did that take place?

1 PROSPECTIVE JUROR NO. 070: That was in back in  
2 Taiwan.

3 THE COURT: Okay. And since then, in the United  
4 States here, have you had experience --

5 PROSPECTIVE JUROR NO. 070: Not --

6 THE COURT: -- anything like that? Okay.

7 PROSPECTIVE JUROR NO. 070: No, not -- not in the  
8 United States.

9 THE COURT: Okay. Is there anything about that  
10 experience you believe that would affect your ability to be  
11 fair and impartial here?

12 PROSPECTIVE JUROR NO. 070: I'm not sure. It  
13 happened so many years ago, you know, back in my teenager,  
14 but when I recall the memory, if I see some similar scenario,  
15 something, I -- I'm not sure. Maybe there will be connection  
16 to my previous bad memory or something like that, but --

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 070: -- I'm not sure.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 070: Yeah.

21 THE COURT: All right. Thank you.

22 PROSPECTIVE JUROR NO. 070: Okay.

23 THE COURT: Anyone else in that row? Anyone in the  
24 front row right here? Okay. Jim. Anyone in the front row  
25 up to Mr. Bigelow? All right. Okay. Okay.



1 PROSPECTIVE JUROR NO. 139: Bryce Gines, 139.

2 THE COURT: Uh-huh.

3 PROSPECTIVE JUROR NO. 139: Thirteen or 14 years  
4 ago my car was stolen out of the school parking lot.

5 THE COURT: Okay. Was that here in Las Vegas?

6 PROSPECTIVE JUROR NO. 139: Yes.

7 THE COURT: And did they catch anybody?

8 PROSPECTIVE JUROR NO. 139: Yes.

9 THE COURT: Did you get your car back?

10 PROSPECTIVE JUROR NO. 139: We did.

11 THE COURT: How long did it take?

12 PROSPECTIVE JUROR NO. 139: I think it was about  
13 four or five days.

14 THE COURT: Okay. And do you know whether or not  
15 they prosecuted anybody?

16 PROSPECTIVE JUROR NO. 139: Well, the -- I don't  
17 know for sure. I believe so. The -- there was a home  
18 invasion and some people were caught, and they this driven  
19 there in my car. So they had been essentially joy riding for  
20 a couple days and then later went to the location. The  
21 police apprehended them there and then called us to come and  
22 get the car.

23 THE COURT: Okay. And is there anything about that  
24 experience you believe would affect your ability to be fair  
25 and impartial here?

1 PROSPECTIVE JUROR NO. 139: I don't think so.

2 THE COURT: Okay. All right, Mr. Gines, anything  
3 else?

4 PROSPECTIVE JUROR NO. 139: About a year later the  
5 car radio was stolen out of the -- the same car in my  
6 driveway. There was never any resolution.

7 THE COURT: Did you make a report on that?

8 PROSPECTIVE JUROR NO. 139: We did.

9 THE COURT: And did the police come out?

10 PROSPECTIVE JUROR NO. 139: No.

11 THE COURT: Okay. How long ago was this?

12 PROSPECTIVE JUROR NO. 139: About 13 years. It was  
13 just a year after the -- the car being stolen.

14 THE COURT: All right. So no one -- they didn't --  
15 you don't know if they did any investigation or anything?

16 PROSPECTIVE JUROR NO. 139: They -- they did  
17 nothing.

18 THE COURT: All right. Anyone call you and say  
19 hey, we found the radio?

20 PROSPECTIVE JUROR NO. 139: No.

21 THE COURT: Okay. Anything about that incident you  
22 believe would affect your ability to be fair and impartial?

23 PROSPECTIVE JUROR NO. 139: I don't believe so.

24 THE COURT: Okay. All right, thank you, Mr. Gines.  
25 Anyone else in that row? Okay. Go ahead.

1 PROSPECTIVE JUROR NO. 147: Janet Sulerud, 147.

2 THE COURT: Uh-huh.

3 PROSPECTIVE JUROR NO. 147: My agency was  
4 burglarized two separate occasions, approximately, 15 to 18  
5 years ago.

6 THE COURT: Okay. So no one was there when this  
7 happened?

8 PROSPECTIVE JUROR NO. 147: It was after hours.

9 THE COURT: Okay. And was that here in Las Vegas?

10 PROSPECTIVE JUROR NO. 147: In Minnesota.

11 THE COURT: In Minnesota? Do you know whether they  
12 were able to catch anybody on either one of the situations?

13 PROSPECTIVE JUROR NO. 147: No. The police came  
14 out and did fingerprinting and but nothing ever -- they  
15 didn't catch anybody ever.

16 THE COURT: Okay. Is there anything about that  
17 experience you believe that would affect your ability to be  
18 fair and impartial here?

19 PROSPECTIVE JUROR NO. 147: I don't think so.

20 THE COURT: Okay. Thank you, Ms. Sulerud. Anyone  
21 else in that front row? Okay, can you hand that down? Okay.

22 PROSPECTIVE JUROR NO. 011: Virginia Plank, Badge  
23 11.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 011: In the mid '80s, I

1 worked and ran convenience stores here in town, and during  
2 that time I was robbed three times.

3 THE COURT: What type of store?

4 PROSPECTIVE JUROR NO. 011: Terrible Herbst  
5 convenience store.

6 THE COURT: Okay. Let's talk about the first one.  
7 Did you make a report to the police?

8 PROSPECTIVE JUROR NO. 011: Yes, we made a report  
9 to the police. On that one nothing ever came of it. It was  
10 -- it wasn't major. It was fairly minor because it was late  
11 at night and not much money and it was reported but that was  
12 the end of it.

13 THE COURT: Okay. But you said it was a robbery.  
14 What did they do to --

15 PROSPECTIVE JUROR NO. 011: They came in and I  
16 don't know whether they had a gun or whether they had  
17 something in the bag that was formed like a gun because they  
18 never took it out of the bag.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 011: They just --

21 THE COURT: When you say they, was it more than one  
22 person then?

23 PROSPECTIVE JUROR NO. 011: It was -- it was two  
24 gentlemen.

25 THE COURT: Okay. And you were the only one there?

1 PROSPECTIVE JUROR NO. 011: Correct.

2 THE COURT: All right. And the police were called?

3 PROSPECTIVE JUROR NO. 011: We made a report. I  
4 don't remember at this time, if they actually came out or if  
5 my supervisor at the time went down to make the report.

6 THE COURT: Okay. Do you know whether or not they  
7 were able to catch anybody on that?

8 PROSPECTIVE JUROR NO. 011: Not on that one.

9 THE COURT: Did you have surveillance at all back  
10 then?

11 PROSPECTIVE JUROR NO. 011: I don't remember.

12 THE COURT: Okay. All right, that's the first one.  
13 The second one, same Terrible Herbst?

14 PROSPECTIVE JUROR NO. 011: Second one, same  
15 Terrible Herbst.

16 THE COURT: Okay. And how much time between the  
17 first and the second one did that happen?

18 PROSPECTIVE JUROR NO. 011: Within a year, but I  
19 would say probably eight, nine months.

20 THE COURT: Okay. And tell us what happened.

21 PROSPECTIVE JUROR NO. 011: On that one what  
22 happened was not a gun, not anything like that. There was  
23 four young kids, I would say probably 17, 18 years old, and  
24 think came in and stormed the store and they each took four  
25 suitcases of beer.

1 THE COURT: Okay. And, excuse me, was anyone  
2 caught?

3 PROSPECTIVE JUROR NO. 011: They were caught on  
4 that one, but since the -- the police -- the police were  
5 called, they came out, they actually closed the store on that  
6 one. They were caught; however, they -- the police told me  
7 they were not going to prosecute that because they had been  
8 trying to catch these guys on a more -- on a worse charge.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 011: And now that they had  
11 them, they were going to drop this and go for the worst  
12 charge.

13 THE COURT: Okay. On that particular day, was  
14 there any -- did you have any interaction with them?

15 PROSPECTIVE JUROR NO. 011: I -- I tried to stop  
16 them. I tried to talk them, you know, like what are you  
17 doing? And they're like well, we're just taking this, get  
18 out of the way and -- and pushed me down.

19 THE COURT: Okay. They pushed you down?

20 PROSPECTIVE JUROR NO. 011: Yes.

21 THE COURT: Okay. And then on the third one?

22 PROSPECTIVE JUROR NO. 011: On the third one I was  
23 counting money for --

24 THE COURT: Was it with the same Terrible Herbst?

25 PROSPECTIVE JUROR NO. 011: No, that was a

1 different Terrible Herbst.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 011: And it was probably  
4 about three, three and a half years later.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 011: Okay. I was counting  
7 the safe's money for deposit for the day, and the gentleman  
8 came in, knew where to go in the store to get to me, and  
9 sprayed me in the face with pepper spray and took the money.

10 THE COURT: Okay. Were you able to get a look at  
11 that individual at all?

12 PROSPECTIVE JUROR NO. 011: I was, but not enough  
13 to -- to really do any kind of identification.

14 THE COURT: Okay. Did you have surveillance then?

15 PROSPECTIVE JUROR NO. 011: There was surveillance.  
16 I don't know whether they actually got a picture of him not.  
17 What I was told was they obviously knew what they were doing  
18 and where they were going and possibly had an insider.

19 THE COURT: Okay. Do you know whether or not  
20 anyone was caught when --

21 PROSPECTIVE JUROR NO. 011: I never heard anymore  
22 about that.

23 THE COURT: Okay. Did you ever have to testify on  
24 any of these cases?

25 PROSPECTIVE JUROR NO. 011: No.

1 THE COURT: Okay. Is there anything about those  
2 incidences concerning this case here that you believe would  
3 affect your ability to be fair and impartial?

4 PROSPECTIVE JUROR NO. 011: I would like to say  
5 not, but I cannot guarantee that.

6 THE COURT: Okay. All right. That's fair. Anyone  
7 else? Okay.

8 PROSPECTIVE JUROR NO. 012: Judy Greenhough -- I'm  
9 sorry, Judith Greenhough, Badge 12.

10 THE COURT: All right. Okay. What happened?

11 PROSPECTIVE JUROR NO. 012: My oldest event was 42  
12 years ago.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 012: Or 47 years ago.  
15 Hijacked, knife point in my car. Still to this day, not sure  
16 how I got out of the car, but it was late at night, and I was  
17 instructed to drive down one way and I looked and there was  
18 nothing down there but darkness, and I somehow turned the  
19 other way, irritated the heck out of the guy that had jumped  
20 in my car and just went up to a traffic light, somehow opened  
21 the door, ran right in front of another car and almost got  
22 hit, but the man in my car took off.

23 It was reported, police came, but they -- they  
24 never found him. At least I was never told about that.

25 THE COURT: Okay. Where --



1 PROSPECTIVE JUROR NO. 012: Home was --

2 THE COURT: Where was that?

3 PROSPECTIVE JUROR NO. 012: That was probably 40 --

4 THE COURT: No, where?

5 PROSPECTIVE JUROR NO. 012: I was like 20 so I  
6 can't even tell you how long. It's like 47, 48 years ago.

7 THE COURT: Where?

8 PROSPECTIVE JUROR NO. 012: Forty-eight years ago.  
9 Pardon me?

10 THE COURT: Where?

11 PROSPECTIVE JUROR NO. 012: Where? That was  
12 Norwalk, Connecticut.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 012: Just I was on -- just  
15 -- I had just stopped on the freeway to get something to  
16 drink. Stupidly, didn't lock my car back then. No alarm  
17 systems back then either. And he got into the back seat, and  
18 I had just pulled back on the highway and felt the seat move,  
19 and he jumped over and he had his knife so --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 012: Those kind of things,  
22 as you know, I'm sure they stick with you. The next one was  
23 a home break in. This was 1985. My two stepchildren who  
24 were living with us had just gotten home from school, and my  
25 daughter called and said you left your jewelry box open

1 because she was going in and doing some cleaning, and I'm  
2 like no, I didn't.

3 Turns out house had been broken into. My husband  
4 had just gotten -- my husband at the time had just gotten  
5 back from his mother had passed away and brought home some  
6 family jewels, and only jewelry was taken. Police came out,  
7 fingerprints all that. That was before we got our alarm  
8 system. And it turns out I was telling a girl that used to  
9 babysit for us, and she was just surprised, and somehow  
10 without telling me, suspected her brother was involved.

11 Long story short, she went into his room, called me  
12 up, described half of the jewelry on the phone. He was  
13 involved in it. They caught the other teenager. We did  
14 testify. I believe, they both had probation and we had  
15 documentation, legal retribution and somewhat for the jewelry  
16 that wasn't recovered, but nothing ever came of that.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 012: Excuse me. A year  
19 later I had a Trans Am that was stolen. Again, somebody  
20 going for a joy ride. It was about maybe one, two days at  
21 the most they did recover the car. It was on interstate and  
22 somebody had just been for a joy ride. Got my car back and  
23 it was in good condition.

24 Most recently, this was in last October, I live  
25 alone. Have an alarm system. Now I have glass break

1 detectors on my alarm system. I was upstairs and just felt  
2 the house shake, and I turned on a -- a light that lights up  
3 the whole house, and I guess, I scared whoever it was off.  
4 They had taken a large rock from my backyard, thrown it into  
5 very quality sliding glass doors on the back of my house, and  
6 I guess, the light scared him off.

7 I immediately called my neighbor and I called the  
8 police. My neighbor came over. That's when we found the  
9 rock and I found it was a dent in the glass on the door. And  
10 the police came out but not until about four hours later.  
11 The lady was great on the phone, just wanted to make sure I  
12 was okay and that there didn't seem to be anybody around the  
13 house, but it was about four hours later when somebody came  
14 out so it's the lingering fear factor with me, I guess.

15 I like to think I'm -- I could be pretty fair, and  
16 yet, when you've had your home broken into and been scared  
17 recently, there is a fear factor. So I'd probably be  
18 listening hard to what victims went through, but still try to  
19 keep an open mind. That's the best I can say.

20 THE COURT: Okay. All right, thank you.

21 PROSPECTIVE JUROR NO. 019: Badge No. 19, Dustin  
22 Bigelow. Back in the mid 90s, I was the front desk manager  
23 at a bonus center, and all the bonus centers in the Dallas  
24 area were informed that a gang of people were coming through  
25 stealing the video game boards out of the video games in all

1 the bowling centers.

2 Well, I was just informed that three other places  
3 already got hit in Dallas so I was on the lookout. And I did  
4 have a group of people come in and they were wearing long  
5 jackets so I kind of -- you know, I was in my 20s so I was a  
6 little suspicious. I actually let them walk out with the  
7 boards, and I walked and followed them after they already  
8 went out, and I got their license plate number, and I called  
9 the police, and they got caught at the Motel 6, and they  
10 actually were coming from California all the way to Texas,  
11 and they had all the motherboards and they busted them and  
12 they went to jail.

13 THE COURT: Did you have to testify at all in that  
14 matter?

15 PROSPECTIVE JUROR NO. 019: I didn't have to  
16 testify. I just had to point them out in the pictures they  
17 took, and they brought them up to where I worked.

18 THE COURT: Okay. Is there anything about that  
19 experience you believe would affect your ability to be fair  
20 and impartial if you're chosen in this case?

21 PROSPECTIVE JUROR NO. 019: Not at all.

22 THE COURT: Okay. All right, thank you,  
23 Mr. Bigelow. Okay. Once again, have you or anyone close to  
24 you, such as a family member or a friend, ever been accused  
25 of a crime? In this group here up to Mr. Bigelow. Okay,

1 job. And I would hope it wouldn't, but, you know, I -- I  
2 don't have your job and I don't know what happens there. But  
3 that's why I ask the individuals that are connected to police  
4 -- that's why we ask this question is, you know, the question  
5 that I told everybody in the very beginning would come up a  
6 lot is fair and impartiality, here, and that's what we're  
7 trying to get.

8 Understanding what your background is, once again,  
9 you believe that you'd be able to sit and decide on this case  
10 fairly and impartially?

11 PROSPECTIVE JUROR NO. 156: Yes, Your Honor, I do.

12 THE COURT: Okay. All right, thank you. All  
13 right, anyone else in that -- okay.

14 PROSPECTIVE JUROR NO. 190: Mary Pittman, Badge  
15 190.

16 THE COURT: Okay. Ma'am, what do you want to tell  
17 me?

18 PROSPECTIVE JUROR NO. 190: My brother-in-law was  
19 chief of -- chief of police in Livermore, California.

20 THE COURT: How long ago was that?

21 PROSPECTIVE JUROR NO. 190: About 15 years or so.

22 THE COURT: Okay. Do you still have a relationship  
23 with him?

24 PROSPECTIVE JUROR NO. 190: He passed.

25 THE COURT: Is there anything about your

1 relationship with him that you believe would affect your  
2 ability to be fair and impartial in this case?

