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Respondent.

Electronically Filed
Apr 17 2019 04:55 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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Counsel for Respondent

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DISTRICT COURT
CLARK COUNTY, NEVADA

CASE NO. C-16-312448-1

DEPT. IX

SHAWN GLOVER, aka SHAWN LYNN
GLOVER, JR.,

Defendant.

BEFORE THE HONORABLE JENNIFER P. TOGLIATTI, DISTRICT COURT JUDGE
MONDAY, JULY 30, 2018

RECORDER'S TRANSCRIPT OF JURY TRIAL - DAY 1

APPEARANCES:

DAVID STANTON, ESQ.
WILLIAM FLINN, ESQ.

ROBERT E. O'BRIEN, ESQ.
RYAN J. BASHOR, ESQ.

RECORDED BY YVETTE G. SISON, COURT RECORDER

1 Las Vegas, Nevada, Monday, July 30, 2018

2
3 [Case called at 1:19 p.m.]

4 THE MARSHAL: All rise. Department 9 criminal trial is now in
5 session with the Honorable Judge Togliatti presiding. Take your seats and
6 come to order, please.

7 THE COURT: Good afternoon. This is a time set for trial in
8 C3124481. The record shall reflect the presence of the Defendant, Shawn
9 Glover, in custody, but dressed for trial. Counsel, can you state your
10 appearances for the record, please?

11 MR. STANTON: David Stanton and William Flinn on behalf of the
12 State.

13 MR. BASHOR: Ryan Bashor and Robert O'Brien on behalf of Mr.
14 Glover. Judge, I cleared this with the State and I now need to clear it with you.
15 There's an intern in our office named Mark Custer. They have no objection to
16 him sitting at counsel table. Obviously, he won't be talking or putting anything
17 on the record, but I was hoping to clear that with you.

18 THE COURT: I don't usually do that.

19 MR. BASHOR: Hmm.

20 THE COURT: That's weird. And if I do it for Mark Custer, I have to
21 do it for everyone.

22 MR. BASHOR: Right. He was just going to take some notes for us.

23 THE COURT: Can he sit behind you in a chair and take notes for
24 you?

25 MR. BASHOR: Sure. That's fine.

1 THE COURT: All right. It's a thing.
2 MR. BASHOR: It's a thing.
3 THE COURT: You know what --
4 MR. BASHOR: That's why I ask permission.
5 THE COURT: -- usually, you're not on this side of the well even. If
6 you were an investigator, I'd make you sit on the other side. There's a price to
7 pay to be in this well, and that's pass the bar exam. So, it's nothing personal
8 to you. I hope you understand that.
9 MR. CUSTER: Oh, of course.
10 THE COURT: But I feel pretty strongly about it. Okay, I'm sorry.
11 MR. BASHOR: No, Your Honor. Thank you.
12 THE COURT: Okay. That being said, I'm sure he'll take wonderful
13 notes and whatever he needs to prop up his computer, he's welcome to bring
14 in the courtroom.
15 MR. BASHOR: Very good, Judge.
16 THE COURT: So, I believe Mr. -- I think you've picked a jury in here
17 recently, right?
18 MR. FLINN: I have.
19 THE COURT: You have not?
20 MR. STANTON: We only got part way the last time we tried it.
21 THE COURT: You have not?
22 MR. O'BRIEN: No, I have, about July of last year.
23 THE COURT: Oh. So, a year ago. You have not?
24 MR. BASHOR: That's correct, Your Honor.
25 THE COURT: Okay. So, my process is always the same, pretty

1 much. I have no burning desire to do all of the talking. I do a preliminary voir
2 dire for your convenience, and it covers the basic questions, and I have no
3 burning, driving desire to do it, if you would rather do it yourself. I do it
4 because I give you an entire panel. I think it benefits you to be able to take
5 notes and follow-up on what you want to, you know, ask, and observe their
6 demeanor. You know, get ready for your more specific questions.

7 And I'm happy to do that on the condition that what I cover doesn't
8 get repeated like I didn't ask it, and it will need follow-up. Otherwise, if you
9 want to do it yourself, you can. I certainly don't need to do it. I do it for you. If
10 that's not a favor to you, you can do it. State?

11 MR. STANTON: As far as the generals, that's fine with the State.
12 There are no subject matter areas in this case that the State would ask
13 assistance of the Court.

14 THE COURT: Okay.

15 MR. STANTON: The only thing that I would just inquire is we had
16 previously discussed with Mr. Bashor, with the Defendant present in a hearing
17 some time ago, indicated that should the Defendant be convicted of first
18 degree murder, their position was that both -- the Defense counsel and the
19 Defendant, were prepared to waive penalty to the Court.

20 The State is in agreement. I think the Court said you're in
21 agreement. We don't have that in writing. I'll bring that over and provide it to
22 Mr. Bashor tomorrow, but just for the record, I think that alleviates that subject
23 matter and the process we're about to undertake, and it wouldn't be necessary
24 for the Court to inquire on that.