3 PROSPECTIVE JUROR NO. 190: No. Just the opposite.

4 THE COURT: Okay. All right. Okay, thank you,  
5 ma'am. All right. I think there's some more. Okay.

6 PROSPECTIVE JUROR NO. 207: Hi, my name is  
7 Carlittia Gibson. I'm Badge No. 207. I have an uncle who's  
8 a parole officer based out of San Diego, California.

9 THE COURT: Where?

10 PROSPECTIVE JUROR NO. 207: San Diego, California.

11 THE COURT: Okay. Do you have a close relationship  
12 with him?

13 PROSPECTIVE JUROR NO. 207: Yes.

14 THE COURT: Is there anything about that  
15 relationship you believe would affect your ability to be fair  
16 and impartial --

17 PROSPECTIVE JUROR NO. 207: No.

18 THE COURT: -- here?

19 PROSPECTIVE JUROR NO. 207: No, not at all.

20 THE COURT: Okay. All right. Thank you. Okay.  
21 Anyone else? All right, no one. Okay. Kind of touched on  
22 this a little bit earlier here today with one of the  
23 individuals, and I'm sure that there will be more questions  
24 on this, but is there anyone who may not be able to follow  
25 all the instructions of the Court on the law, even if the

1 instructions differ from your personal conceptions on what  
2 the law ought to be?

3 I gave an example this morning specifically with  
4 one juror that I always use, is that in the state of Nevada  
5 previously, there was no speed limit in the state of Nevada.  
6 And so when it was enacted that you had to drive 55 in the  
7 state of Nevada, we had a lot of individuals that rebelled, I  
8 guess, sort of that, so to speak, against that.

9 And so I -- in a juror trial, you are the  
10 determinations of what the facts are. So if the  
11 determination of the facts are whether or not a person was  
12 going faster than 55 miles an hour, or doing 55 or less, and  
13 you make that determination, then when I give you the law and  
14 the law says that if you find that the individual's going  
15 faster than 55 miles an hour, then he's guilty of speeding.

16 If he's going 55 or less, he's not guilty of  
17 speeding. And since you make the determination, if you all  
18 find that the person was going 55 -- I mean, faster than 55  
19 miles an hour, however, you don't believe in the law that  
20 says that 55 is the speed limit, it would be a violation of  
21 your duty if you went into deliberation and said I understand  
22 what the facts are, the guy was going 60; however, I don't  
23 believe that there's a law that should be -- there should be  
24 a speed limit here.

25 I know the Court told me that if anyone's going

1 faster than 55, that it would be a violation of law, but I  
2 don't agree with it so I'm not going to find that he violated  
3 the law. Understand?

4 Okay. Is there anyone here that believes they  
5 cannot follow the instructions of the Court on the law even  
6 if the instructions differ from your personal conceptions on  
7 what the law ought to be? Anyone? Okay. Back to Mr. Gross.  
8 I believe, it is Mr. Gross?

9 PROSPECTIVE JUROR NO. 022: Yep.

10 THE COURT: What's your badge number again?

11 PROSPECTIVE JUROR NO. 022: 022.

12 THE COURT: Okay. Mr. Gross, you still have that  
13 -- you're still of that mindset?

14 PROSPECTIVE JUROR NO. 022: Yes.

15 THE COURT: All right. So you would make a  
16 determination on what you find regardless of what the law is,  
17 right?

18 PROSPECTIVE JUROR NO. 022: Yeah.

19 THE COURT: If you disagree with it, you would not  
20 follow it --

21 PROSPECTIVE JUROR NO. 022: Yes, on the --

22 THE COURT: -- is that what you're telling me?

23 PROSPECTIVE JUROR NO. 022: -- the example that  
24 you've given --

25 THE COURT: Uh-huh.



1 PROSPECTIVE JUROR NO. 022: -- if someone was  
2 caught going 60 in a 55 --

3 THE COURT: Right.

4 PROSPECTIVE JUROR NO. 022: -- I would let them go.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 022: Because it's too  
7 minimal. There's no point. Jail's not going to fix that  
8 guy, you know. It's just not going to work. You know, some  
9 people just have to be dealt with how they really need to be  
10 dealt with.

11 THE COURT: Okay. So you would even consider under  
12 those circumstances maybe what the sentence would be?

13 PROSPECTIVE JUROR NO. 022: Oh, no, I'd let him go.

14 THE COURT: Okay. All right.

15 PROSPECTIVE JUROR NO. 022: It's so trivial.

16 THE COURT: Okay. So under no circumstances under  
17 that scenario you would not follow the law; is that what  
18 you're saying?

19 PROSPECTIVE JUROR NO. 022: I would -- say that  
20 again.

21 THE COURT: Under no circumstances under that  
22 scenario because you just said if a person was doing 60 in a  
23 55 and the law says anybody going faster than that --

24 PROSPECTIVE JUROR NO. 022: Yeah, you get the  
25 ticket.

1 THE COURT: -- and you find that he's going 60 --

2 PROSPECTIVE JUROR NO. 022: Yeah.

3 THE COURT: -- you would let him go?

4 PROSPECTIVE JUROR NO. 022: Yeah.

5 THE COURT: And you would not follow my  
6 instructions?

7 PROSPECTIVE JUROR NO. 022: Yes.

8 THE COURT: Okay. What I'm going to do, is there  
9 anyone else that has the same position or take the same  
10 stance that Mr. Gross does? Anyone here? Okay. What I'm  
11 going to allow -- did you want to ask any further questions,  
12 Ms. Mercer or Mr. Portz?

13 MS. MERCER: No, Your Honor.

14 THE COURT: Mr. Maningo or Mr. -- I'm sorry,  
15 Mr. Tanasi, did you want to ask any questions of Mr. Gross  
16 with regards to just that issue?

17 MR. TANASI: Court's indulgence just for a brief  
18 moment.

19 THE COURT: Sure.

20 MR. TANASI: Thank you.

21 THE COURT: Uh-huh.

22 (Pause in the proceedings)

23 MR. TANASI: Your Honor, we have no questions.  
24 Thank you.

25 THE COURT: Okay. State?

1 MR. PORTZ: Your Honor, we'd renew our motion.

2 THE COURT: Okay. All right, Mr. Gross, I want to  
3 thank you for giving us your time, and I -- it was  
4 interesting talking to you, but at this point in time, I'm  
5 going to go ahead and excuse you.

6 I'm going to ask that you go back over to the jury  
7 commission room and let them know that you've been excused,  
8 okay?

9 PROSPECTIVE JUROR NO. 022: Yes, and I do firmly  
10 believe what I just said.

11 THE COURT: That's fine.

12 PROSPECTIVE JUROR NO. 022: I'm not fooling the  
13 Court or anything.

14 THE COURT: A what?

15 PROSPECTIVE JUROR NO. 022: I'm not fooling the  
16 Court around. And I --

17 THE COURT: No, no, I'm okay. All right. Have a  
18 good day, okay? Thank you.

19 PROSPECTIVE JUROR NO. 022: Have a good one.

20 THE COURT: Okay. All right. All right, once  
21 again, is there anyone that has the same sentiment as  
22 Mr. Gross? I mean, it's fair, if you -- please don't think  
23 that I'm -- they can get in trouble or anything with the  
24 Court. I'm just -- I need to know that now. There's some  
25 individuals that are strong with that. Is there anyone else?

1 All right. No one's raised their hand.

2 Okay. Under our system of government, there's  
3 certain principles of law that apply in every criminal trial.  
4 A, that the Information in this case or Indictment as it is  
5 in this case filed is a mere accusation, and it is not  
6 evidence of guilt.

7 B, that the defendants here are presumed innocent,  
8 and the State must prove the defendants are guilty beyond a  
9 reasonable doubt. Is there anyone here that does not  
10 understand or believe in these basic precepts of American  
11 justice? Anyone? Okay. No one has raised their hand.

12 Does anybody know anything about the case other  
13 than what you've already heard here in the courtroom today  
14 and yesterday from Mr. Portz or what we've kind of discussed?  
15 Anyone? The individuals that went home over the night, had  
16 an opportunity to think about it, is there anything that  
17 comes to mind that you've heard or anything from any news  
18 articles or anything you may have picked up? All right. No  
19 one has raised their hand.

20 Okay. Ladies and gentlemen, at this point in time,  
21 there's a group of individuals that includes this group here  
22 that's right in front of me that's in the well, as well as  
23 the first 12 individuals seated -- well, yeah, 12 individuals  
24 seated in the front row. All right?

25 Now, everybody else, you're still part of this jury

1 pool and you'll see that you may move into that pool, but  
2 right now this is the portion that we're going to work with.  
3 I'm going to ask very pointed questions to them. All right?

4 So let me go ahead and start with Ms. Halford is  
5 Badge No. 003. Ms. Halford, how long have you lived in Las  
6 Vegas?

7 PROSPECTIVE JUROR NO. 003: Twelve years.

8 THE COURT: Where are you from originally?

9 PROSPECTIVE JUROR NO. 003: Albuquerque, New  
10 Mexico.

11 THE COURT: Okay. Are you employed?

12 PROSPECTIVE JUROR NO. 003: Yes.

13 THE COURT: What do you do for work?

14 PROSPECTIVE JUROR NO. 003: I'm a leasing manager.

15 THE COURT: Okay. And how high did you get in your  
16 education?

17 PROSPECTIVE JUROR NO. 003: Two years college.

18 THE COURT: And what were you studying?

19 PROSPECTIVE JUROR NO. 003: Business  
20 administration.

21 THE COURT: Okay. Do you have an associate's  
22 degree?

23 PROSPECTIVE JUROR NO. 003: No.

24 THE COURT: All right. Are you married?

25 PROSPECTIVE JUROR NO. 003: Yes.

1 THE COURT: Does your spouse work?

2 PROSPECTIVE JUROR NO. 003: Pardon me?

3 THE COURT: Does your spouse work?

4 PROSPECTIVE JUROR NO. 003: No, he's unemployed.

5 He has a back problem so I'm the only -- only person that's  
6 working --

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 003: -- to support us.

9 THE COURT: And do you have any children?

10 PROSPECTIVE JUROR NO. 003: No.

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

13 PROSPECTIVE JUROR NO. 003: Not as a juror, no.

14 THE COURT: You've got to this point maybe, but  
15 you've never made it actually on a jury?

16 PROSPECTIVE JUROR NO. 003: No, I've testified in  
17 trials.

18 THE COURT: Okay. All right, well --

19 PROSPECTIVE JUROR NO. 003: And I worked for the  
20 District Attorney's Office at one point.

21 THE COURT: Okay. So we'll get back to that.  
22 There will be some other questions on that, okay?

23 PROSPECTIVE JUROR NO. 003: Okay.

24 THE COURT: All right. Can you pass that to Ms.  
25 Miller. Susan Miller is Badge 007. Ms. Miller, how long

1 have you lived in Las Vegas?

2 PROSPECTIVE JUROR NO. 007: Thirty-seven years.

3 THE COURT: And are you employed, ma'am?

4 PROSPECTIVE JUROR NO. 007: Yes, I am.

5 THE COURT: What do you do for work?

6 PROSPECTIVE JUROR NO. 007: I'm a small business  
7 owner.

8 THE COURT: And what kind of work is that?

9 PROSPECTIVE JUROR NO. 007: We do digital graphics.

10 THE COURT: Okay. And how high did you get in your  
11 education?

12 PROSPECTIVE JUROR NO. 007: Three years of college.

13

14 THE COURT: And what were you studying?

15 PROSPECTIVE JUROR NO. 007: I wanted to be a  
16 schoolteacher.

17 THE COURT: What?

18 PROSPECTIVE JUROR NO. 007: I wanted to be a  
19 schoolteacher.

20 THE COURT: Okay. All right.

21 PROSPECTIVE JUROR NO. 007: Education.

22 THE COURT: Are you married, ma'am?

23 PROSPECTIVE JUROR NO. 007: Yes.

24 THE COURT: Does your spouse work?

25 PROSPECTIVE JUROR NO. 007: Yes.

1 THE COURT: And what does your spouse do?

2 PROSPECTIVE JUROR NO. 007: He's the other half of  
3 the business.

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

5 PROSPECTIVE JUROR NO. 007: I have two children.

6 THE COURT: How old?

7 PROSPECTIVE JUROR NO. 007: 48 and 46.

8 THE COURT: Do they work? Do they work?

9 PROSPECTIVE JUROR NO. 007: Yes.

10 THE COURT: Can you tell us what they do?

11 PROSPECTIVE JUROR NO. 007: I have a daughter that  
12 works for the business, and then my other daughter is --  
13 sells diamonds.

14 THE COURT: Sells diamonds?

15 PROSPECTIVE JUROR NO. 007: Yes.

16 THE COURT: Okay. And have you ever served as a  
17 juror before, ma'am?

18 PROSPECTIVE JUROR NO. 007: No, I have not.

19 THE COURT: Okay. Thank you. Can you pass it to  
20 your right to Ms., is it Fatima Cabrera?

21 PROSPECTIVE JUROR NO. 009: Yeah, that's correct.

22 THE COURT: Badge 009. Ms. Cabrera, how long have  
23 you lived in Las Vegas?

24 PROSPECTIVE JUROR NO. 009: Twenty-one years.

25 THE COURT: Okay. And are you employed, ma'am?



1 PROSPECTIVE JUROR NO. 009: Not currently, no.

2 THE COURT: Okay. How high did you get in your  
3 education?

4 PROSPECTIVE JUROR NO. 009: One semester of  
5 college.

6 THE COURT: And what are you studying?

7 PROSPECTIVE JUROR NO. 009: Psychology.

8 THE COURT: Okay. Are you married?

9 PROSPECTIVE JUROR NO. 009: No.

10 THE COURT: Do you have any children?

11 PROSPECTIVE JUROR NO. 009: No.

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

13 PROSPECTIVE JUROR NO. 009: No.

14 THE COURT: Okay. Can you pass it to Mr. Bass.  
15 Robert Bass, Badge 010?

16 PROSPECTIVE JUROR NO. 010: Yes.

17 THE COURT: Mr. Bass, how long have you been in Las  
18 Vegas?

19 PROSPECTIVE JUROR NO. 010: About 12 years.

20 THE COURT: Where are you from originally?

21 PROSPECTIVE JUROR NO. 010: Reno.

22 THE COURT: Okay. And are you employed, sir?

23 PROSPECTIVE JUROR NO. 010: Yes, I am.

24 THE COURT: What do you do for work?

25 PROSPECTIVE JUROR NO. 010: I'm the president of

1 external legislative affairs for AT&T with the responsibility  
2 for Alaska, Washington and Hawaii.

3 THE COURT: Okay. And how high did you get in your  
4 education?

5 PROSPECTIVE JUROR NO. 010: Undergraduate and two  
6 classes short of my MBA.

7 THE COURT: Okay. Master in business  
8 administration? Okay. And are you married, sir?

9 PROSPECTIVE JUROR NO. 010: Yes, I am.

10 THE COURT: Does your spouse work?

11 PROSPECTIVE JUROR NO. 010: Yes, she does.

12 THE COURT: What does she do?

13 PROSPECTIVE JUROR NO. 010: She's a senior  
14 technical security director for AT&T.

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

16 PROSPECTIVE JUROR NO. 010: No, sir.

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

18 PROSPECTIVE JUROR NO. 010: Never.

19 THE COURT: Okay. Thank you. Can you pass it to,  
20 is it Vince Gaeta?

21 PROSPECTIVE JUROR NO. 019: That's close enough,  
22 Judge.

23 THE COURT: How do you say it?

24 PROSPECTIVE JUROR NO. 019: Gaeta.

25 THE COURT: Gaeta. Okay. Badge 019. Mr. Gaeta,

1 how long have you been in Las Vegas?

2 PROSPECTIVE JUROR NO. 019: I first came in '96.  
3 Moved back to northern California in '03 --

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 019: -- and returned in  
6 2010.

7 THE COURT: Okay. And you kind of told us a little  
8 bit yesterday about your employment. Can you tell us again?

9 PROSPECTIVE JUROR NO. 019: I'm the CEO of a  
10 company that I founded in 1994. Started in northern  
11 California, expanded into Nevada. At one point we were as  
12 far east as Missouri, and divested in most locations except  
13 the northern California location. I selected Nevada to  
14 reside in. Married, four children. The youngest 10, the  
15 oldest 24.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 019: Wife doesn't work. She  
18 plays with her horses.

19 THE COURT: So what does your oldest son -- is it a  
20 son?

21 PROSPECTIVE JUROR NO. 019: He's actually -- yeah,  
22 he's at Santa Clara University --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 019: -- in his final year.

25 THE COURT: What's he studying?

1 PROSPECTIVE JUROR NO. 019: Computer science,  
2 engineering.

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

5 PROSPECTIVE JUROR NO. 019: Never.

6 THE COURT: Okay. All right, thank you, sir.

7 PROSPECTIVE JUROR NO. 019: Yes, sir.

8 THE COURT: Can you pass it forward all the way to  
9 your left so it would be to Lin-Belle Addington. Ms.  
10 Addington is Badge 020. And Ms. Addington, how long have you  
11 been in Las Vegas?

12 PROSPECTIVE JUROR NO. 020: Fifty-seven years.

13 THE COURT: Okay. Are you employed, ma'am?

14 PROSPECTIVE JUROR NO. 020: Yes.

15 THE COURT: What do you do for work?

16 PROSPECTIVE JUROR NO. 020: I do research and  
17 surveys for like CBS and the New York Times and --

18 THE COURT: Okay. Are you a reporter or did --

19 PROSPECTIVE JUROR NO. 020: No, no.

20 THE COURT: Is that -- did I insult you?

21 PROSPECTIVE JUROR NO. 020: I work for a research  
22 company that does that.

23 THE COURT: Okay, I got you. All right. How high  
24 did you get in your education?

25 PROSPECTIVE JUROR NO. 020: I finished a degree in

1 technical school as a nationally certified pharmacy  
2 technician.

3 THE COURT: Okay. And are you married?

4 PROSPECTIVE JUROR NO. 020: No.

5 THE COURT: Do you have any children?

6 PROSPECTIVE JUROR NO. 020: I do.

7 THE COURT: How old are your children?

8 PROSPECTIVE JUROR NO. 020: She's 36.

9 THE COURT: One child?

10 PROSPECTIVE JUROR NO. 020: Yes.

11 THE COURT: And what does she do for work?

12 PROSPECTIVE JUROR NO. 020: She's a Clark County  
13 School District teacher.

14 THE COURT: Okay. And have you ever served as a  
15 juror before, ma'am?

16 PROSPECTIVE JUROR NO. 020: Never.

17 THE COURT: Okay. Thank you so much. Juror No. 21  
18 is Daniel Boggs. Mr. Boggs, how long have you been in Las  
19 Vegas?

20 PROSPECTIVE JUROR NO. 021: Sixteen years.

21 THE COURT: Where are you from originally?

22 PROSPECTIVE JUROR NO. 021: Lansing, Michigan.

23 THE COURT: Okay. That's right. That's where your  
24 brother's a retired Michigan police officer? Okay. And are  
25 you employed now, sir?

1 PROSPECTIVE JUROR NO. 021: Sands Corporation.

2 THE COURT: And what do you do for Sands  
3 Corporation?

4 PROSPECTIVE JUROR NO. 021: Marketing department.

5 THE COURT: All right. And how high did you get in  
6 your education?

7 PROSPECTIVE JUROR NO. 021: Bachelor's degree in  
8 advertising.

9 THE COURT: All right. Are you married?

10 PROSPECTIVE JUROR NO. 021: No.

11 THE COURT: Do you have any children?

12 PROSPECTIVE JUROR NO. 021: I have a 42-year-old  
13 daughter, who's a publicist, writer, self-employed.

14 THE COURT: Okay, hold on. Did you say a  
15 42-year-old daughter or did you say when I said how many  
16 children, you said 40?

17 PROSPECTIVE JUROR NO. 021: One child.

18 THE COURT: Okay. So you have one daughter --

19 PROSPECTIVE JUROR NO. 021: Right.

20 THE COURT: -- that's 42? All right. Does they  
21 work?

22 PROSPECTIVE JUROR NO. 021: She's a self-employed  
23 writer and publicist in Maine.

24 THE COURT: Write anything we know?

25 PROSPECTIVE JUROR NO. 021: No. She used to work

1 for a scholastic in New York, but --

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 021: -- kids stuff.

4 THE COURT: All right. Have you ever served as a  
5 juror before, sir?

6 PROSPECTIVE JUROR NO. 021: Once in San Francisco  
7 about 20 years ago.

8 THE COURT: Okay. Was that a criminal or civil  
9 matter or do you know?

10 PROSPECTIVE JUROR NO. 021: Well, it was a man  
11 suing a cab driver for running into him.

12 THE COURT: That would have been a civil matter.

13 PROSPECTIVE JUROR NO. 021: Okay, so --

14 THE COURT: Okay. In that matter, did you actually  
15 sit on the jury?

16 PROSPECTIVE JUROR NO. 021: Yes.

17 THE COURT: Without telling us what the verdict  
18 was, were you able to reach a verdict?

19 PROSPECTIVE JUROR NO. 021: Yes.

20 THE COURT: Okay. And were you the foreperson in  
21 that matter?

22 PROSPECTIVE JUROR NO. 021: No.

23 THE COURT: Is there anything about that experience  
24 you believe would affect your ability to be fair and  
25 impartial in this matter?

1 PROSPECTIVE JUROR NO. 021: No.

2 THE COURT: Okay. All right. Thank you. Ms.  
3 Samuel Menor. This is Badge 022?

4 PROSPECTIVE JUROR NO. 022: Yes, sir.

5 THE COURT: Okay. Senior, how long have you been  
6 in Las Vegas?

7 PROSPECTIVE JUROR NO. 022: About 35 years.

8 THE COURT: Okay. And are you employed, sir?

9 PROSPECTIVE JUROR NO. 022: Yes, sir.

10 THE COURT: What do you do for work?

11 PROSPECTIVE JUROR NO. 022: I'm a bellman at  
12 Caesars Palace.

13 THE COURT: Okay. And how high did you get in your  
14 education?

15 PROSPECTIVE JUROR NO. 022: Just high school. No  
16 education.

17 THE COURT: Okay. Are you married?

18 PROSPECTIVE JUROR NO. 022: Yes, sir.

19 THE COURT: Does your spouse work?

20 PROSPECTIVE JUROR NO. 022: Yes, sir.

21 THE COURT: What does your spouse do?

22 PROSPECTIVE JUROR NO. 022: She work at the  
23 marketing.

24 THE COURT: Okay. Where?

25 PROSPECTIVE JUROR NO. 022: At the California



1 Hotel.

2 THE COURT: All right. Do you have any children?

3 PROSPECTIVE JUROR NO. 022: Two, Your Honor.

4 THE COURT: How old are your children, sir?

5 PROSPECTIVE JUROR NO. 022: They're 22 and 26.

6 THE COURT: Okay. Can you tell me if they work?

7 PROSPECTIVE JUROR NO. 022: Yeah, they work at --

8 do some kind of computer by the airport. I forgot the name

9 of it. And my other one go to school at CSN.

10 THE COURT: Which one goes to school, the 22?

11 PROSPECTIVE JUROR NO. 022: Twenty-two.

12 THE COURT: All right.

13 PROSPECTIVE JUROR NO. 022: Michael.

14 THE COURT: Have you ever served as a juror before,

15 sir?

16 PROSPECTIVE JUROR NO. 022: Never, sir. Never

17 have.

18 THE COURT: Okay. Thank you, Mr. Menor. All

19 right. So the next juror is Lori Owen, Badge No. 023. Ms.

20 Owen, how long have you been in Las Vegas?

21 PROSPECTIVE JUROR NO. 023: Almost 19 years.

22 THE COURT: Okay. And are you employed?

23 PROSPECTIVE JUROR NO. 023: Just got laid off from

24 doing taxes at H&R Block, but I'm a semi-retired former

25 business owner.

1 THE COURT: Okay. How high did you get in your  
2 education?

3 PROSPECTIVE JUROR NO. 023: A bachelor's degree in  
4 business.

5 THE COURT: All right. Are you married?

6 PROSPECTIVE JUROR NO. 023: Yes.

7 THE COURT: Did your spouse work?

8 PROSPECTIVE JUROR NO. 023: Yes.

9 THE COURT: What does your spouse do?

10 PROSPECTIVE JUROR NO. 023: Works for the state of  
11 Nevada in the contractor board.

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

14 PROSPECTIVE JUROR NO. 023: Yes.

15 THE COURT: How old are your children?

16 PROSPECTIVE JUROR NO. 023: 28 and 25.

17 THE COURT: Do they work?

18 PROSPECTIVE JUROR NO. 023: Yes.

19 THE COURT: Can you tell me what they do?

20 PROSPECTIVE JUROR NO. 023: They're servers on the  
21 Strip.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 023: At restaurants.

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

25 PROSPECTIVE JUROR NO. 023: No.

1 THE COURT: Okay, thank you, Ms. Owen. And the  
2 next juror is Joseph Deluca. This is Badge --

3 PROSPECTIVE JUROR NO. 029: Yes, sir.

4 THE COURT: -- 029. Is that --

5 PROSPECTIVE JUROR NO. 029: Correct, yes.

6 THE COURT: Did I say that right? Okay.

7 Mr. Deluca, how long have you been in Las Vegas?

8 PROSPECTIVE JUROR NO. 029: Forty-three years.

9 THE COURT: And are you employed, sir?

10 PROSPECTIVE JUROR NO. 029: Yes.

11 THE COURT: What do you do for work?

12 PROSPECTIVE JUROR NO. 029: I work for an insurance  
13 agent.

14 THE COURT: Okay. How high did you get in your  
15 education?

16 PROSPECTIVE JUROR NO. 029: High school.

17 THE COURT: Okay. And do you have any special  
18 certificates or training?

19 PROSPECTIVE JUROR NO. 029: Yeah.

20 THE COURT: And for -- as a real estate agent?

21 PROSPECTIVE JUROR NO. 029: No, insurance.

22 THE COURT: I'm sorry. I was looking at the  
23 gentleman in the red.

24 PROSPECTIVE JUROR NO. 029: That's okay.

25 THE COURT: I remember you're a real estate agent,

1 sir. Okay. All right. So are you married, sir?

2 PROSPECTIVE JUROR NO. 029: Yes.

3 THE COURT: Does your spouse work?

4 PROSPECTIVE JUROR NO. 029: Yes.

5 THE COURT: What does your spouse do?

6 PROSPECTIVE JUROR NO. 029: She works at a casino.

7 THE COURT: What does she do?

8 PROSPECTIVE JUROR NO. 029: In the bingo.

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

10 PROSPECTIVE JUROR NO. 029: Yeah. Step-son.

11 THE COURT: How old are your children?

12 PROSPECTIVE JUROR NO. 029: Nineteen.

13 THE COURT: There's one?

14 PROSPECTIVE JUROR NO. 029: Yeah.

15 THE COURT: Okay. Does he or she work?

16 PROSPECTIVE JUROR NO. 029: Yes.

17 THE COURT: Can you tell me what he or she does?

18 PROSPECTIVE JUROR NO. 029: Courtesy clerk at a

19 grocery store.

20 THE COURT: All right. And you ever served as a

21 juror before?

22 PROSPECTIVE JUROR NO. 029: No.

23 THE COURT: Okay. Thank you, Mr. Deluca. Could

24 you pass the mic up to Ms. Sneen. This is Badge No. 037.

25 Ms. Sneen, do I say that right?

1 PROSPECTIVE JUROR NO. 037: Yes.

2 THE COURT: Okay. So it's Gloria Sneen. Ms.  
3 Sneen, how long have you been in Las Vegas?

4 PROSPECTIVE JUROR NO. 037: Thirteen years.

5 THE COURT: Where are you from originally?

6 PROSPECTIVE JUROR NO. 037: Wisconsin.

7 THE COURT: Okay. And are you employed?

8 PROSPECTIVE JUROR NO. 037: Yes.

9 THE COURT: What do you do for work?

10 PROSPECTIVE JUROR NO. 037: I'm a program  
11 coordinator for a supported living program with the  
12 intellectually challenged.

13 THE COURT: Okay. And how high did you get in your  
14 education?

15 PROSPECTIVE JUROR NO. 037: High school.

16 THE COURT: Okay. Do you have any special training  
17 for what you do right now?

18 PROSPECTIVE JUROR NO. 037: CNA.

19 THE COURT: Okay. And are you married?

20 PROSPECTIVE JUROR NO. 037: Yes.

21 THE COURT: Does your spouse work?

22 PROSPECTIVE JUROR NO. 037: Yes.

23 THE COURT: What does your spouse do?

24 PROSPECTIVE JUROR NO. 037: Baker.

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

1 PROSPECTIVE JUROR NO. 037: Four.

2 THE COURT: How old are your children?

3 PROSPECTIVE JUROR NO. 037: Thirty-two, 34, 36, 43.

4 THE COURT: Do they work?

5 PROSPECTIVE JUROR NO. 037: Yes.

6 THE COURT: Can you tell me what they do?

7 PROSPECTIVE JUROR NO. 037: Plant manager, a lead  
8 supervisor for a furniture warehouse, timeshare supervisor  
9 and my son works in electrical warehouse.

10 THE COURT: Okay. So have you ever served as a  
11 juror before?

12 PROSPECTIVE JUROR NO. 037: No.

13 THE COURT: Okay. Thank you. Can you pass it to  
14 James Keegan. He's Badge 049.

15 PROSPECTIVE JUROR NO. 049: That's correct, sir.

16 THE COURT: Mr. Keegan, how long have you been in  
17 Las Vegas?

18 PROSPECTIVE JUROR NO. 049: Fourteen years.

19 THE COURT: Where are you from originally?

20 PROSPECTIVE JUROR NO. 049: Charleston, South  
21 Carolina.

22 THE COURT: Okay. And are you employed, sir?

23 PROSPECTIVE JUROR NO. 049: I'm retired, sir.

24 THE COURT: What did you retire from?

25 PROSPECTIVE JUROR NO. 049: I retired from

1 basically retail management. Last shoe store I managed was a  
2 Birkenstock.

3 THE COURT: Okay. And how high did you get in your  
4 education?

5 PROSPECTIVE JUROR NO. 049: Twelfth grade, sir.

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

7 PROSPECTIVE JUROR NO. 049: Yes, sir.

8 THE COURT: Does your spouse work?

9 PROSPECTIVE JUROR NO. 049: Yes, she does. She  
10 works for the Southern Nevada Health District as an  
11 accountant.

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

13 PROSPECTIVE JUROR NO. 049: I have three, sir. One  
14 37 is in Jackson, Florida. He works with landscaping. My  
15 daughter, 24, she's, well, right now a schoolteacher at a  
16 Oasis Baptist Church, and my son, 21, he's attending college  
17 right now as well.

18 THE COURT: What is he studying?

19 PROSPECTIVE JUROR NO. 049: He's kind of up in the  
20 air right now, sir. He doesn't quite know what he wants to  
21 do, but he likes computer graphics, things of that nature,  
22 video games. So I'm not sure which way he's going to go.

23 THE COURT: Okay. Well, he's in school. That's  
24 good. Okay. So do you -- have you ever served as a juror  
25 before, sir?

1 PROSPECTIVE JUROR NO. 049: No, sir.

2 THE COURT: All right. Okay, thank you,  
3 Mr. Keegan.

4 PROSPECTIVE JUROR NO. 049: You're welcome, sir.

5 THE COURT: Could you pass it to Mr. Burns. Is  
6 William Burns, Badge 056.

7 PROSPECTIVE JUROR NO. 056: Yes, sir.

8 THE COURT: Mr. Burns, how long have you been in  
9 Las Vegas?

10 PROSPECTIVE JUROR NO. 056: Seven years now.

11 THE COURT: Where are you from originally?

12 PROSPECTIVE JUROR NO. 056: Toronto, Ohio.

13 THE COURT: Okay. Toronto, Ohio?

14 PROSPECTIVE JUROR NO. 056: Yes, sir.

15 THE COURT: Where is that?

16 PROSPECTIVE JUROR NO. 056: Right where West  
17 Virginia, Pennsylvania and Ohio all meet up.

18 THE COURT: Oh, okay. Okay. So are you employed,  
19 sir?

20 PROSPECTIVE JUROR NO. 056: Yes, sir.

21 THE COURT: With a do you do for work?

22 PROSPECTIVE JUROR NO. 056: I work at the Nellis  
23 Air Force Base. In civilian terms I would say I'm the  
24 technical manual, the people that maintain and update and  
25 keep up with the technical manuals.



1 THE COURT: Oh, okay. So how high did you get in  
2 your education?

3 PROSPECTIVE JUROR NO. 056: Two bachelor's degrees.  
4 First one is in aerospace. Second one is dual technical  
5 management (inaudible).

6 THE COURT: Okay. So are you married?

7 PROSPECTIVE JUROR NO. 056: Yes, sir.

8 THE COURT: Does your spouse work?

9 PROSPECTIVE JUROR NO. 056: Yes, sir. She's a  
10 self-employed translator.

11 THE COURT: Okay. Does she work at the courts?

12 PROSPECTIVE JUROR NO. 056: No, sir.

13 THE COURT: All right.

14 PROSPECTIVE JUROR NO. 056: Nothing to do with the  
15 U.S. system (inaudible).

16 THE COURT: Do you have any children?

17 PROSPECTIVE JUROR NO. 056: Yes, sir, I have one  
18 child. Well, my son's 26. He works in California as a sheet  
19 metal fabricator.