25 THE COURT: Mr. Glover, is that true? Usually we have like a

1 written document that says that you've decided to waive penalty before a jury
2 and have the Court sentence you in the event that became relevant?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: And you discussed that with your lawyers?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: And so, we will have you sign a piece of paper to
7 verify that you, you know, are doing this, but because we're not going to be
8 able to have that piece of paper here until tomorrow, I just want to ask if you
9 discussed the pros and cons of a sentencing by jury versus a sentencing by
10 Judge.

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: And did your lawyer give you legal advice about, you
13 know, pros and cons related to sentencing by jury versus sentencing by
14 Judge?

15 THE DEFENDANT: Yes, ma'am, he did.

16 THE COURT: And did he answer any questions -- did they answer
17 any questions you might've had about sentencing with jury versus sentencing
18 with Judge?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: And do you have any questions for either of your
21 lawyers or for me about sentencing with the jury versus sentencing with the
22 Judge?

23 THE DEFENDANT: No, ma'am.

24 THE COURT: And what did you ultimately decide to do after
25 consulting with your attorneys?

1 THE DEFENDANT: I decided I'd like the Judge to sentence me.

2 THE COURT: If that becomes relevant?

3 THE DEFENDANT: Yeah, if it does.

4 THE COURT: All right. And counsel, did you want to fill in any
5 blanks on that or?

6 MR. BASHOR: The only blank, Judge, is that sometimes, those
7 include stipulations. This one does not. It would end up being a full right to
8 argue on behalf of both sides, should it happen.

9 MR. STANTON: That's correct.

10 THE COURT: Okay. And so, you're not getting anything in
11 exchange from the district attorney? Your lawyer would have the right
12 -- your lawyers would have the right to argue, and they would have the right to
13 argue, if you get convicted of anything; is that correct?

14 THE DEFENDANT: Yeah.

15 THE COURT: And that's your understanding?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Okay. Anything else before he goes to get the jury?

18 MR. STANTON: Not on behalf of the State, Your Honor.

19 THE COURT: Did I ask you about the -- if you want to -- did you
20 answer me about the questioning the jurors?

21 MR. BASHOR: I'd prefer the favor, Judge.

22 THE COURT: Okay.

23 MR. BASHOR: That way I can take notes and --

24 THE COURT: Okay. So, is there is anything that we need to
25 discuss before he goes off to get the jury? It takes about 10 minutes or longer.

1 I'm being hopeful.

2 MR. STANTON: There was what I would consider nowadays, the
3 standard amount of publicity at or around the time of the event. I don't know
4 that there was anything since the event that has crossed my radar, so from
5 that perspective, I don't see this as being unduly sensitive in that subject
6 matter. Beyond that, Judge, this is, from the State's perspective, a relatively
7 narrow and focused trial, and I don't see any particular issues outside of the
8 normal areas.

9 THE COURT: Well, it's been over two years since the alleged
10 shooting. Well, there was a shooting. Who did it, I guess --

11 MR. BASHOR: Correct.

12 THE COURT: -- for what purpose remains to be seen, but the
13 Court's view is -- I don't know, these days, you turn on the news and there's a
14 murder every day in some apartment complex, and all I can think of is the
15 murder team has to get bigger, but that's neither here nor there, so I guess
16 we'll cross that bridge when we come to it. It's an apartment complex in North
17 Las Vegas. Not like a casino or something, correct?

18 MR. STANTON: It's actually townhomes, but, yes.

19 THE COURT: Townhomes; okay.

20 MR. STANTON: It's in the North Valley, basically Centennial and
21 Lamb.

22 THE COURT: So, when you do your brief introduction to the trial of
23 the case, will you mention the location of the case?

24 MR. STANTON: I sure will.

25 THE COURT: You know, my guess is if someone heard it on the

1 news, they paid more attention if it was in their area.

2 MR. STANTON: That's what, usually, I think, happens.

3 THE COURT: Okay. So, Ramsey, if you wouldn't mind, will you go
4 get the jury?

5 THE MARSHAL: Yes, ma'am.

6 THE COURT: So, do you want a refresher on the --

7 MR. BASHOR: Yes.

8 THE COURT: -- organization points?

9 MR. BASHOR: Sure.

10 THE COURT: Okay.

11 [Pause]

12 THE COURT: So how many -- do you think two alternates is
13 enough?

14 MR. STANTON: The State does.

15 MR. BASHOR: We agree, Your Honor.

16 THE COURT: Okay. So, 14 plus -- I need how many pass for
17 cause? I'm losing my mind.

18 MR. STANTON: Thirty-two?

19 THE COURT: Thirty-two?

20 MR. STANTON: Thirty-two or 36. I can't remember which
21 number --

22 MR. BASHOR: It's 9, 9, plus 14.

23 THE COURT: Nine, 9, plus 14.

24 MR. BASHOR: Thirty-two.

25 THE COURT: Thirty-two. Okay. So, what I normally do I do a

1 general questioning of them in the audience. It's all that stuff about, you
2 know, do any of you know anybody, here's an introduction to the trial case,
3 this trial is expected to last --

4 MR. BASHOR: This week.

5 MR. STANTON: This week.

6 THE COURT: And possibly Monday. That's just what I'm going to
7 say.

8 MR. BASHOR: Very good.

9 THE COURT: For grins and giggles.

10 MR. STANTON: Okay.

11 THE COURT: Okay? Then I'm going to try to get a substitute to go
12 to this thing on Thursday, or I was going to try to be here at 1:00 and leave
13 halfway. It's not your problem. You will have trial on Thursday. So, I'll tell
14 them it could finish in a week, it could go over to Monday. So, during that
15 period of time -- that'll be the longest question, as we all know -- represent
16 such an undue burden. Please take notes, don't magnanimously agree to
17 excuse anyone for hardship because after I go through all of that with these
18 folks, and we'll excuse them, we will have a session where we will discuss
19 who has an appropriate hardship and shouldn't be seated.