20 THE COURT: Okay. And have you ever served as a  
21 juror before?

22 PROSPECTIVE JUROR NO. 056: Not on an actual jury,  
23 no, sir.

24 THE COURT: Okay. All right, thank you, Mr. Burns.  
25 Can you hand it to Steven Goulder.

1 PROSPECTIVE JUROR NO. 057: Correct.

2 THE COURT: Mr. Goulder is Badge No. 057.

3 Mr. Goulder, how long have you been in Las Vegas?

4 PROSPECTIVE JUROR NO. 057: Thirty years.

5 THE COURT: And are you employed, sir?

6 PROSPECTIVE JUROR NO. 057: I am.

7 THE COURT: What do you do for work?

8 PROSPECTIVE JUROR NO. 057: I'm vice president of  
9 operations for a software company that I built and sold.

10 THE COURT: Okay. And how high did you get in your  
11 education?

12 PROSPECTIVE JUROR NO. 057: High school.

13 THE COURT: And are you married?

14 PROSPECTIVE JUROR NO. 057: Yes.

15 THE COURT: Does your spouse work?

16 PROSPECTIVE JUROR NO. 057: No.

17 THE COURT: And do you have any children?

18 PROSPECTIVE JUROR NO. 057: Yes, one.

19 THE COURT: How old?

20 PROSPECTIVE JUROR NO. 057: Daughter, 36.

21 THE COURT: And does your daughter work?

22 PROSPECTIVE JUROR NO. 057: No.

23 THE COURT: And have you ever served as a juror  
24 before?

25 PROSPECTIVE JUROR NO. 057: No.

1 THE COURT: Okay. All right, thank you,  
2 Mr. Goulder. Can you pass it to, is it Nitin Luhar?

3 PROSPECTIVE JUROR NO. 058: Luhar.

4 THE COURT: Okay. Mr. Luhar is Badge No. 058. How  
5 long have you been in Las Vegas, sir?

6 PROSPECTIVE JUROR NO. 058: Twelve years.

7 THE COURT: Where are you from originally?

8 PROSPECTIVE JUROR NO. 058: My -- I was born in  
9 England.

10 THE COURT: Okay. And are you employed, sir?

11 PROSPECTIVE JUROR NO. 058: Yes, I am.

12 THE COURT: What do you do for work?

13 PROSPECTIVE JUROR NO. 058: I'm a regional director  
14 for Mitsubishi power systems.

15 THE COURT: All right. How high did you get in  
16 your education?

17 PROSPECTIVE JUROR NO. 058: Master's in business.

18 THE COURT: Are you married?

19 PROSPECTIVE JUROR NO. 058: Yes, I am.

20 THE COURT: Does your spouse work?

21 PROSPECTIVE JUROR NO. 058: Yes, she does.

22 THE COURT: What does she do?

23 PROSPECTIVE JUROR NO. 058: She works. She's a  
24 systems developer for Southern Nevada Health District.

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

1 PROSPECTIVE JUROR NO. 058: Yes. Three boys.

2 THE COURT: And how old are they?

3 PROSPECTIVE JUROR NO. 058: Twenty-two, 18 and 16.

4 THE COURT: Does the -- do the older ones work?

5 PROSPECTIVE JUROR NO. 058: They're all students.

6 THE COURT: Oh, okay. Great. Here at UNLV or --

7 PROSPECTIVE JUROR NO. 058: At Cal Poly in

8 California and UNR.

9 THE COURT: Okay. And have you ever served as a  
10 juror before, sir?

11 PROSPECTIVE JUROR NO. 058: No, I haven't.

12 THE COURT: Okay. All right, thank you, sir. Do  
13 you mind passing that over to, is it Regina Lockhart, Badge  
14 062. Okay. Ms. Lockhart, how long have you been in Las  
15 Vegas?

16 PROSPECTIVE JUROR NO. 062: Twenty-three years.

17 THE COURT: And are you employed, ma'am?

18 PROSPECTIVE JUROR NO. 062: Yes.

19 THE COURT: What do you do for work?

20 PROSPECTIVE JUROR NO. 062: I'm a hospice nurse.

21 THE COURT: Okay. And how high did you get in your  
22 education?

23 PROSPECTIVE JUROR NO. 062: Associate's degree.

24 THE COURT: In?

25 PROSPECTIVE JUROR NO. 062: Nursing.

1 THE COURT: Okay. And are you married?

2 PROSPECTIVE JUROR NO. 062: Yes.

3 THE COURT: Does your spouse work?

4 PROSPECTIVE JUROR NO. 062: Yes.

5 THE COURT: Can you tell me what your spouse does.

6 PROSPECTIVE JUROR NO. 062: He transports and  
7 operates heavy equipment for a construction company.

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

9 PROSPECTIVE JUROR NO. 062: I do, I have three.

10 THE COURT: And how old are they?

11 PROSPECTIVE JUROR NO. 062: Thirty-four, 30 and 28.

12 THE COURT: I love to always talk to people in this  
13 area when I'm talking about the children, and they have to  
14 think of their ages and they do this --

15 PROSPECTIVE JUROR NO. 062: Well, because I find --

16 THE COURT: -- (indicating), and the camera's  
17 always look at you and you go like this (indicating) and --

18 PROSPECTIVE JUROR NO. 062: I've been one year off  
19 for about three years now so --

20 THE COURT: Okay. All right. So what do they do  
21 for work?

22 PROSPECTIVE JUROR NO. 062: The oldest one's a  
23 stay-at-home mom and then the next two, my one son, he helps  
24 run a family business in California and the younger one is a  
25 customer service for Comcast Cable.

1 THE COURT: Okay. All right. Have you ever served  
2 as a juror before?

3 PROSPECTIVE JUROR NO. 062: No.

4 THE COURT: Okay, thank you, Ms. Lockhart. Next  
5 juror in line is Angila Jenkins. And she's Badge No. 063.  
6 Ms. Jenkins, how long have you been in Las Vegas?

7 PROSPECTIVE JUROR NO. 063: Twenty-five years.

8 THE COURT: Okay. Are you employed, ma'am?

9 PROSPECTIVE JUROR NO. 063: I am.

10 THE COURT: What do you do for work?

11 PROSPECTIVE JUROR NO. 063: I'm a builder sales  
12 manager.

13 THE COURT: Okay. How high did you get in your  
14 education?

15 PROSPECTIVE JUROR NO. 063: Bachelor's degree.

16 THE COURT: In?

17 PROSPECTIVE JUROR NO. 063: Hotel management.

18 THE COURT: Okay. And are you married?

19 PROSPECTIVE JUROR NO. 063: I am.

20 THE COURT: Does your spouse work?

21 PROSPECTIVE JUROR NO. 063: He does not. He has a  
22 brain injury so he's at home with our kids.

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

24 PROSPECTIVE JUROR NO. 063: Three.

25 THE COURT: How old are your children?

1 PROSPECTIVE JUROR NO. 063: Sixteen, 13 and 8.

2 THE COURT: Okay. And have you ever served as a  
3 juror before, ma'am?

4 PROSPECTIVE JUROR NO. 063: No.

5 THE COURT: Okay, thank you. Pamela Regan.

6 PROSPECTIVE JUROR NO. 065: Regan.

7 THE COURT: Is it Regan?

8 PROSPECTIVE JUROR NO. 065: Yes.

9 THE COURT: And it's Badge No. 065. Ms. Regan, how  
10 long have you been in Las Vegas?

11 PROSPECTIVE JUROR NO. 065: Fifty-three years.

12 THE COURT: Okay. Are you employed?

13 PROSPECTIVE JUROR NO. 065: I am.

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

15 PROSPECTIVE JUROR NO. 065: Network engineer.

16 THE COURT: All right. And how high did you get in  
17 your education?

18 PROSPECTIVE JUROR NO. 065: Twelve grade.

19 THE COURT: And are you married?

20 PROSPECTIVE JUROR NO. 065: No.

21 THE COURT: Do you have any children?

22 PROSPECTIVE JUROR NO. 065: Thirty-one, 24.

23 THE COURT: Do they work?

24 PROSPECTIVE JUROR NO. 065: My son is a business  
25 owner. My daughter works for a group of ophthalmologists.

1 THE COURT: Okay. And have you ever served as a  
2 juror before?

3 PROSPECTIVE JUROR NO. 065: I have.

4 THE COURT: How many times?

5 PROSPECTIVE JUROR NO. 065: Once.

6 THE COURT: Was it here in Las Vegas?

7 PROSPECTIVE JUROR NO. 065: It was, yes.

8 THE COURT: Do you remember if it was a criminal or  
9 civil matter?

10 PROSPECTIVE JUROR NO. 065: It was a criminal  
11 matter.

12 THE COURT: Okay. And did you actually go to  
13 deliberate in it?

14 PROSPECTIVE JUROR NO. 065: Yes.

15 THE COURT: So were you the foreperson in that  
16 matter?

17 PROSPECTIVE JUROR NO. 065: No.

18 THE COURT: Without telling us what the verdict  
19 was, were you able to reach a verdict?

20 PROSPECTIVE JUROR NO. 065: Yes.

21 THE COURT: Okay. Is there anything about that  
22 experience you believe would affect your ability to be fair  
23 and impartial in this matter?

24 PROSPECTIVE JUROR NO. 065: No.

25 THE COURT: Okay. All right, thank you. Next



1 juror is Monte Lai. This is Badge 070. Mr. Lai, how long  
2 have you been in Las Vegas?

3 PROSPECTIVE JUROR NO. 070: Fifteen years.

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

5 PROSPECTIVE JUROR NO. 070: Taiwan.

6 THE COURT: Okay. And you indicated that you're  
7 our real estate agent, right?

8 PROSPECTIVE JUROR NO. 070: Yes, yes.

9 THE COURT: Okay. How long have you been working  
10 as a real estate agent?

11 PROSPECTIVE JUROR NO. 070: Since -- 17 years.

12 THE COURT: Okay. And how high did you get in your  
13 education?

14 PROSPECTIVE JUROR NO. 070: Doctorate degree of  
15 doctor of pharmacy. I was doing -- working as pharmacy as a  
16 primary job. Real estate was just like a side job, but a few  
17 years ago I -- I just started (inaudible) work that just  
18 concentrate on the real estate job.

19 THE COURT: Okay. So are you married, sir?

20 PROSPECTIVE JUROR NO. 070: Yes.

21 THE COURT: Does your spouse work?

22 PROSPECTIVE JUROR NO. 070: Yeah, she work  
23 part-time at real estate office also.

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

25 PROSPECTIVE JUROR NO. 070: I have one.

1 THE COURT: How old?

2 PROSPECTIVE JUROR NO. 070: Thirteen years old.

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

4 PROSPECTIVE JUROR NO. 070: Yes, one time.

5 THE COURT: Was it here in Las Vegas?

6 PROSPECTIVE JUROR NO. 070: Yeah, Vegas.

7 THE COURT: Do you remember if it was a criminal or  
8 a civil matter?

9 PROSPECTIVE JUROR NO. 070: It's a criminal.

10 THE COURT: Okay. Were you the foreperson in that  
11 matter?

12 PROSPECTIVE JUROR NO. 070: No.

13 THE COURT: Without telling us what the verdict  
14 was, were you able to reach a verdict?

15 PROSPECTIVE JUROR NO. 070: Yes.

16 THE COURT: Okay. Is there anything about that  
17 experience you think was -- would affect your ability to be  
18 fair and impartial --

19 PROSPECTIVE JUROR NO. 070: No.

20 THE COURT: -- in this matter?

21 PROSPECTIVE JUROR NO. 070: No.

22 THE COURT: Okay. All right, thank you, sir. Next  
23 juror is David Snyder, Badge No. 071. Mr. Snyder, how long  
24 have you been in Las Vegas?

25 PROSPECTIVE JUROR NO. 071: Eleven years.

1 THE COURT: And where are you from originally?  
2 PROSPECTIVE JUROR NO. 071: Milford, Pennsylvania.  
3 THE COURT: Jim. Okay. So, are you employed, sir?  
4 PROSPECTIVE JUROR NO. 071: Yes, sir.  
5 THE COURT: And what do you do for work?  
6 PROSPECTIVE JUROR NO. 071: I'm an executive chef.  
7 THE COURT: All right. Where?  
8 PROSPECTIVE JUROR NO. 071: Wynn.  
9 THE COURT: Okay. And how high did you get in your  
10 education?  
11 PROSPECTIVE JUROR NO. 071: Associate's degree.  
12 THE COURT: In?  
13 PROSPECTIVE JUROR NO. 071: Hotel restaurant  
14 management.  
15 THE COURT: All right. Are you married?  
16 PROSPECTIVE JUROR NO. 071: Yes, sir.  
17 THE COURT: And does your spouse work?  
18 PROSPECTIVE JUROR NO. 071: Self-employed.  
19 THE COURT: Okay. And what does she do for work?  
20 PROSPECTIVE JUROR NO. 071: She's a personal chef.  
21 THE COURT: Oh, okay. Do you have any children?  
22 PROSPECTIVE JUROR NO. 071: Two.  
23 THE COURT: And how old are your children?  
24 PROSPECTIVE JUROR NO. 071: Seven and four.  
25 THE COURT: And have you ever served as a juror

1 before?

2 PROSPECTIVE JUROR NO. 071: No, sir.

3 THE COURT: Okay.

4 (Pause in the proceedings)

5 THE COURT: All right. Okay. Sir, can you hand  
6 the mic up to, I guess, it's --

7 PROSPECTIVE JUROR NO. 074: Glynis.

8 THE COURT: Is it Glynis? I would have said  
9 Glynis.

10 PROSPECTIVE JUROR NO. 074: I know.

11 THE COURT: Okay. Glynis Bernard. This is Badge  
12 074.

13 PROSPECTIVE JUROR NO. 074: Yes.

14 THE COURT: Ms. Bernard, how long have you been in  
15 Las Vegas?

16 PROSPECTIVE JUROR NO. 074: Two years and seven  
17 months.

18 THE COURT: Okay. And where are you from  
19 originally?

20 PROSPECTIVE JUROR NO. 074: Hawaii.

21 THE COURT: Okay. And are you employed?

22 PROSPECTIVE JUROR NO. 074: Not presently.

23 THE COURT: Okay. How high did you get in your  
24 education?

25 PROSPECTIVE JUROR NO. 074: Two -- some college,

1 two years.

2 THE COURT: Okay. What were you studying?

3 PROSPECTIVE JUROR NO. 074: Culinary arts.

4 THE COURT: All right. Are you married?

5 PROSPECTIVE JUROR NO. 074: Not presently.

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

7 PROSPECTIVE JUROR NO. 074: Yes, I do.

8 THE COURT: How old?

9 PROSPECTIVE JUROR NO. 074: Thirty-nine, 37 and my  
10 youngest would have been 33.

11 THE COURT: Okay. One passed?

12 PROSPECTIVE JUROR NO. 074: Yes.

13 THE COURT: Okay. So do they work?

14 PROSPECTIVE JUROR NO. 074: Yes.

15 THE COURT: Can you tell me what they do?

16 PROSPECTIVE JUROR NO. 074: My -- my oldest son  
17 works for Chevron. He's a welder at the plant.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 074: And my daughter, she  
20 works for an elementary school back in Hawaii. She works  
21 with special need children.

22 THE COURT: Oh, okay. Have you ever served as a  
23 juror before, ma'am?

24 PROSPECTIVE JUROR NO. 074: No.

25 THE COURT: All right. Thank you. Can you pass it

1 to Daniel Powers. Mr. Powers is Badge 077. Mr. Powers, how  
2 long have you been in Las Vegas?

3 PROSPECTIVE JUROR NO. 077: About two and a half  
4 years.

5 THE COURT: Okay. And where are you from  
6 originally as if.

7 PROSPECTIVE JUROR NO. 077: Ohio.

8 THE COURT: All right. And are you employed?

9 PROSPECTIVE JUROR NO. 077: I'm retired.

10 THE COURT: What are you retired from?

11 PROSPECTIVE JUROR NO. 077: Army.

12 THE COURT: All right. Were you military your  
13 whole life?

14 PROSPECTIVE JUROR NO. 077: Yes.

15 THE COURT: Okay. How high did you reach in --

16 PROSPECTIVE JUROR NO. 077: Sergeant major.

17 THE COURT: Okay. And do you have any special -- I  
18 mean, how high did you get in your education?

19 PROSPECTIVE JUROR NO. 077: You know, while in the  
20 military on the side at night.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 077: So I have a master's  
23 degree in counseling and five or six pre-doctoral courses.

24 THE COURT: Oh, okay. Counseling in?

25 PROSPECTIVE JUROR NO. 077: Marriage and family

1 therapy.

2 THE COURT: For the military? Probably quite a  
3 bit, huh?

4 PROSPECTIVE JUROR NO. 077: And everybody else.

5 THE COURT: Okay. All right. Are you married?

6 PROSPECTIVE JUROR NO. 077: Yes.

7 THE COURT: Do you have any -- does your spouse  
8 work?

9 PROSPECTIVE JUROR NO. 077: No, she's a retired  
10 social worker.

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

12 PROSPECTIVE JUROR NO. 077: Two children.

13 Daughter, 37. Son, 35.

14 THE COURT: Do they work?

15 PROSPECTIVE JUROR NO. 077: Yes. Daughter's a  
16 nurse in Michigan. And my son is a program director for UC  
17 Irvine.

18 THE COURT: Okay. Have you ever served in the  
19 military before?

20 PROSPECTIVE JUROR NO. 077: In the military, yes.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 077: Twenty-seven years.

23 THE COURT: And that for what branch?

24 PROSPECTIVE JUROR NO. 077: Army.

25 THE COURT: All right. And have you ever served as

1 a -- as a juror before?

2 PROSPECTIVE JUROR NO. 077: In the military I was  
3 on court marshal once.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 077: Yeah.

6 THE COURT: One time?

7 PROSPECTIVE JUROR NO. 077: One time.

8 THE COURT: All right. And was it in a criminal  
9 matter? That's pretty much what it always is, isn't it?

10 PROSPECTIVE JUROR NO. 077: Yeah, it was urinalysis  
11 tampering.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 077: Yeah.

14 THE COURT: All right. As your rank, is that why  
15 you were on the court's marshal?

16 PROSPECTIVE JUROR NO. 077: Partially. Yeah,  
17 senior NCO and then they have a -- a variety of ranks to  
18 represent, but mostly senior folks.

19 THE COURT: Okay. All right. So you've never  
20 served on a --

21 PROSPECTIVE JUROR NO. 077: Not a --

22 THE COURT: -- a civilian --

23 PROSPECTIVE JUROR NO. 077: No.

24 THE COURT: -- jury? Okay.

25 PROSPECTIVE JUROR NO. 077: No.



1 THE COURT: All right. Okay, thank you. All  
2 right. All right, so this is Austin Guggia?

3 PROSPECTIVE JUROR NO. 082: Guggia. Guggia.

4 THE COURT: Guggia?

5 PROSPECTIVE JUROR NO. 082: Yeah.

6 THE COURT: Mr. Guggia is Badge No. 82. How long  
7 have you been in Las Vegas, sir?

8 PROSPECTIVE JUROR NO. 082: Twenty years.

9 THE COURT: And are you employed, sir?

10 PROSPECTIVE JUROR NO. 082: Yes, sir.

11 THE COURT: What do you do for work?

12 PROSPECTIVE JUROR NO. 082: A sales -- salesman at  
13 a vape shop.

14 THE COURT: Okay. And how high did you reach in  
15 your education?

16 PROSPECTIVE JUROR NO. 082: High school.

17 THE COURT: Okay. And are you married?

18 PROSPECTIVE JUROR NO. 082: No.

19 THE COURT: Do you have any children?

20 PROSPECTIVE JUROR NO. 082: No.

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

22 PROSPECTIVE JUROR NO. 082: No.

23 THE COURT: Okay. Can you pass it to Jacqueline  
24 Ayala.

25 PROSPECTIVE JUROR NO. 084: Yes.

1 THE COURT: Ms. Ayala is Badge 84. How long have  
2 you been in Las Vegas, Ms. Ayala?

3 PROSPECTIVE JUROR NO. 084: Eleven years back and  
4 forth.

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

6 PROSPECTIVE JUROR NO. 084: Los Angeles,  
7 California.

8 THE COURT: Okay. So you moved back and forth  
9 and --

10 PROSPECTIVE JUROR NO. 084: Yeah.

11 THE COURT: Okay. And are you employed?

12 PROSPECTIVE JUROR NO. 084: Yes.

13 THE COURT: What do you do for work?

14 PROSPECTIVE JUROR NO. 084: I work for a financial  
15 place who helps people reestablish credit.

16 THE COURT: Okay. And how high did you get in your  
17 education?

18 PROSPECTIVE JUROR NO. 084: I'm currently in  
19 college.

20 THE COURT: What are you studying?

21 PROSPECTIVE JUROR NO. 084: Human resources.

22 THE COURT: Okay. Are you married?

23 PROSPECTIVE JUROR NO. 084: No.

24 THE COURT: Do you have any children?

25 PROSPECTIVE JUROR NO. 084: No.

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

2 PROSPECTIVE JUROR NO. 084: No.

3 THE COURT: Okay. All right, ladies and gentlemen,  
4 I just finished this panel. I have another section to  
5 finish, but my marshal indicated I have an individual that  
6 needs to use the restroom. I'm going to give everybody an  
7 opportunity to go to the restroom again because we're still  
8 working through it, but that's all you need to do is just let  
9 me know, okay?

10 Once again, though, during this recess, you're  
11 admonished not to talk or converse amongst yourself or with  
12 anyone else on any subject connected with this trial, read,  
13 watch or listen to any report or any commentary on the trial  
14 or person connected with this trial by any medium of  
15 information, including but not limited to newspapers,  
16 television, Internet or radio. Also, you are not to form or  
17 expression any opinion on any subject connected with this  
18 trial until the case is finally submitted to you.

19 Remember where you're seated now, all right? When  
20 you come back in, I'm going to put you back in the same  
21 seats. We're going to take 15 minutes. It's 20 until. Be  
22 ready to start back at 5 until. We will get you right back  
23 in at 5 until. We don't have anything else to do while  
24 you're out, okay? All right, we'll be at ease while the jury  
25 leaves the room.

1 (Outside the presence of the prospective jurors)

2 (Pause in the proceedings)

3 THE COURT: Okay. All right. Okay, we're outside  
4 the presence of the jury. Is there -- there's nothing you  
5 need to put on the record, is there right now?

6 MR. TANASI: I just have a question kind of in  
7 terms of procedure, and I don't think it's on the record,  
8 though.

9 THE COURT: It's on right now.

10 MR. TANASI: Okay.

11 THE COURT: Go ahead.

12 MR. TANASI: Just in terms of the Court's next  
13 procedure, when we're allowed to ask our questions.

14 THE COURT: Okay.

15 MR. TANASI: Are you expecting us to keep it  
16 confined to the follow-up of the questions you've already  
17 asked or is it that point our fair game to ask --

18 THE COURT: This is what I do.

19 MR. TANASI: Okay.

20 THE COURT: I ask basic questions. That's fair.  
21 That's fair, Mr. Tanasi. I ask the basic questions. I know  
22 that you're going to have a lot of follow-up from that. What  
23 I would prefer is I don't want you going every single one of  
24 them unless you got some specific questions you need to ask.  
25 Like, you know, ma'am, you haven't said a thing, you know,

1 what -- you know what I mean?

2 Stick with follow up on my questions. If you need  
3 to, if there's other areas that you want to address based on  
4 what was answered, you can go -- I give you pretty much free  
5 reign. It's just I just don't think we need to repeat  
6 everything that --

7 MR. TANASI: Sure.

8 THE COURT: -- that I've asked. And if you have  
9 any questions that I haven't asked and you feel like asking  
10 it, then go ahead.

11 MR. TANASI: Okay.

12 THE COURT: I would ask you to do it as a group,  
13 though.

14 MR. TANASI: Sure.

15 THE COURT: Like, is there anyone here that  
16 specifically has problems with Taco Bell or something like  
17 that.

18 MR. TANASI: Sure.

19 THE COURT: Or you know what I mean? And then you  
20 get raised hands or I'm just using that as an example.

21 MR. TANASI: Sure.

22 THE COURT: Okay?

23 MR. TANASI: Yeah, I was more concerned primarily  
24 just with how to handle the exact follow-ups based on the  
25 questions you asked. So it sounds like I'll just -- we'll

1 just lead with those and then go --

2 THE COURT: That's fine.

3 MR. TANASI: -- into others after that.

4 THE COURT: I don't have any -- I'm sure you're  
5 writing notes on everything I'm saying and --

6 MR. TANASI: Sure.

7 THE COURT: -- there's a number of another  
8 questions that I have coming up, too, that's going to talk  
9 about victims of crime, charged with a crime, you know,  
10 whether or not you believe a police officer simply because a  
11 police after -- that kind of thing. And you'll get --  
12 there's more coming and so --

13 MR. TANASI: Okay.

14 THE COURT: Okay?

15 MS. LOBO: Okay.

16 MR. TANASI: Thank you.

17 MS. LOBO: Thank you, Your Honor.

18 THE COURT: All right. Okay.

19 (Court recessed at 1:44 p.m. until 2:05 p.m.)

20 THE MARSHAL: Please remain seated. Department 19  
21 is back in session.

22 (Outside the presence of the prospective jurors)

23 THE COURT: Okay, are we ready to bring the jury  
24 back in?

25 MS. MERCER: And Your Honor, you want for cause

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

---

BRANDON STARR, )  
#1165964, )  
Appellant, )  
v. )  
STATE OF NEVADA, )  
Respondent. )  
\_\_\_\_\_ )

**CASE NO.: 71401** Electronically Filed  
**E-FILE** Jun 21 2017 09:23 a.m.  
D.C. Case: C-14-303022-2 Elizabeth A. Brown  
Dept.: XIX Clerk of Supreme Court

**APPELLANT'S APPENDIX VOLUME IV**

Appeal from a Denial of Post Conviction Relief  
Eighth Judicial District Court, Clark County

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## **CERTIFICATE OF SERVICE**

I hereby certify that I am an assistant to Terrence M. Jackson, Esq., am a person competent to serve papers and not a party to the above-entitled action and on the 19th day of June, 2017, I served a copy of the foregoing: Appellant's Appendix and Index, Volumes I - XII, as follows:

[X] Via Electronic Service (*eFlex*) to the Nevada Supreme Court and to the Eighth Judicial District Court, and by U.S. mail with first class postage affixed to the Petitioner/Appellant as follows:

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By: /s/ Ila C. Wills  
Assistant to Terrence M. Jackson, Esq.

1 graduation.

2 And I have 350 students in my case. We don't have  
3 substitute counselors so if I'm absent, then it's going to be  
4 difficult for the department to approach my case.

5 THE COURT: Okay, thank you.

6 PROSPECTIVE JUROR NO. 212: Um-h'm.

7 THE COURT: Anyone else? Can you hand it to your  
8 right there. Is anyone in the front three there? All right.

9 PROSPECTIVE JUROR NO. 108: Ken Sheehy, 108. I'm  
10 one of two employees in a small crane company. Spring and  
11 summer's our busy season. It's just started. I'm the only  
12 income earner in our house at the moment, and it would be  
13 quite a financial hit for the company also being as you have  
14 to have a license to operate the crane and there's only two  
15 of us.

16 THE COURT: Okay, thank you, sir. Anyone else?  
17 Okay, anyone in the second row? You want to pass that all  
18 the way down to your left.

19 PROSPECTIVE JUROR NO. 113: My name is Lezlie  
20 Koepp, and I'm Badge No. 113. I'm a high school  
21 administrator and I'm going to piggyback on our other two  
22 speakers. In the next three weeks I have to enroll 450 new  
23 students, clear 450 seniors for graduation, proctor three  
24 weeks worth of testing, clear teachers for graduation and it  
25 all has to be completed by about May 26th. Three to five

1 days out of the building was causing me stress. Three weeks  
2 is -- it's devastating. There's no substitute  
3 administrators.

4 THE COURT: What high school?

5 PROSPECTIVE JUROR NO. 113: Las Vegas Academy of  
6 the Arts.

7 THE COURT: Okay, thank you.

8 PROSPECTIVE JUROR NO. 113: Thank you.

9 THE COURT: Okay. Anyone else?

10 PROSPECTIVE JUROR NO. 116: My name is Raymond  
11 Parker, Badge No. 116. I'm a registered nurse, and I  
12 function as a charge nurse capacity, and the medical facility  
13 I work at does have shortage on the days I work for nursing.  
14 Also, I'm a single parent and sole income provider for my  
15 household, and it would provide a hardship.

16 THE COURT: How old's your children?

17 PROSPECTIVE JUROR NO. 116: Well, my children are  
18 fairly self-sufficient, 17 and 14.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 116: It's the financial  
21 aspect that's pressing.

22 THE COURT: All right. Okay, thank you.

23 PROSPECTIVE JUROR NO. 119: My name is Lynda Soper,  
24 Badge No. 119. I have reservations to fly to South Dakota on  
25 the 20th for five days.

1 THE COURT: Okay, thank you.

2 PROSPECTIVE JUROR NO. 128: My name is Cassandra  
3 Bamba, Badge No. 128. I'm a full-time college student, and I  
4 have final exams next week and summer school starting  
5 immediately after the weeks that follow.

6 THE COURT: Okay. All right, thank you.

7 PROSPECTIVE JUROR NO. 142: Hi, my name is Venus  
8 Ghafoori, Badge No. 142. I'm a pharmacy manager, and I'm  
9 responsible for a lot of things in the pharmacy, so there's  
10 no one else that can do my job. So being gone three weeks is  
11 a long time. Also, I have two teenagers and I serve as a  
12 chauffeur. Most of the time my husband travels a lot, and we  
13 have to arrange everything ahead of time so I'm not sure I  
14 can do three weeks. It's a long time.

15 THE COURT: Okay, thank you. Anyone in the back  
16 row now? Oh, you -- ma'am, okay. Excuse me, sorry.

17 PROSPECTIVE JUROR NO. 139: My name is Diane Perea.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 139: My badge number is 139.

20 THE COURT: Uh-huh.

21 PROSPECTIVE JUROR NO. 139: I have health issues,  
22 and I won't be able to come for three weeks, and I don't have  
23 transportation. I have breathing problems. I came, I got  
24 dropped off by a friend. So I won't be able to come. I'm  
25 kind of ill right now.

1 THE COURT: Okay. What's your health issues?

2 PROSPECTIVE JUROR NO. 139: I have trouble -- I  
3 have chest pains?

4 THE COURT: Chest pains?

5 PROSPECTIVE JUROR NO. 139: Yeah.

6 THE COURT: Are you okay right now?

7 PROSPECTIVE JUROR NO. 139: And I have trouble  
8 breathing? I have asthma, and I have arthritis all through  
9 my whole body so I can't stay standing or sitting down too  
10 long.

11 THE COURT: Okay, thank you, Ms. Perea. Okay. Is  
12 there -- can you pass it down all the way to the end in the  
13 back row. Is there anyone in the back row that wants to --  
14 okay. Yeah, just pass it all the way down.

15 PROSPECTIVE JUROR NO. 152: Virginia Rockelman,  
16 Badge No. 152. I'm scheduled to be in the Philippines May  
17 11th through May 24th.

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

19 PROSPECTIVE JUROR NO. 154: Hello, Your Honor.  
20 Todd Esposito, No. 154. Currently, I'm a substitute teacher,  
21 and I plan to be a student teacher in the fall. In order to  
22 do that, I need to take some courses at UNLV. Some of those  
23 courses are only offered starting the middle of the month.  
24 They're not offered any other time. If I don't take those  
25 courses, I cannot be a student teacher in the fall.

1           In addition, to augment my salary, I do do some  
2 accounting work on the side, and I have two projects, one  
3 that's supposed to start next week, and the second one is  
4 supposed to start the week after. If I am here, I simply  
5 will not have a chance to do those projects to make  
6 additional money.

7           I am the sole -- sole person that makes money in my  
8 household, and I do have two children. One's seven and one  
9 four months.

10           THE COURT: Four-month-old?

11           PROSPECTIVE JUROR NO. 154: Yeah.

12           THE COURT: Do you have -- you don't have a wife?

13           PROSPECTIVE JUROR NO. 154: I do have a wife.

14           THE COURT: Okay.

15           PROSPECTIVE JUROR NO. 154: But she doesn't work.

16           THE COURT: She's just working?

17           PROSPECTIVE JUROR NO. 154: No, she doesn't work.

18           THE COURT: Okay. All right, thank you,

19 Mr. Esposito.

20           PROSPECTIVE JUROR NO. 154: Sure.

21           THE COURT: Okay.

22           PROSPECTIVE JUROR NO. 156: Your Honor, Kamuela

23 Kapanui, Badge No. 156. As I noted before, I'm a U.S.

24 pretrial services officer and supervisor, case load of nearly

25 60 defendants, about 14 of which I'm on call 24 hours a day.

1 And the -- having someone to cover my caseload alone as well  
2 as my investigative capacity would -- would create a  
3 significant burden on my agency, which we have six officers  
4 right now to cover the entire southern Nevada.

5 But if it is an absolute necessary -- necessity,  
6 Your Honor, I will -- I can be here, and we can schedule  
7 around it.

8 THE COURT: Okay. All right, thank you, sir.

9 PROSPECTIVE JUROR NO. 159: Your Honor, my name is  
10 Marsha Rosemark, Badge 159. My husband is --

11 THE COURT: Speak into the --

12 PROSPECTIVE JUROR NO. 159: Oh.

13 THE COURT: -- the little felt part when you talk.

14 PROSPECTIVE JUROR NO. 159: Okay. My -- can you  
15 hear me?

16 THE COURT: There you go.

17 PROSPECTIVE JUROR NO. 159: Okay. My husband is  
18 very ill. He is able to take care of himself during the day,  
19 and I had could do three weeks, but I could not be  
20 sequestered.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 159: If that's an issue.