20 I have three categories of jurors. Skip, meaning wherever they are
21 in order, they're going to go to the end. The next in order. If we got
22 desperate, we might come back to them. I may order another -- I usually order
23 another panel for the next day. Did I do that yet?

24 THE CLERK: I believe you did.

25 THE COURT: How many?

1 THE CLERK: Confirmed --

2 THE COURT: Twenty-five?

3 THE CLERK: I'm not sure.

4 THE COURT: Thirty? Order 30 for tomorrow, but let's say, you
5 know, in a case like this, you probably wouldn't keep -- you know, they'd either
6 be excused or get them to the box, but let's -- staying consistent, is what I
7 ordinarily do, there's three categories.

8 Excused. If we agree in this room, when they got called back in,
9 that they're going to be excused, they will never go from the gallery to the
10 box. We all agree, at the end of the day, they're going to leave, and they're
11 never coming back. They're not going to be excused immediately unless
12 someone is dying, but at the end of the night -- you know, evening or
13 afternoon, they're never coming back.

14 Then there's call to the box, and then there's skip. Skip is just, we
15 put them at the bottom, maybe we get back to them, maybe we wouldn't.
16 Maybe we don't make them come back tomorrow, maybe we do. We worry
17 about that when we get there. They're not your first choice or your second.
18 They're your desperation. So, the -- I normally include students in the
19 excused, breastfeeding mothers because it's difficult, people with medical
20 conditions, or some extreme financial hardship other than, I run a casino, and
21 I'm really important. Everything else is on the table, pretty much.

22 MR. STANTON: How about language?

23 THE COURT: I always ask who speaks English as a second
24 language. I get the notes on that, and unless it's obvious and you agree up at
25 the bench, I'll have them continue to go through the process, but you can

1 always, you know -- I mean, here's the deal. If you can stipulate to anything
2 because, you know, it saves time, I'm all about it.

3 Otherwise, unless you agree, I'll allow for the questioning, but I
4 mean any -- I guess when we do the breakout session, when I kick them out
5 after I ask if English is a second language, and I always ask them their ethnic
6 background one at a time, going through with a microphone, because I've
7 learned the hard way that that's what I need to do. I've literally had persons
8 who are obviously minority on any planet that anybody lives in, not answer
9 that question, and then when I call them out and say are -- they say, I'm a
10 minority. And, you know, then I'm -- what do I do? Take a picture? It's like,
11 what do I do with that? So, I'm not doing that anymore. I just pass the
12 microphone around because I'm -- you know, I don't want to get into a
13 sociological debate.

14 So, that would be the time to bring it up. If you have concerns
15 about anybody, that's the time. We go through literally, the list, one at a time.
16 And you bring -- I bring to your attention people I have concerns about. You
17 tell me if you stipulate to excuse, skip, or you want them in the box to ask
18 further questions, and you bring to my attention anyone that you have
19 concerns about that you want to excuse or skip, and then we just address
20 them one at a time.

21 I seat them in the box, so going from my right to my left, the jurors
22 -- number 1 would be 1 in the back, 2, 3, 4, 5, 6. Second row, my right to my
23 left, 7, 8, 9, 10, 11, 12. Front row, actually in the box, 13, 14, 15, 16, 17, 18, 19,
24 20, 21, 22, 23, 24, and behind the district attorney, over to my -- so, it's going to
25 be my right to my left -- 25, 26, 27, 28, 29, 30, 31, 32.

1 Everybody behind that row and over there -- I mean, and I'll tell
2 them 20 ways to Sunday, this is the box, this is the box. You're in the
3 questioning. The rest of you just listen. That kind of thing. Then when I hand
4 them over, you will have these people in that first row.

5 The other thing is, I always ask that if you know for sure -- if you
6 think you have enough to challenge someone for cause -- I describe the way I
7 like to handle these, and then some people look at me like I have eight heads,
8 but then when we're in trial, it's just so obvious every time. If you know you're
9 going to challenge someone for cause, just say, I'm going to have a motion.
10 That is code for, you're going to challenge someone for cause, and I've never
11 had one where we don't know who you're talking about, because you think
12 you have enough, and you're talking to them right now, and we're not going to
13 waste a lot of time. We're going to get a ruling, and we're going to move on
14 with our lives.

15 So, if you have someone, I'm going to have a motion. What I'm
16 asking for is you just traverse, do your thing, and then when you finally come
17 up here, you'll go back and forth, and then come up here and get a ruling.
18 That way, you're not, you know, have a motion to come up here, go back,
19 traverse, come back up, I have some more, go back. Just get'er done and then
20 come up here.

21 Anything else you can think of as far as jury selection that you
22 would like to know?

23 MR. BASHOR: Is it nine anywhere we want them or --

24 THE COURT: Oh, yeah. That's right. So once the DA passes the
25 panel for cause, and then you're done asking your questions, you pass the

1 panel for cause, you'll have your form here with your much longer than 21.
2 We need to come up with a new form. There will be 32 by the time you get it,
3 names, in order. Each person un-preempted at the end of your exchange --
4 and I'm glad you brought this up, because I usually make a record. I do not,
5 unless you specifically request it, separately choose alternates.

6 The reason is, my opinion is that you -- if you have nine
7 preemptory challenges to use or waive as you see fit, and you always know
8 who the first or second alternate are going to be, and you have much more
9 control over your panel than if I just -- you have one preemptory challenge,
10 you have two alternates, you kick someone, the first one, and the next person
11 comes and says all the right things, but they look at you funny, and they don't
12 like you and they know it, and they love Stanton because of the lean over and
13 you know -- right? Who doesn't love Stanton?

14 MR. BASHOR: Who doesn't?

15 THE COURT: So -- right? So, but you can't do anything about that
16 person.

17 MR. BASHOR: Right.

18 THE COURT: Even though your gut is screaming at you, you want
19 them off. If I give you nine preemptory challenges to use as you see fit, you
20 know from the millisecond that you, you know, enter your last entry here,
21 exactly the makeup of your panel. It complies and comports with the spirit of
22 the statute. It gives the trial lawyers more control over their panel, and I've
23 never had an objection ever in every trial I've ever done, but I don't care either.

24 So, there's that -- if you want to do it old school, you can do it old
25 school, and I'll just give you one preemptory challenge for two alternates, and

1 you're off the races or two for three or however -- whatever you can agree on.

2 MR. BASHOR: I'm fine with nine anyway. I --

3 MR. STANTON: That's fine with the State, Your Honor.

4 THE COURT: Okay. So, that's -- so, obviously, if you waive one,
5 you've not waived them all. So, let's say the State waives their fifth
6 preemptory challenge.

7 MR. BASHOR: Right.

8 THE COURT: Then they go to their sixth, but they never get it back.
9 So, you know that they're in order as un-preempted, and sometimes, I see
10 lawyers -- like let's say the State waived their fifth preemptory challenge, and
11 there will be a Defense attorney that will use a preemptory challenge for Juror
12 Number 32, which shows me that they're not realizing that every waiver is --
13 you're never getting to that last person.

14 MR. BASHOR: Right.

15 THE COURT: And the one before that and so on, so I just think you
16 know that, because you picked a jury in here, but I'm just reminding you. Any
17 other questions about jury selection?

18 MR. STANTON: No, Your Honor.

19 MR. BASHOR: No, Your Honor.

20 THE COURT: What would be a good time to do the evidentiary
21 hearing? What if I had the jury come back at -- I don't know how far we'll get
22 today, but I guess we can cross that bridge when we come to it.

23 MR. STANTON: Yeah. It should be relatively brief, and we might
24 have a discussion on the front end about the scope that we're going to go into,
25 and we might be able to handle it before we even bring it to your attention.

1 THE COURT: Is there a chance you could do it at like 8:15
2 tomorrow? When I don't have an oral surgery appointment like I did today.

3 MR. STANTON: The detective who's going to testify on the -- she's
4 out of the jurisdiction until the 1st of August, so she won't testify until then,
5 but we can have that discussion prior to us coming to court before she
6 testifies.

7 MR. BASHOR: Yeah, that's fine, Judge. I think we're --

8 THE COURT: Okay.

9 MR. BASHOR: -- going to be agreeable here.

10 MR. STANTON: I don't think we're going to have a problem, but --

11 THE COURT: Okay. So, anything that -- so, are you going to talk
12 before opening? Because that would be --

13 MR. BASHOR: Yes.

14 THE COURT: -- my only concern --

15 MR. BASHOR: Yes.

16 THE COURT: -- is that if you don't agree to something, then you
17 talk about it in opening until you get a ruling.

18 MR. STANTON: Oh, yeah. We wouldn't --

19 THE COURT: Okay.

20 MR. STANTON: We wouldn't go down any road. My opening is
21 very structured, very bland --

22 THE COURT: Okay.

23 MR. STANTON: -- as it relates to facts.

24 THE COURT: Okay. What else did I want to tell you? Let me see if
25 I'm forgetting anything. Yeah, my part takes a long time, so you know, you

1 won't probably get rocking and rolling really until -- the Defense, maybe
2 tomorrow.

3 MR. STANTON: Right.

4 MR. BASHOR: Very good.

5 THE COURT: But I do that so that, you know, as a courtesy, which I
6 expect no one to pretend like I didn't do all that. It makes me crazy and cranky
7 as heck.

8 MR. BASHOR: Yes, Your Honor.

9 THE COURT: I think that's it. Yeah. I mean, it takes a lot to ask 70
10 or 65 people what their ethnic background is. We try to go fast, but you know,
11 it is what it is. How many witnesses do you have?