23 THE COURT: Are you threatening me?

24 PROSPECTIVE JUROR NO. 159: No.

25 THE COURT: I want to -- since you brought that up,



1 I want to tell you a little story. Before I became a lawyer,  
2 a lot of us worked for judges throughout -- you know, law  
3 clerked for judges and that. I worked for a federal district  
4 court judge in Ohio, and I was on a case involving -- it was  
5 a really big case that came up out of Florida.

6 And that case the judge sequestered the jury for  
7 362 days. Almost a full year this jury was in sequester.  
8 Meaning they're staying in hotels and all that. And the  
9 reason I bring it up is because -- but why I remember it  
10 besides the fact that it was that big is the judge took a  
11 photograph of the jury and put it in the jury room, and it  
12 says don't think I won't.

13 What that means is basically, if we think some  
14 things are happening and it's weird with the jury, sometimes  
15 you'll get sequestered or whatever. But I don't -- do you  
16 anticipate we need to do that in this case at all?

17 MS. MERCER: No, Your Honor.

18 THE COURT: We don't.

19 MR. TANASI: No, Your Honor.

20 MS. LOBO: No, Your Honor.

21 THE COURT: Yeah. Also, just for a sidenote, there  
22 was two individuals on that jury that divorced their current  
23 spouses and the judge I was the judge for married them so for  
24 what it's worth, okay? I don't anticipate we'll be  
25 sequestering anybody so -- okay.

1 All right. So let's move on.

2 PROSPECTIVE JUROR NO. 173: Hi. I'm Lilly Low,  
3 Badge number's 173. I supervise adults with intellectual  
4 disabilities, and I have set appointments for them for the  
5 next three weeks.

6 THE COURT: Okay. Tell me more about what do you.

7 PROSPECTIVE JUROR NO. 173: I supervise adults with  
8 intellectual disabilities. And we have set appointments like  
9 say for psychiatry and things like that and that these are  
10 appointments that I need to be attending them.

11 THE COURT: Okay. What company do you work for?

12 PROSPECTIVE JUROR NO. 173: It's called Pinnacle  
13 Community Services.

14 THE COURT: There's no one else there that would be  
15 able to help?

16 PROSPECTIVE JUROR NO. 173: I can have others help,  
17 but there's certain appointments that I have to attend to.

18 THE COURT: Okay. All right, I understand. Okay,  
19 thank you. Go ahead.

20 PROSPECTIVE JUROR NO. 186: My name is Bria Finley,  
21 and I'm badge number is 186. I just wanted to say this is a  
22 pretty big month for me. I am a senior in college, and I  
23 have final exams that are coming up.

24 THE COURT: What school are you going to?

25 PROSPECTIVE JUROR NO. 186: University of Nevada,

1 Las Vegas.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 186: I have exams that are  
4 coming up, and I have to start summer school right after  
5 that, and I work full-time, and plus, I'm graduating. So it  
6 will create a financial hardship if I'm not working because I  
7 have to pay for the summer classes because they're on a  
8 payment plan. And if you don't make the payment plan, they  
9 drop you out of the classes. And the classes -- these  
10 classes, you can only get them at a certain time of the year.

11 THE COURT: I thought you were graduating.

12 PROSPECTIVE JUROR NO. 186: I'm still taking  
13 classes, though.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 186: Yeah.

16 THE COURT: But usually, when you graduate, you're  
17 done.

18 PROSPECTIVE JUROR NO. 186: Oh, no, it's never --  
19 it's always on for me.

20 THE COURT: What are you studying, ma'am?

21 PROSPECTIVE JUROR NO. 186: Public administration.

22 THE COURT: Okay. And so you plan on graduating  
23 from UNLV. Are you in exams now for UNLV?

24 PROSPECTIVE JUROR NO. 186: Yes, actually, I am.

25 THE COURT: Okay. All right. Okay. And you --

1 then you also have classes that you're -- do the classes  
2 start --

3 PROSPECTIVE JUROR NO. 186: They start on May 16th.

4 THE COURT: Okay. Those are summer school classes?

5 PROSPECTIVE JUROR NO. 186: Yes, correct.

6 THE COURT: Okay. And are you working, too, you  
7 said?

8 PROSPECTIVE JUROR NO. 186: Yes, I am.

9 THE COURT: What do you do for work?

10 PROSPECTIVE JUROR NO. 186: I am a programmer for a  
11 marketing research firm.

12 THE COURT: Okay, thank you. All right. Anyone  
13 else in the back row? All right.

14 PROSPECTIVE JUROR NO. 195: Jean Batiste Perrier,  
15 Badge No. 195. I have two events this month. I'm going to  
16 Utah to help some individuals set up some equipment for an  
17 event in October. And then I've got an event at the end of  
18 the month that's a three-day event. People have tens of  
19 thousands of dollars invested in it, and I'm one of the main  
20 people to set it up.

21 THE COURT: What events do you set up or what --

22 PROSPECTIVE JUROR NO. 195: I work for Pro Gun Club  
23 part time and --

24 THE COURT: What's that?

25 PROSPECTIVE JUROR NO. 195: I work Pro Gun Club out

1 in Boulder City. I'm their gunsmith armor.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 195: And we have a world  
4 class shooting event at the end of this month, and I've got  
5 two world champions coming in to do a class, and I'm the one  
6 setting the class up.

7 THE COURT: When is that event?

8 PROSPECTIVE JUROR NO. 195: I believe, it's the  
9 22nd to the 27th.

10 THE COURT: Okay. And you said you were going to  
11 Utah?

12 PROSPECTIVE JUROR NO. 195: Yeah. I'm going to St.  
13 George on Monday. There's an event in --

14 THE COURT: When? This Monday?

15 PROSPECTIVE JUROR NO. 195: This Monday.

16 THE COURT: Okay. How long will that be?

17 PROSPECTIVE JUROR NO. 195: I'm scheduled to return  
18 from my other job on Wednesday. I also am a subcontractor  
19 for Caesars Entertainment --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 195: -- as a light and sound  
22 tech, and they'll keep me on, but that's going to put them in  
23 a real disadvantage not having me for three weeks.

24 THE COURT: So you are going to be going up to St.  
25 George Monday, Tuesday and coming back Wednesday; is that

1 what you're saying?

2 PROSPECTIVE JUROR NO. 195: That's correct.

3 THE COURT: Okay. I got you. Okay, thank you.

4 PROSPECTIVE JUROR NO. 204: Your Honor, David  
5 Gaffin, Badge No. 204. I'm a named defendant in another  
6 lawsuit. I will be in Judge -- I'm scheduled for a hearing  
7 to be in Judge Alf's courtroom on May 12th.

8 THE COURT: Where are you in your proceedings? Is  
9 it a civil matter?

10 PROSPECTIVE JUROR NO. 204: It's a civil matter,  
11 Your Honor.

12 THE COURT: Where are you at in the proceeding?

13 PROSPECTIVE JUROR NO. 204: This is -- this is a  
14 initial hearing that me and my partner are probably going to  
15 be called as witnesses in.

16 THE COURT: At the hearing? What type of hearing?

17 PROSPECTIVE JUROR NO. 204: I don't know what you  
18 call it. It's a hearing to see whether or not a lawsuit can  
19 go forward against us.

20 THE COURT: So are you talking about possible  
21 motion for summary judgment or --

22 PROSPECTIVE JUROR NO. 204: I believe, that's going  
23 to be part of it.

24 THE COURT: Okay. And you believe you're going to  
25 be a witness at that hearing?

1 PROSPECTIVE JUROR NO. 204: It's a possibility.

2 THE COURT: Okay. All right. Do you mind if I ask  
3 Judge Allf what the -- well, do you know what the name -- can  
4 you tell me the name, the case name?

5 PROSPECTIVE JUROR NO. 204: S Bar versus myself and  
6 a bunch of other entities.

7 THE COURT: Okay. Hold on a minute, I think we've  
8 got it already. What's the --

9 (Pause in the proceedings, Court confers with Clerk)

10 THE COURT: It's on May 26th --

11 PROSPECTIVE JUROR NO. 204: So it must have got  
12 continued, then.

13 THE COURT: -- is what -- what we have. Okay. All  
14 right.

15 PROSPECTIVE JUROR NO. 204: That would still be  
16 within the three-week time period.

17 THE COURT: Yeah. I'm going to address it with the  
18 parties, okay? Because I'll tell them what it is and then  
19 they can make determination on that. All right?

20 PROSPECTIVE JUROR NO. 204: Thank you.

21 THE COURT: Okay, thank you.

22 PROSPECTIVE JUROR NO. 210: Hi, I'm Ed Fioravante,  
23 Badge 210. I have airline tickets we purchased for the end  
24 of the month May 24th to go to New York. I'm bringing my  
25 86-year-old mother, she's in a wheelchair, to attend her

1 granddaughter's wedding. Thank you, Your Honor.

2 THE COURT: When's the wedding?

3 PROSPECTIVE JUROR NO. 210: That weekend on the  
4 Saturday.

5 THE COURT: Okay. So you're going to get your --

6 PROSPECTIVE JUROR NO. 210: We're going up the  
7 24th.

8 THE COURT: Okay. I got you. Okay, thank you.  
9 Anyone else? Okay. Ladies and gentlemen, at this point --

10 THE MARSHAL: We got one more, Your Honor.

11 THE COURT: Oh, you do? I'm sorry. One more?  
12 Okay.

13 PROSPECTIVE JUROR NO. 103: My name is Wondwossen,  
14 Badge No --

15 THE COURT: Can you speak right into the black --  
16 the felt part.

17 PROSPECTIVE JUROR NO. 103: Yeah, my name is  
18 Wondwossen, Badge No. 103.

19 THE COURT: 1-0 --

20 PROSPECTIVE JUROR NO. 103: 0-3.

21 THE COURT: Okay. What do you want to tell me,  
22 sir?

23 PROSPECTIVE JUROR NO. 103: Yeah, I'm not more  
24 speaking English.

25 THE COURT: Trouble with English?



1 PROSPECTIVE JUROR NO. 103: Yeah, (indiscernible),  
2 yeah.

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

4 PROSPECTIVE JUROR NO. 103: Yeah, originally  
5 Ethiopia.

6 THE COURT: Where?

7 PROSPECTIVE JUROR NO. 103: Ethiopia.

8 THE COURT: Okay. What's your native language?

9 PROSPECTIVE JUROR NO. 103: Speaking America.

10 THE COURT: How long have you been in the United  
11 States?

12 PROSPECTIVE JUROR NO. 103: Yeah, ten years.

13 THE COURT: Ten years? What do you do for work?

14 PROSPECTIVE JUROR NO. 103: Yeah, taxi.

15 THE COURT: You're a cabbie?

16 PROSPECTIVE JUROR NO. 103: Yeah, cab, yeah.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 103: I'm (indiscernible),  
19 but I'm working (indiscernible) days.

20 THE COURT: Okay. So you drive a cab?

21 PROSPECTIVE JUROR NO. 103: Yeah. Yes.

22 THE COURT: Okay. Okay, thank you.

23 PROSPECTIVE JUROR NO. 103: You're welcome.

24 THE COURT: Anyone else? Anyone else to that  
25 question? All right. Ladies and gentlemen, since you are

1 part of my juror panel, I'm going to read an admonishment to  
2 you. I'm going to give you an opportunity to take a break at  
3 this time. Actually, we're going to go through these -- what  
4 was just discussed with us to determine who I'm going to be  
5 letting -- being excused.

6 It's 20 till now. I'm going to ask you that you  
7 come back -- be ready to be back in here about a quarter  
8 after, quarter after 12:00.

9 But, ladies and gentlemen, during this recess,  
10 you're admonished not to talk or converse amongst yourself or  
11 with anyone else on any subject connected with this trial or  
12 read, watch or listen to any report or commentary on the  
13 trial or any person connected with this trial by any medium  
14 of information, including without limitation, newspapers,  
15 television, radio or Internet. You're not to express -- form  
16 any opinion on any subject connected with this trial until  
17 the case is finally submitted to you.

18 Do not go out in the hall and take your phone and  
19 take a picture of you in front of the courthouse and say look  
20 at me, I'm in this case, and I think it's about these guys,  
21 that type of thing. Don't go on Facebook and tell people  
22 that you're here doing a jury trial.

23 Do not do any independent investigation. Don't go  
24 out in the hall and get on the Internet and find out what  
25 Judge Kephart's all about or what the attorneys are all about

1 or what the defendants are. Don't research it. Don't  
2 research any legal terms either.

3 Right now we're just at the point where we're  
4 making the decision whether or not -- how many of you,  
5 basically, we're going to be excluding at this point. I have  
6 a number of other questions I'll be asking. But since you  
7 are part of my jury panel, you are subject to that  
8 admonishment.

9 The main thing is, is if you have spouses, if they  
10 call you and they want to know really, where you're at, tell  
11 them, you know, you're down at the courthouse and you're on  
12 potential jury panel for a criminal case. You cannot tell  
13 them what the case is about or who the defendants are or who  
14 the parties are. Does anyone have any questions at this  
15 point?

16 Okay. I'll go ahead and allow you to be excused.  
17 You've got about a half hour now. I'm going to give you an  
18 opportunity to go get something to drink, maybe a snack or  
19 something, but be prepared to come back here. Do not come in  
20 the courtroom. Be prepared to come back to the courtroom at  
21 a quarter after 12:00, okay? We'll be at ease while the  
22 panel leaves the room. Yes?

23 UNIDENTIFIED PROSPECTIVE JUROR: Do we hold onto  
24 the --

25 THE COURT: No, give that to -- give them to my

1 marshal when you come out the -- go out the door, okay?

2 UNIDENTIFIED PROSPECTIVE JUROR: All right.

3 THE COURT: Jim, they're asking about the headsets.

4 THE MARSHAL: I'll take them from you.

5 UNIDENTIFIED PROSPECTIVE JUROR: All right.

6 (Outside the presence of the prospective jurors)

7 (Pause in the proceedings)

8 THE COURT: Okay, we're outside the presence of the  
9 jury panel, the second panel. Much as like I did yesterday,  
10 I'm just going to give you an opportunity to -- the parties  
11 to get together based on what the representations were made  
12 and see if there's any of the individuals that you would  
13 agree on excusing.

14 And also, if you have any requests to excuse  
15 individuals and you're not agreeing on it, let me know and  
16 then we'll put that on the record and I'll address that, all  
17 right?

18 MR. PORTZ: Thank you, Your Honor.

19 MS. MERCER: Thank you.

20 THE COURT: Okay. All right, we'll be at ease.

21 MR. TANASI: Can I make one quick record --

22 THE COURT: Oh, sure.

23 MR. TANASI: -- regarding lunch?

24 THE COURT: Sure.

25 MR. TANASI: My understanding for Mr. Hobson is

1 that the last time he ate was 3:00 a.m., and so --

2 THE COURT: 3:00 o'clock in the morning?

3 MR. TANASI: 3:00 a.m., yeah.

4 MS. LOBO: Yes.

5 MR. TANASI: And so again, I'm hoping he can maybe  
6 find something here over the break and then --

7 THE COURT: I don't know what --

8 MR. TANASI: -- ideally --

9 THE COURT: Officers, what's -- is chow on now or  
10 can --

11 THE CORRECTION OFFICER: We've got something  
12 waiting for (inaudible).

13 THE COURT: Oh, you can get him something now?  
14 Okay. So they won't need to be back here at the latest until  
15 11:30 -- I mean, 12:30 because that's when I have the second  
16 group coming back. We're just going to -- I'm just having  
17 these guys come back at a quarter after. I don't think we'll  
18 be ready by then --

19 MR. TANASI: Sure.

20 THE COURT: -- but so if we're ready to get started  
21 by 12:30. Mr. Hobson, Mr. Starr, do you object to the  
22 attorneys because we'll have a number of individuals come in  
23 from this group and then we'll just be excusing them. Do you  
24 want to be here for that?

25 DEFENDANT STARR: I'd like to be here for that.

1 THE COURT: Okay. All right. Officer, see if you  
2 can get them back here by a quarter after. Maybe get them  
3 something to eat, if you can.

4 THE CORRECTIONS OFFICER: All right.

5 THE COURT: Okay, thank you.

6 THE CORRECTIONS OFFICER: This has already been  
7 addressed.

8 THE COURT: All right. Okay. So it looks like  
9 they'll be --

10 MR. TANASI: Understood.

11 THE COURT: -- able to get something to eat. Okay.

12 MR. TANASI: Thank you, Your Honor.

13 THE COURT: All right. Okay. We'll be at ease,  
14 then. Off the record, Christine.

15 (Court recessed at 11:46 a.m. until 12:20 p.m.)