12 MR. STANTON: We could have as much as eight, but it might be
13 less than that.

14 THE COURT: And so, I don't know, when was the last -- what's
15 your estimate for time for selection if you know I'm going to take at least until -
16 - let's see. Let's say we get started at 10 to 2. I'll need at least two hours, if not
17 more.

18 MR. STANTON: What time do we start tomorrow?

19 THE COURT: Well, that's a good question. I'll be right back. I just
20 have to get my calendar.

21 [Pause]

22 THE COURT: 10:45. And that's me being -- me pushing people
23 around and moving stuff if it's really contested.

24 MR. STANTON: Well, Judge, I think we'll have a jury by tomorrow.

25 THE COURT: Okay.

1 MR. BASHOR: Uh-huh.

2 THE COURT: So, do you think we could have openings tomorrow
3 by the end of the day?

4 MR. STANTON: It's possible.

5 THE COURT: Okay. So, prepare to have your first witness 9:00 on
6 Wednesday.

7 MR. STANTON: Okay.

8 THE COURT: Can you do that?

9 MR. STANTON: Yes. The only witness request that we have is the
10 coroner, that we call her as the first witness, and I anticipated Wednesday
11 afternoon. That's probably going to be pretty close, just because number one,
12 they're three doctors down. Number two, they cut in the morning, and so their
13 afternoons are open, so it just I think lends itself to -- not because of
14 physicians, but just because of their workload.

15 THE COURT: Uh-huh. That's three hours we lose of trial time.

16 MR. STANTON: Yeah, but I mean, look, we can stop in any part of
17 the State's case to --

18 THE COURT: Oh, that's what I'm saying.

19 MR. STANTON: Yeah.

20 THE COURT: You just call somebody else, and we'll take a break
21 and --

22 MR. STANTON: Okay.

23 THE COURT: -- we'll call --

24 MR. STANTON: Yeah.

25 THE COURT: -- her.

1 MR. STANTON: Yeah, that's perfect.

2 THE COURT: That's okay with you, right?

3 MR. BASHOR: Of course.

4 THE COURT: Okay. Yeah, call her out of order; that's fine.

5 MR. BASHOR: And as a reminder, the State -- and I think they'll
6 probably rest on Thursday, but the State hasn't given us the accommodation
7 that we -- we're flying somebody in from California on --

8 THE COURT: On Thursday afternoon?

9 MR. BASHOR: Right.

10 THE COURT: Which is why I'm not going to stay all day at the
11 Sentencing Commission, if I even go.

12 MR. BASHOR: Right.

13 THE COURT: Tierra Jones is supposed to cover my calendar in the
14 morning. I was going to go for half a day and say I'm in trial, and I have an
15 out-of-state witness, goodbye --

16 MR. BASHOR: Uh-huh.

17 THE COURT: -- at 11:30 or whatever. I don't know. I'm working on
18 it. I haven't quite figured that part out.

19 MR. BASHOR: Okay.

20 MR. STANTON: So, 1, 1:30, we call Dr. Corneal, and then -- or if --
21 yeah, Thursday we might already have called her, so yeah.

22 THE COURT: Okay, that'll work.

23 MR. BASHOR: Should we expect --

24 THE COURT: But you want to call her Wednesday afternoon, right,
25 at 1:00?

1 MR. STANTON: Yes, if it -- if our projections are that we have the
2 jury Tuesday, then it's quite possible that we would call Dr. Corneal as the first
3 -- if we start that early on Wednesday, then we could call her as our first
4 witness on Wednesday, I believe.

5 THE COURT: Okay. Sounds good.

6 [Pause]

7 THE COURT: Okay. So, I just need 30 -- we decided 32, right?

8 MR. STANTON: Correct.

9 THE COURT: I cannot add today.

10 MR. STANTON: Thirty-two.

11 THE COURT: Okay. So, we're going to have 6, 12, 18 --

12 THE MARSHAL: Twenty-six.

13 THE COURT: Twenty-seven, 28, 29, 30, 31, 32, right?

14 THE MARSHAL: Yep.

15 THE COURT: Is that --

16 THE MARSHAL: That would be number 32 here.

17 THE COURT: So, there will be two extra ones on the end?

18 THE MARSHAL: Yes.

19 THE COURT: All right. Okay. So, are you ready?

20 MR. STANTON: State is, Your Honor.

21 MR. BASHOR: Defense is, Your Honor.

22 THE COURT: Okay. If we could bring in the jury, they will be
23 seated in here, really, in no particular order, right? Or are they coming in, in
24 order?

25 THE MARSHAL: They're in order.

1 THE COURT: Okay. Thanks.

2 [Pause]

3 THE COURT: Oh, by the way, State, when do you think you'll be
4 able to bring in your stock jury instructions?

5 MR. STANTON: Tomorrow.

6 THE COURT: Okay. And when do you think you'd be able to bring
7 anything you think you're going to ask for?

8 MR. BASHOR: The next day.

9 THE COURT: Okay. So, Tuesday, Wednesday?

10 MR. BASHOR: Yes, Your Honor.

11 THE COURT: Okay. Great. Thanks.

12 THE MARSHAL: All rise. The jury is entering

13 [In the presence of the prospective jurors.]

14 THE COURT: Counsel, will you stipulate to the presence of the
15 prospective jury panel?

16 MR. STANTON: Yes, Your Honor.

17 MR. BASHOR: Yes, Your Honor.

18 THE COURT: Okay. Good afternoon, ladies and gentlemen. This
19 is the time set for trial in C312448-1, State of Nevada v. Shawn Glover. The
20 record will reflect presence of the Defendant, his attorneys, and both deputy
21 district attorneys, and the officer of the court. Are the parties ready to proceed
22 to trial?

23 MR. STANTON: Your Honor, the State is.

24 MR. BASHOR: The Defense is ready, as well, Your Honor.

25 THE COURT: All right. Ladies and gentlemen, you are in

1 Department 9 of the 8th Judicial District Court. My name is Jennifer Togliatti,
2 and I'm the presiding Judge. At this time, I want to take the opportunity to
3 explain certain court staff that you see in the courtroom and explain what they
4 do.

5 The court reporter -- excuse me, recorder -- to my far left, is
6 recording every word that is spoken during this trial. Part of my job is to make
7 sure that all the words that are spoken during this trial are being recorded.
8 There are microphones placed strategically throughout the courtroom that
9 pickup voices like mine, the one in front of me, for example. And we also have
10 a handheld microphone for those of you who are not located near a
11 microphone. We're going to pass it around when you answer questions so
12 that we can record the words that you speak.

13 If you answer a question, mmm-hmm or uh-huh, I am going to say,
14 is that a yes or is that a no. The attorneys will do the same. Not because
15 we're giving you a hard time, but because mmm-hmm doesn't translate into a
16 transcript. H-H-H-H-H-M-M-M-M doesn't really mean anything, okay? So, for
17 that reason, I'll say, is that a yes or is that a no, and I just need you to be
18 mindful as we go through this process, it's much more formal than a regular
19 conversation.

20 Sometimes, you anticipate when someone's asking you a question,
21 in normal conversation, you'll jump right to the answer because we don't even
22 notice that. We do it so often. If it's important, I'll say, could you hold on a
23 moment, or let the attorney answer -- I mean, finish their question, because
24 the recording equipment cannot pick up two people talking at once, okay?

25 To my left is my Court Clerk. She swears the witnesses, marks the

1 exhibits, and keeps track of the official court record of the proceedings.

2 And you've already met Ramsey. He is my Marshall, and he is the
3 person with whom the ladies and gentlemen will have the most contact during
4 the trial.

5 Now, I'm going to ask one of the deputy district attorneys for the
6 State of Nevada to introduce himself, his co-counsel, and make a brief
7 statement of the nature of the State's case. I'm also going to ask them to list
8 any witnesses that may be called to testify. Just because you hear the name
9 doesn't mean they will be called to testify. Maybe their name will be on a
10 piece of paper someplace, but the reason it's important that you listen to these
11 names is because we -- I will ask you if you believe you are familiar with or
12 know any of the State's witnesses. State?

13 MR. STANTON: Thank you, Your Honor. Ladies and gentlemen,
14 my name is David Stanton. Along with me is William Flinn. We are chief
15 deputy district attorneys in the Clark County District Attorney's Office. We are
16 prosecuting the case that you're here in court today on, and it is entitled State
17 v. Shawn Glover, who is the Defendant in the courtroom. He is charged with
18 first degree murder with use of a deadly weapon.

19 Ladies and gentlemen, the generalized facts of this case -- and
20 once again, as Judge Togliatti indicated to you, this is more to orient any of
21 the prospective panel here today if you might know anything about this case.
22 And at the appropriate time, you can advise Judge Togliatti about that.

23 The events of this case begin on January 1st, 2016. The location of
24 this event is at a series of townhomes located in the general North Valley
25 location, specifically 4032 Smokey Fog Avenue. Ladies and gentlemen, this is

1 generally in the North Valley. You would know it by the intersections of
2 Centennial Parkway and Lamb.

3 The victim in the case is a gentleman by the name of Patrick
4 Fleming. You will hear from the following potential witnesses in the case.
5 Once again, if you recognize or believe you recognize a name on the split list,
6 please advise the Judge.

7 Dr. Jennifer Corneal. She is an employee with the Clark County
8 Coroner's Office. William Dolan, Kevin Emry, Patrick Fischer, Scott Hafen,
9 Renee Harder, previously by her maiden name, Renee Orlando, Adam Hyde,
10 Ruth Leon, Vincent Lewis, Leonard Miller, Benjamin Owens, Miranda Sutton,
11 Akira Veasley, and Sayoka Wilson-Fay. Thank you, ladies and gentlemen.

12 THE COURT: All right. At this time, I'm going to ask one of the
13 Defense counsel introduce himself, his co-counsel, and his client.

14 MR. BASHOR: Thank you, Your Honor. Good afternoon, everyone.
15 My name is Ryan Bashor. I'm an attorney that practices law here in Las Vegas.
16 This is my co-counsel Mr. Robert O'Brien. It's my privilege to introduce you to
17 Mr. Shawn Glover who has plead not guilty.

18 THE COURT: All right. Ladies and gentlemen, I am going to call
19 the roll of the panel of prospective jurors. When your name is called, please
20 answer present or here. And if I mispronounce it, please tell me how to
21 pronounce it properly, and I promise as we go through this, I will get better at
22 the pronunciation, okay? So, starting with Cody Hughes.