16 (Outside the presence of the prospective jurors)

17 (Pause in the proceedings)

18 THE COURT: Okay. All right. We're back on the  
19 record in C-303022, State of Nevada versus Tony Hobson and  
20 Brandon Starr. The record will reflect the presence of the  
21 State, their counsel as well as the defendants and their  
22 counsel.

23 During the break, I had asked ya'll to take a look  
24 at the second --

25 MR. MANINGO: Your Honor, Mr. Tanasi is just right

1 outside. He's on his way in.

2 THE COURT: I could have sworn I saw him. Wasn't  
3 he just in here.

4 MS. LOBO: He went to the restroom.

5 MR. MANINGO: He was, but then he stepped out.

6 THE COURT: Okay. All right, we'll wait.

7 MR. MANINGO: So if we can just give him just a  
8 minute. He's right here.

9 THE COURT: All right. Okay, so as I was saying,  
10 during the break I gave counsel an opportunity to confer on  
11 the second jury panel of proposed jurors and determine what  
12 ones they could agree on being excused. Were you able to do  
13 that?

14 MS. MERCER: Yes, Your Honor.

15 MR. MANINGO: Yes, Your Honor.

16 THE COURT: Okay. Can you go ahead and give it to  
17 me now and I'll go through it.

18 MS. MERCER: Patricia Valenzuela, Badge No. 001.

19 THE COURT: Okay.

20 MS. MERCER: Richard -- or yeah, Richard Gross,  
21 Badge No. 0026.

22 THE COURT: 0026.

23 MS. MERCER: 26.

24 THE COURT: Okay. Um-h'm.

25 MS. MERCER: James Neal, Badge No. 029.

1 THE COURT: Okay.

2 MS. MERCER: Lecount, Badge No. 031. Sandoval,  
3 Badge No. 0036. Voutsinas, Badge No. 041. Sanderson, Badge  
4 No. 055. Monge or Monge, whatever her name is, 067.

5 THE COURT: Okay.

6 MS. MERCER: Funes, 071. Meyer, 074. Hernandez,  
7 075. Littlejohn, 080. Spencer, 083. Dyer, 092. Yigremu,  
8 103. Koepp, 113. Brizuela, 114.

9 THE COURT: Hold on, hold on. 113, okay.  
10 Brizuela, 114?

11 MS. MERCER: Yeah. Yes.

12 THE COURT: Okay.

13 MS. MERCER: Soper, 119. Bamba, 128. Perea, 139.  
14 Rockelman, 152. Esposito, 154. Low, 173. Finley, 186.  
15 Perrier, 195. Fioravante, 210, and Guillory, 212. And then  
16 in addition, Your Honor, the State wanted to make a record  
17 with regard to Juror No. 022, Robert Gross.

18 THE COURT: Okay. First of all, okay, so you're  
19 not agreeing to release 022?

20 MS. MERCER: The State would like him released and  
21 the defense is not --

22 THE COURT: Okay, all right.

23 MS. MERCER: -- agreeing with that.

24 THE COURT: Okay. So at this point in time, the  
25 ones that have just been represented by the State, all the



1 parties are in agreement; is that right?

2 MR. MANINGO: Yes, sir.

3 MR. TANASI: That's correct, Your Honor.

4 THE COURT: Okay. All right. And now does the  
5 State have any that they want to excuse? That's -- and then  
6 I'll ask the defense as well.

7 MR. PORTZ: Yes, Your Honor. As Ms. Mercer  
8 referenced, 022, Robert Gross, we believe that he's made a  
9 very clear record that he's stated that he can't serve fair,  
10 that he makes a decision just by looking at people. He's  
11 made statements both that he would not follow the law, that  
12 he would nullify, and also, that he thinks the defendants are  
13 guilty because of how damning it was at my introduction as to  
14 the statement of facts at the initial.

15 So, I mean, he's pulling every which direction to  
16 try to get out of jury duty on top of this whole notion of  
17 the fact that he has a hardship because of this check that he  
18 needs to cash.

19 He's clearly going to continue to waste our time.  
20 He's clearly not fit to serve as a juror. To keep him on  
21 would only delay what is already going to be a lengthy voir  
22 dire process. He's pointless and irrelevant at this point in  
23 time. And he could potentially, given the microphone, he's  
24 eaten up the most time so far out of any prospective juror.

25 If given the microphone, he could contaminate the

1 jury pool and cause us to have to do this entire thing over.  
2 We're a little surprised the defense isn't joining us at this  
3 point in time. I think it's clear that this man needs to be  
4 kicked for cause. If they do want to keep him and for  
5 further questioning, we'd ask to avoid the contamination of  
6 the jury pool that he be pulled in separately and be  
7 questioned by both sides and the Court make a determination,  
8 if the Court doesn't believe there's cause, which we believe  
9 there's plenty of already.

10 THE COURT: Okay. Mr. Tanasi?

11 MR. TANASI: Sure. Your Honor, I think we have no  
12 objection to the solution that State's indicated, but my  
13 notes and my recollection of his testimony or his answers in  
14 this case were that he was 50/50, and I wrote down the word  
15 potentially. I don't think that he necessarily has made a  
16 hundred percent a decision yet.

17 And I would agree with the State that he is kind of  
18 all over the map so I think further questioning is absolutely  
19 warranted.

20 THE COURT: Okay. Mr. Maningo, do you --

21 MR. MANINGO: Same, Your Honor. I just think --

22 THE COURT: All right.

23 MR. MANINGO: -- further questioning's appropriate.  
24 I don't think he was neither -- oh (inaudible).

25 THE COURT: Okay. Well, there's another set of

1 questions I'm going to have. I will tell you, based on my  
2 questions alone, he did say that he wouldn't follow the  
3 rules. I went into a different question that I normally ask,  
4 and he flat said he wouldn't follow the Court's if he felt  
5 that it wasn't -- if the law was different than his opinion,  
6 he did say he wouldn't follow it.

7 So for that reason, I am going to excuse him based  
8 on that alone, okay? All right.

9 MR. MANINGO: Your Honor, without any further  
10 opportunity to examine this potential juror?

11 THE COURT: Well, he was very clear based on what  
12 he was telling me, and so I wouldn't -- all right.

13 MR. MANINGO: Our position is --

14 THE COURT: No, Mr. Maningo, I'll give you that  
15 opportunity. But I will tell you if it gets to the point  
16 that I do believe that it's contaminating the jury pool, then  
17 I will stop it.

18 MR. MANINGO: Understood. We have no intent to do  
19 that.

20 THE COURT: Okay.

21 MR. TANASI: And Your Honor, we are okay with him  
22 being questioned separate from the rest of the pool as well.

23 MR. MANINGO: Agreed.

24 THE COURT: Okay. Yeah, but don't you believe that  
25 if I do that, then it kind of sends up a flag with everybody

1 else? Why are we taking this gentleman out of order, you  
2 know.

3 MS. MERCER: I think that flag's been raised.

4 THE COURT: So --

5 MR. PORTZ: And it's completely unnecessary. As  
6 Your Honor's already pointed out, he's made it clear that  
7 he's not going to follow the law.

8 THE COURT: Well, you know what, I understand,  
9 Mr. Portz, but I always give the parties an opportunity to  
10 try to traverse on my questioning, and I haven't done that.  
11 I will give you an opportunity to ask on that because --

12 MR. MANINGO: Thank you, Your Honor.

13 THE COURT: -- that question's going to come up  
14 again, and we'll see -- we'll give him an opportunity to see  
15 if he's going to answer that again. Okay?

16 MR. MANINGO: I appreciate it. We have no intent  
17 to delay the process.

18 THE COURT: Okay. No, I know.

19 MR. MANINGO: We just --

20 THE COURT: I don't think you are.

21 MR. MANINGO: Thank you.

22 THE COURT: I don't. I understand what you're  
23 saying. I -- but and I understand the State as well. Quite  
24 frankly, it -- we'll see, though. We'll see what he says.  
25 Maybe -- but so we're clear, though, there is one, two, three

1 four that I marked down. I might have marked them down  
2 incorrectly as African-Americans in this group that you're  
3 all agreeing to exclude.

4 I have Mr. Littlejohn -- or Shelly Littlejohn, I'm  
5 sorry. Shelly Littlejohn, Carlton Dyer, Wondwossen Yigremu  
6 and Bria Finley.

7 MS. MERCER: That's correct, Your Honor.

8 MR. TANASI: That's correct, Your Honor.

9 THE COURT: Those are all --

10 MR. MANINGO: Yes, Your Honor.

11 THE COURT: They're all four of them are  
12 African-Americans. So there's no objection at this point?

13 MR. TANASI: No, Your Honor.

14 THE COURT: Okay. All right. All right, so we'll  
15 go ahead and get the jury in. I'll let them all leave, and  
16 then we'll bring in the other group and we'll put them all in  
17 order as they fit in this group. Okay? All right. Let's do  
18 that. Jim.

19 (Pause in the proceedings)

20 (In the presence of the prospective jurors)

21 THE MARSHAL: Please be seated. Department 19 is  
22 back in session.

23 THE COURT: All right. We're back on the record in  
24 Case C-303022, State of Nevada versus Tony Hobson and Brandon  
25 Starr. I'd like the record to reflect the presence of State,

1 their counsel, the defendants and their counsel, and all  
2 members of the prospective jury panel number two. Does  
3 everyone stipulate to the --

4 MS. MERCER: Yes, Your Honor.

5 MR. TANASI: Yes, Your Honor.

6 THE COURT: Okay. Okay, ladies and gentlemen,  
7 before we go any further, I want to tell you thank you so  
8 much for your time, once again. I'm going to read off a  
9 number of names of individuals that are going to be excused  
10 at this time.

11 It doesn't mean that you -- we're not still  
12 considering what you've been told to us -- or what you have  
13 told to us, but we -- there's some additional questioning  
14 that may be had for some of you that had -- did talk to the  
15 Court.

16 So if you hear your name, I'm going to ask that you  
17 please go back to the jury commission room, let them know  
18 you've been excused. And please wait until all your names  
19 have been called so we avoid a traffic jam at the door, okay?

20 Patricia Valenzuela, Badge No. 1. Richard Gross,  
21 Badge No. 26. James Neal, Badge No. 29. Alice Lecount,  
22 Badge No. 31. Adolfo Sandoval-Villaneda, Badge No. 36.  
23 Michael Voutsinas, Badge No. 41. Dale Sanderson, Badge No.  
24 55. Marta Monge, Badge No. 67. Maria Funes, Badge No. 71.  
25 Cozy Meyer, Badge No. 74. Leanna Hernandez, Badge No. 75.

1 Shelly Littlejohn, Badge No. 80. Mark Spencer, Badge No. 83.  
2 Carlton Dyer, Badge No. 92. Wondwossen Yigremu, Badge No.  
3 103. Lezlie Koepp, Badge No. 11 -- I'm sorry, Wondwossen  
4 Yigremu was Badge 103. Lezlie Koepp, Badge No. 113. David  
5 Brizuela, Badge No. 114. Lynda Soper, Badge No. 119.  
6 Cassandra Bamba, Badge No. 128. Diane Perea, Badge No. 139.  
7 Virginia Rockelman, Badge No. 152. Todd Esposito, Badge No.  
8 154. Lilly Low, Badge No. 173. Bria Finley, Badge No. 186.  
9 Jean Perrier, Badge No. 195. Edward Fioravante, Badge No.  
10 210, and Svetlana Guillory, Badge No. 212.

11 All right. Ladies and gentlemen, thank you so  
12 much. Please take your stuff with you, your items and report  
13 back to the jury commission room, and let them know you've  
14 been excused.

15 (Excused prospective jurors exit courtroom)

16 Okay. Okay. Ladies and gentlemen, for all of you  
17 that are still remaining, now what we're going to do is I'm  
18 going to merge you with the other jury panel. Many of them  
19 are out here now waiting, and but before we can do it  
20 completely correct and put you in the seats that I need you  
21 in so we know who we're talking to on the record here, is I'm  
22 going to ask once again, that you exit the courtroom. Sorry.

23 Please bear with us, okay? Ladies and gentlemen,  
24 before you leave, ladies and gentlemen -- sir, before you  
25 leave, once again, during this recess, you're admonished not

1 to talk or converse amongst yourself or with anyone else on  
2 any subject connected with this trial or read, watch or  
3 listen to any report or commentary on the trial or any person  
4 connected with this trial by any medium of information,  
5 including without limitation, newspapers, television,  
6 Internet or radio or form or express any opinion on any  
7 subject connected with this trial until the case is finally  
8 submitted to you.

9 Wait outside. My marshal and the clerks are going  
10 to get it together where we're going to get you in order  
11 again. So, I appreciate your time. We'll be at ease while  
12 you exit the courtroom. Okay, thank you.

13 (Outside the presence of the prospective jurors)

14 (Pause in the proceedings)

15 THE COURT: But there's a lot more questions that  
16 we're going to get to, so we just need to put a couple more  
17 seats over there, Jim, to where we can get them all in here.  
18 Okay?

19 (Pause in the proceedings)

20 THE COURT: Jim, are the people from yesterday  
21 here?

22 THE MARSHAL: Yeah.

23 THE COURT: All right. Do you have a -- she's got  
24 to give you -- do you have a list of everybody?

25 THE MARSHAL: Well, the list I have -- is this



1 everybody from both days?

2 THE CLERK: Yes, that's both panels. The first --

3 THE MARSHAL: That's the order you need them in?

4 THE COURT: Yeah.

5 THE CLERK: Up until -- yeah.

6 (Pause in the proceedings)

7 MR. MANINGO: Your Honor, could we excuse ourselves  
8 for maybe three minutes and come right back?

9 THE COURT: Sure.

10 MR. MANINGO: Thank you.

11 (Pause in the proceedings)

12 THE COURT: Yeah, just let me know when you're  
13 ready, guys. I'll be back. We're off the record.

14 (Court recessed at 12:39 p.m. until 12:49 p.m.)

15 (Outside the presence of the prospective jurors)

16 THE COURT: All right, so, all right, Jim, go ahead  
17 and bring the jury in. We're going to put them in -- or have  
18 they moved everything up? Okay, so we'll just in order by  
19 number, right?

20 THE CLERK: Yes.

21 THE COURT: In order by number?

22 THE CLERK: Correct.

23 THE COURT: Okay.

24 THE CLERK: It's in order by the breakdown.

25 THE COURT: Okay. All right.

1 (Pause in the proceedings)

2 MS. MERCER: Your Honor, while he's bringing the  
3 jurors in, do you have a problem with us bringing in the 80  
4 inch monitor from the DA's Office for publishing the exhibits  
5 and stuff?

6 THE COURT: No.

7 MS. MERCER: Okay.

8 THE COURT: You don't want to use that?

9 THE MARSHAL: Please rise for the jury.

10 MS. MERCER: With the surveillance it's hard.

11 THE COURT: Okay. No.

12 (In the presence of the prospective jurors)

13 THE COURT: Okay.

14 (Pause in the proceedings)

15 THE MARSHAL: Please be seated. Department 19 is  
16 back in session.

17 THE COURT: All right, ladies and gentlemen, we're  
18 back on the record in the case of C-303022, State of Nevada  
19 versus Tony Hobson and Brandon Starr. The record will  
20 reflect the presence of the State, their counsel, defendants  
21 and their counsel and all members of the combined jury pool.  
22 Will the parties stipulate to that?

23 MS. MERCER: Yes, Your Honor.

24 MR. TANASI: Yes, Your Honor.

25 THE COURT: Okay. Ladies and gentlemen, I want you

1 to know I really appreciate you letting me shuffle you around  
2 in here. I'll tell you, when we have the big construction  
3 defect cases that take months and months and months of trial,  
4 maybe years, we go through hundreds, not even thousands of  
5 jurors. So you can imagine trying to work them through this  
6 court. So we have to move to different courts when we do  
7 that.

8 But so what I've done, so ya'll know, we've had  
9 another 65 jurors come in today, and we handled them this  
10 morning and went through up to the point where you all were  
11 left go last night. And so once again, I'm going to call  
12 roll for everybody just to make sure that I've got everybody  
13 here because my marshal's been kind of shuffling you around  
14 outside. I just want to make sure that you're all here.