23 PROSPECTIVE JUROR 798: Present.

24 THE COURT: And by the way, can I have the mic? So, the Nevada
25 Supreme Court requires that I secure or find out the ethnic background of each

1 juror, and so it seems like the most efficient time to do that is when I'm doing
2 the roll call. So, when I call your name, I just need you to tell me you're
3 present or you're here, and if you could give me your ethnic background,
4 whether that's African American, Asian, Caucasian, European, whatever you
5 want to tell me, okay, about your ethnic background, as long as it's accurate.

6 And also, I need to tell you before I do that that the examination
7 that we're about to undertake for you is conducted while you are under oath.
8 The term voir dire, which is the process we're going through loosely translated
9 means to tell the truth. During this process, you're going to be called upon to
10 answer questions, bearing on your ability to serve as fair and impartial jurors
11 in this case, and for that reason, I will ask questions and the attorneys are also
12 going to have that opportunity.

13 It is important that you understand the significance of full,
14 complete, and honest answers to all of the questions that we are about to ask
15 you. Please do not try to hide or withhold anything, touching up on your
16 qualifications, or anything that might indicate any bias or prejudice of any sort
17 by any of you. Should you fail to answer truthfully or if you hide or withhold
18 anything, touching upon your qualifications, that fact may tend to contaminate
19 the jury's verdict, and suggest you to further inquiry, even after you're
20 discharged as a juror in this case. The jury's decision in this case should be
21 based upon all the evidence in the trial and not based upon any preconceived
22 prejudice or bias.

23 So, because the questioning is done while you are under oath, I do,
24 before we start, need you to stand, face my Clerk, raise your right hand, and be
25 sworn.

1 [The prospective jurors were sworn]

2 THE COURT: Okay. Please be seated. Is there anyone present
3 who is unable to take the oath for any reason? No one indicates they were
4 unable to take the oath.

5 MR. BASHOR: Your Honor, may I approach briefly?

6 THE COURT: Yes.

7 [Sidebar begins at 2:01 p.m.]

8 MR. BASHOR: Judge, I have four more witnesses I neglected to
9 mention.

10 THE COURT: We can do that right now.

11 MR. BASHOR: Okay, thank you.

12 THE COURT: I never --

13 MR. BASHOR: I apologize.

14 THE COURT: I never put you in a box on that.

15 [Sidebar ends at 2:01 p.m.]

16 THE COURT: Okay. Ladies and gentlemen, before we do that, I am
17 going to ask that the Defense list any -- the Defense is entitled to call any
18 witness that's listed by the State, should they so choose, and any witness they
19 so choose. So, at this time, they're going to list possible witnesses for the
20 Defense.

21 MR. BASHOR: Thank you, Your Honor. And I apologize for
22 neglecting to do this before. It's brief. Mr. Roger Hosford of Las Vegas,
23 Nevada; Loren Mendoza of Van Nuys, California; Emily Reeder of Las Vegas,
24 Nevada; and Michael Reyes of Granada Hills, California.

25 THE COURT: Okay. So, starting with Cody Hughes, you're present,

1 yes?

2 PROSPECTIVE JUROR 798: Yes, ma'am.

3 THE COURT: And what's your ethnic background?

4 PROSPECTIVE JUROR 798: I'm Caucasian and Hispanic.

5 THE COURT: Thank you. Clinton Barnes?

6 PROSPECTIVE JUROR 912: Present. I am white.

7 THE COURT: All right. Aziyel Madrigal?

8 PROSPECTIVE JUROR 913: Present. Asian.

9 THE COURT: Thank you. John Graber?

10 PROSPECTIVE JUROR 916: Here, and Caucasian.

11 THE COURT: Randal Huntsman?

12 PROSPECTIVE JUROR 923: Present. Caucasian.

13 THE COURT: Morgan Dwinell?

14 PROSPECTIVE JUROR 933: Present. Caucasian.

15 THE COURT: Okay. Esperanza Kime?

16 PROSPECTIVE JUROR 940: Kime, correct.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 940: I'm Hispanic, Your Honor.