15 Now this is the order that we're going to start  
16 with this panel, okay? Go ahead and call roll again.

17 THE CLERK: Carole Halford.

18 PROSPECTIVE JUROR NO. 003: Here.

19 THE CLERK: Susan Miller.

20 PROSPECTIVE JUROR NO. 007: Here.

21 THE CLERK: Fatima Cabrera.

22 PROSPECTIVE JUROR NO. 009: Here.

23 THE CLERK: Robert Bass.

24 PROSPECTIVE JUROR NO. 010: Here.

25 THE CLERK: Vince Gaeta.

1 PROSPECTIVE JUROR NO. 019: Present.  
2 THE CLERK: Lin-Belle Addington.  
3 PROSPECTIVE JUROR NO. 020: Here.  
4 THE CLERK: Danielle Bogg (sic).  
5 PROSPECTIVE JUROR NO. 021: Yes.  
6 THE CLERK: Daniel Boggs.  
7 PROSPECTIVE JUROR NO. 021: Here.  
8 THE CLERK: Samuel Menor.  
9 PROSPECTIVE JUROR NO. 022: Here.  
10 THE CLERK: Lori Owen.  
11 PROSPECTIVE JUROR NO. 023: Here.  
12 THE CLERK: Joseph Deluca.  
13 PROSPECTIVE JUROR NO. 029: Here.  
14 THE CLERK: Gloria Sneen.  
15 PROSPECTIVE JUROR NO. 037: Here.  
16 THE CLERK: James Keegan.  
17 PROSPECTIVE JUROR NO. 049: Here.  
18 THE CLERK: William Burns.  
19 PROSPECTIVE JUROR NO. 056: Here.  
20 THE CLERK: Steven Goulder.  
21 PROSPECTIVE JUROR NO. 057: Here.  
22 THE CLERK: Nitin Luhar.  
23 PROSPECTIVE JUROR NO. 058: Here.  
24 THE CLERK: Regina Lockhart.  
25 PROSPECTIVE JUROR NO. 062: Here.

1 THE CLERK: Angila Jenkins.  
2 PROSPECTIVE JUROR NO. 063: Here.  
3 THE CLERK: Pamela Regan.  
4 PROSPECTIVE JUROR NO. 065: Here.  
5 THE CLERK: Monte Lai.  
6 PROSPECTIVE JUROR NO. 070: Here.  
7 THE CLERK: David Snyder.  
8 PROSPECTIVE JUROR NO. 071: Here.  
9 THE CLERK: Glynis Bernard.  
10 PROSPECTIVE JUROR NO. 074: Here.  
11 THE CLERK: Daniel Powers.  
12 PROSPECTIVE JUROR NO. 077: Here.  
13 THE CLERK: Austin Guggia.  
14 PROSPECTIVE JUROR NO. 082: Here.  
15 THE CLERK: Jacqueline Ayala.  
16 PROSPECTIVE JUROR NO. 084: Here.  
17 THE CLERK: Charles Worth.  
18 PROSPECTIVE JUROR NO. 106: Here.  
19 THE CLERK: Hernan Rios.  
20 PROSPECTIVE JUROR NO. 124: Here.  
21 THE CLERK: Gretchen Eisenman.  
22 PROSPECTIVE JUROR NO. 132: Here.  
23 THE CLERK: Bryce Gines.  
24 PROSPECTIVE JUROR NO. 139: Present.  
25 THE CLERK: Janet Swanson-Sulerud.

1 PROSPECTIVE JUROR NO. 147: Here.  
2 THE CLERK: Jerry Eldridge.  
3 PROSPECTIVE JUROR NO. 154: Here.  
4 THE CLERK: Heather Hedrick.  
5 PROSPECTIVE JUROR NO. 175: Here.  
6 THE CLERK: Exazavion Baugus.  
7 PROSPECTIVE JUROR NO. 004: Here.  
8 THE CLERK: Virginia Plank.  
9 PROSPECTIVE JUROR NO. 011: Here.  
10 THE CLERK: Judith Greenough.  
11 PROSPECTIVE JUROR NO. 012: Here.  
12 THE CLERK: Scott Young.  
13 PROSPECTIVE JUROR NO. 014: Here.  
14 THE CLERK: Dustin Bigelow.  
15 PROSPECTIVE JUROR NO. 019: Here.  
16 THE CLERK: Vissia Noquez.  
17 PROSPECTIVE JUROR NO. 046: Here.  
18 THE CLERK: Nicholas Kozlowski.  
19 PROSPECTIVE JUROR NO. 047: Present.  
20 THE CLERK: Regina Orlando.  
21 PROSPECTIVE JUROR NO. 049: Here.  
22 THE CLERK: Steven Davies.  
23 PROSPECTIVE JUROR NO. 054: Here.  
24 THE CLERK: Christina Keeran.  
25 PROSPECTIVE JUROR NO. 056: Here.

1 THE CLERK: Sean Deson.  
2 PROSPECTIVE JUROR NO. 057: Here.  
3 THE CLERK: Robert Zagby.  
4 PROSPECTIVE JUROR NO. 062: Here.  
5 THE CLERK: Robert Howell.  
6 PROSPECTIVE JUROR NO. 068: Here.  
7 THE CLERK: John Gilbert.  
8 PROSPECTIVE JUROR NO. 073: Here.  
9 THE CLERK: Anthony Chavez.  
10 PROSPECTIVE JUROR NO. 086: Here.  
11 THE CLERK: Phillip Schaeffer.  
12 PROSPECTIVE JUROR NO. 095: Here.  
13 THE CLERK: Wade Mitchell.  
14 PROSPECTIVE JUROR NO. 101: Here.  
15 THE CLERK: Kenneth Sheehy.  
16 PROSPECTIVE JUROR NO. 108: Here.  
17 THE CLERK: Thomas O'Dell.  
18 PROSPECTIVE JUROR NO. 112: Here.  
19 THE CLERK: Raymond Parker.  
20 PROSPECTIVE JUROR NO. 116: Here.  
21 THE CLERK: Linda Lofgren.  
22 PROSPECTIVE JUROR NO. 118: Here.  
23 THE CLERK: Edwin Porciuncula.  
24 PROSPECTIVE JUROR NO. 127: Here.  
25 THE CLERK: Elizaveta Golikova.

1 PROSPECTIVE JUROR NO. 129: Here.  
2 THE CLERK: John Murphy.  
3 PROSPECTIVE JUROR NO. 130: Here.  
4 THE CLERK: Ricardo Gutierrez. Ricardo Gutierrez.  
5 PROSPECTIVE JUROR NO. 137: Here.  
6 THE CLERK: Alexander Fung.  
7 PROSPECTIVE JUROR NO. 138: Here.  
8 THE CLERK: Venus Ghafoori.  
9 PROSPECTIVE JUROR NO. 142: Here.  
10 THE CLERK: Kamuela Kapanui.  
11 PROSPECTIVE JUROR NO. 156: Here.  
12 THE CLERK: Kapanui.  
13 PROSPECTIVE JUROR NO. 156: Here.  
14 THE CLERK: Gardenia Castro.  
15 PROSPECTIVE JUROR NO. 157: Here.  
16 THE CLERK: Marsha Rosemark.  
17 PROSPECTIVE JUROR NO. 159: Here.  
18 THE CLERK: Tiffinee Smith.  
19 PROSPECTIVE JUROR NO. 161: Here.  
20 THE CLERK: Lluvia Lanuza.  
21 PROSPECTIVE JUROR NO. 176: Here.  
22 THE CLERK: Mary Pittman.  
23 PROSPECTIVE JUROR NO. 190: Here.  
24 THE CLERK: Devin Gilliland.  
25 PROSPECTIVE JUROR NO. 194: Here.



1 THE CLERK: David Gaffin.

2 PROSPECTIVE JUROR NO. 204: Here.

3 THE CLERK: Carlittia Gibson.

4 PROSPECTIVE JUROR NO. 207: Here.

5 THE CLERK: And Kimberly Zawacki.

6 PROSPECTIVE JUROR NO. 213: Here.

7 THE COURT: Once again, is anyone's name that  
8 wasn't called that's here? All right. Okay, Mr. Gross,  
9 yeah, you skipped Robert Gross.

10 THE CLERK: Oh, I'm so sorry.

11 THE COURT: Okay. All right. Okay, so he's here.  
12 All right. Ladies and gentlemen, I'm going to be getting  
13 questions with you as well. Are any of you here on this  
14 panel engaged in law enforcement, ever been in engaged in law  
15 enforcement or have a spouse or a close relative that's been  
16 engaged in law enforcement? Okay, Jim, start here in the  
17 back. Before we go, I want to remind everybody you're still  
18 under oath from yesterday and today. Okay? All right.  
19 Okay. Your badge number, sir?

20 PROSPECTIVE JUROR NO. 021: 21.

21 THE COURT: Is -- and your name?

22 PROSPECTIVE JUROR NO. 021: Daniel Boggs.

23 THE COURT: Okay. Can you tell me about it?

24 PROSPECTIVE JUROR NO. 021: One of my older  
25 brothers is a retired state police detective in Michigan, and

1 after he retired from that, he went and became a private  
2 detective, and he's retired from that now because he's old.

3 THE COURT: Okay. Is there anything about your  
4 relationship with your older brother that you believe that  
5 would render you unable to be fair and impartial if you're  
6 selected as a juror here?

7 PROSPECTIVE JUROR NO. 021: No.

8 THE COURT: Okay. All right, thank you, Mr. Boggs.  
9 Anyone else in this group here that's -- okay.

10 PROSPECTIVE JUROR NO. 037: I have a niece that --

11 THE COURT: Ma'am, can you give me your badge  
12 number and your name?

13 PROSPECTIVE JUROR NO. 037: Gloria Sneen, 37.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 037: I have a niece that's  
16 an a parole officer here in Las Vegas.

17 THE COURT: Okay. Much like I asked Mr. Boggs, is  
18 there anything about your relationship with your niece and  
19 what she does for a living you believe would affect your  
20 ability to be fair and impartial in this case?

21 PROSPECTIVE JUROR NO. 037: No.

22 THE COURT: Okay. Thank you, Ms. Sneen. Is that  
23 it? Anyone else in this group right here? Anyone else in  
24 the audience? Okay, Jim. In the front row? In the second  
25 row? Okay.

1 PROSPECTIVE JUROR NO. 047: Your Honor, my father  
2 was in the secret service under Nixon.

3 THE COURT: Okay, can you give me your name and  
4 your badge number.

5 PROSPECTIVE JUROR NO. 047: Badge 47, Nicholas  
6 Kozlowski. He served at the white house under Nixon.

7 THE COURT: Okay. Your father was?

8 PROSPECTIVE JUROR NO. 047: Yes. And my  
9 brother-in-law is SWAT division, LAPD, South Central  
10 currently, gang division.

11 THE COURT: Okay. Is there anything about your  
12 relationship with your father or your brother that you  
13 believe would affect your ability to be fair and impartial if  
14 you're selected here today?

15 PROSPECTIVE JUROR NO. 047: No, Your Honor.

16 THE COURT: Okay. All right, thank you,  
17 Mr. Kozlowski. Okay. Anyone else? All right. Just go in  
18 the second row there, Jim. All right.

19 PROSPECTIVE JUROR NO. 014: Your Honor, Scott  
20 Young, Badge 14.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 014: My father-in-law is  
23 retired Henderson Police Department.

24 THE COURT: Okay. Henderson Police?

25 PROSPECTIVE JUROR NO. 014: Correct.

1 THE COURT: How long has he been retired?

2 PROSPECTIVE JUROR NO. 014: 2007 or 2008.

3 THE COURT: Okay. Is there anything about your  
4 relationship with your father-in-law that you believe would  
5 affect your ability to be fair and impartial if your selected  
6 here today?

7 PROSPECTIVE JUROR NO. 014: No, Your Honor.

8 THE COURT: All right. Okay, thank you, Mr. Young.

9 PROSPECTIVE JUROR NO. 068: Robert Howell, 068.  
10 Both my in-laws are retired Metro officers.

11 THE COURT: How long have they been retired?

12 PROSPECTIVE JUROR NO. 068: About a year and a half  
13 each.

14 THE COURT: Okay. And is there anything about your  
15 relationship with your in-laws you believe that would affect  
16 your ability to be fair and impartial here?

17 PROSPECTIVE JUROR NO. 068: No, I just heard quite  
18 a few stories.

19 THE COURT: Okay. Do you believe that that would  
20 affect your ability to be fair and impartial?

21 PROSPECTIVE JUROR NO. 068: No.

22 THE COURT: Okay. Much like the gentleman earlier  
23 this morning I had asked about the fact that his wife is --  
24 knows an officer, do you think that there would be a concern  
25 of yours if you were to make a decision that you believe

1 would be, let's say, not guilty in this case? Would you have  
2 to face any repercussions from these individuals?

3 PROSPECTIVE JUROR NO. 068: I didn't recognize any  
4 of the names --

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 068: -- directly, but my  
7 in-laws probably know quite a few of them.

8 THE COURT: But what about your in-laws? I mean,  
9 do you feel that you may go home and, you know, if they're  
10 talking and say, we hear you're on a jury trial, how did you  
11 do? Well, we found him not guilty, do you think you'll face  
12 repercussion from them?

13 PROSPECTIVE JUROR NO. 068: Possibly.

14 THE COURT: Okay. Do you think that that would  
15 come into effect when you're thinking about the decision  
16 here?

17 PROSPECTIVE JUROR NO. 068: Yeah, it may.

18 THE COURT: Okay. All right. Once again, your  
19 badge number and name.

20 PROSPECTIVE JUROR NO. 068: Robert Howell, 068.

21 THE COURT: Okay. All right, you'll probably get  
22 some more questions about, all right?

23 PROSPECTIVE JUROR NO. 068: Okay.

24 THE COURT: Okay, thank you. Anyone -- okay?

25 PROSPECTIVE JUROR NO. 073: John Gilbert, No. 73.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 073: Cousin that was a FBI  
3 agent and now owns his private security company.

4 THE COURT: Where is he stationed at the FBI?

5 PROSPECTIVE JUROR NO. 073: He's in Virginia.

6 THE COURT: Okay. And he's the one that owns a  
7 private security or --

8 PROSPECTIVE JUROR NO. 073: Yes.

9 THE COURT: Okay. And that's all in Virginia?

10 PROSPECTIVE JUROR NO. 073: Yes.

11 THE COURT: Okay. Is there anything about your  
12 relationship with your cousin that you believe would affect  
13 your ability to be fair and impartial in this case?

14 PROSPECTIVE JUROR NO. 073: No.

15 THE COURT: Okay. All right, thank you, sir.  
16 Anyone after -- in the third row now?

17 PROSPECTIVE JUROR NO. 130: John Murphy, No. 130.

18 THE COURT: Okay. Mr. Murphy?

19 PROSPECTIVE JUROR NO. 130: Yes.

20 THE COURT: Okay. Mr. Murphy, what do you want to  
21 tell me?

22 PROSPECTIVE JUROR NO. 130: Well, my son-in-law's a  
23 officer here in Las Vegas.

24 THE COURT: Son-in-law's an officer in Las Vegas?

25 PROSPECTIVE JUROR NO. 130: Correct.

1 THE COURT: For Metro?

2 PROSPECTIVE JUROR NO. 130: The family courthouse.  
3 The one on Bonanza.

4 THE COURT: Oh, so he works -- is he a marshal?

5 PROSPECTIVE JUROR NO. 130: Yeah, just like a --

6 THE COURT: So he dresses the same as my marshal?

7 PROSPECTIVE JUROR NO. 130: Well, I think  
8 (inaudible) a little different color.

9 THE COURT: What did you say?

10 PROSPECTIVE JUROR NO. 130: The shirt's a different  
11 color.

12 THE COURT: Okay. All right. Okay. Is there  
13 anything about your relationship with your son-in-law that  
14 works as a marshal for the family court here that you believe  
15 would affect your able to be fair and impartial here?

16 PROSPECTIVE JUROR NO. 130: Oh, no.

17 THE COURT: Okay. All right. Okay. Thank you.  
18 Anyone else in that row? Okay.

19 PROSPECTIVE JUROR NO. 156: Yes, Your Honor,  
20 Kamuela Kapanui, Badge No. 156. Sworn U.S. pretrial services  
21 officer.

22 THE COURT: Okay. Sir, you're an actual officer  
23 now, correct?

24 PROSPECTIVE JUROR NO. 156: Yes, sir.

25 THE COURT: All right. And you heard the case --

1 you heard the representation by the district attorney on what  
2 the case is -- involved. Do you believe that based on your  
3 background and training that you'd be able to be fair and  
4 impartial in this matter?

5 PROSPECTIVE JUROR NO. 156: Yes, Your Honor.

6 THE COURT: Okay. And do you feel like you'd have  
7 any repercussion that if you were to listen to the  
8 presentation of the case and you found that there was -- it  
9 was insufficient and you found the individuals not guilty,  
10 would you be able to go back to your office, your fellow  
11 officers, and explain that to them comfortably?

12 PROSPECTIVE JUROR NO. 156: Yes, Your Honor.

13 THE COURT: Okay. So you don't feel that that  
14 would come into effect, or to affect your ability here to  
15 decide as a juror in this matter?

16 PROSPECTIVE JUROR NO. 156: I don't believe it will  
17 affect my decision. There may be repercussions, but that's  
18 part of the job.

19 THE COURT: Okay. But you'd be comfortable with  
20 being able to do that?

21 PROSPECTIVE JUROR NO. 156: I believe I would, Your  
22 Honor.

23 THE COURT: Okay. You hesitated a little bit.  
24 That's the area I'm trying to get at. I don't want to put  
25 you in a position that you feel that it would affect your