19 THE COURT: All right, thank you. Lindell Pierce?

20 PROSPECTIVE JUROR 942: Yes. I'm Caucasian.

21 THE COURT: Thank you. Christopher Stettler?

22 PROSPECTIVE JUROR 944: Caucasian. Present.

23 THE COURT: Thank you. Philip Harris?

24 PROSPECTIVE JUROR 947: Present. Caucasian.

25 THE COURT: Samantha Stanke?

1 PROSPECTIVE JUROR 048: Present. Caucasian.
2 THE COURT: Isabelle Rodriguez?
3 PROSPECTIVE JUROR 951: Present. Hispanic.
4 THE COURT: Thank you. Nancy Cardoza? Over here.
5 PROSPECTIVE JUROR 952: Here. Hispanic.
6 THE COURT: Thank you. Miles Vinluan?
7 PROSPECTIVE JUROR 961: Present. Asian.
8 THE COURT: Did I say that right?
9 PROSPECTIVE JUROR 961: Yes.
10 THE COURT: Okay. Alyce Brown?
11 PROSPECTIVE JUROR 965: Present. White.
12 THE COURT: Verna Kinnard?
13 PROSPECTIVE JUROR 967: Present. Asian and African American.
14 THE COURT: Thank you. Victoria Farfan?
15 PROSPECTIVE JUROR 978: Present. Caucasian and Hispanic.
16 THE COURT: Thank you. Dominique Perez?
17 PROSPECTIVE JUROR 993: Present, and Hispanic.
18 THE COURT: Thanks. Benjamin Perri?
19 PROSPECTIVE JUROR 000: Present. Caucasian.
20 THE COURT: Did you get that?
21 THE CLERK: It's okay.
22 THE COURT: Okay. Thank you. Stephanie Mazzie?
23 PROSPECTIVE JUROR 004: Present. Caucasian.
24 THE COURT: Thank you. Hoa Ho?
25 PROSPECTIVE JUROR 015: Yeah. Present. Vietnamese.

1 THE COURT: Okay. Nassif Haddad?
2 PROSPECTIVE JUROR 024: Present from Middle East.
3 THE COURT: Okay. Thank you. Diane Morgan?
4 PROSPECTIVE JUROR 025: Present. Caucasian.
5 THE COURT: David Harrell?
6 PROSPECTIVE JUROR 030: Present. Caucasian.
7 THE COURT: Susan Gevers?
8 PROSPECTIVE JUROR 035: Gevers.
9 THE COURT: Gevers. Well, I had a 50-50 shot
10 PROSPECTIVE JUROR 035: Present. Caucasian.
11 THE COURT: Sorry about that.
12 PROSPECTIVE JUROR 035: That's okay.
13 THE COURT: Laurie Renforth?
14 PROSPECTIVE JUROR 043: Here. Caucasian.
15 THE COURT: Thank you. Going over there. Robert Chiesi?
16 PROSPECTIVE JUROR 048: Yes. Chiesi.
17 THE COURT: Chiesi.
18 PROSPECTIVE JUROR 048: Present. Caucasian.
19 THE COURT: Thank you. Frances Cortez?
20 PROSPECTIVE JUROR 058: Present. Hawaiian Pacific Islander.
21 THE COURT: Thank you. William Childs?
22 PROSPECTIVE JUROR 061: Present. Caucasian.
23 THE COURT: Thank you. Michael Tripp?
24 PROSPECTIVE JUROR 063: Present. Caucasian.
25 THE COURT: Aaron Emery?

1 PROSPECTIVE JUROR 068: Present. African American.

2 THE COURT: Thank you. Brenden Larson?

3 PROSPECTIVE JUROR 070: Present. African American Irish.

4 THE COURT: Thank you. Mario Reyna?

5 PROSPECTIVE JUROR 073: Present. Hispanic.

6 THE COURT: Roi Hillstead?

7 PROSPECTIVE JUROR 083: Present. Caucasian and Asian.

8 THE COURT: Thank you. Bryan Blake, over there?

9 PROSPECTIVE JUROR 086: Present. Caucasian.

10 THE COURT: Theresa Fernandez?

11 PROSPECTIVE JUROR 36: Present. Caucasian.

12 THE COURT: Arian Tassy?

13 PROSPECTIVE JUROR 093: Here. Caucasian.

14 THE COURT: Torri Godwin?

15 PROSPECTIVE JUROR 099: Present and Caucasian.

16 THE COURT: Duane Miller?

17 PROSPECTIVE JUROR 119: Present and Caucasian.

18 THE COURT: Melissa Webster?

19 PROSPECTIVE JUROR 121: Present. Caucasian.

20 THE COURT: Matthew Jones?

21 PROSPECTIVE JUROR 131: Present. Caucasian.

22 THE COURT: John Park?

23 PROSPECTIVE JUROR 145: I'm sorry. I don't understand the
24 English language. Is only 10 to 20 percent only.

25 THE COURT: Okay, 10 or 20 percent. What -- do you work? Do

1 you have a job?

2 PROSPECTIVE JUROR 145: No. No work.

3 THE COURT: You don't work?

4 PROSPECTIVE JUROR 145: Yeah.

5 THE COURT: All right. Thank you. Can you pass it to the next

6 person, please? Bethany Johnson? Down there in the corner.

7 PROSPECTIVE JUROR 151: Present. Caucasian.

8 THE COURT: Thank you. Paul Mejia?

9 PROSPECTIVE JUROR 152: Present. Hispanic.

10 THE COURT: Thank you. Phyllis Stewart?

11 PROSPECTIVE JUROR 158: Present. Caucasian.

12 THE COURT: Nicole Williams?

13 PROSPECTIVE JUROR 163: Present. African American.

14 THE COURT: Thank you. Manuele -- how do I say your name?

15 De?

16 PROSPECTIVE JUROR 166: De Cespedes.

17 THE COURT: Pardon me?

18 PROSPECTIVE JUROR 166: De Cespedes.

19 THE COURT: Oh, yeah. There are some letters missing here.

20 PROSPECTIVE JUROR 166: Yeah.

21 THE COURT: Could you --

22 PROSPECTIVE JUROR 166: Present. Hispanic.

23 THE COURT: All right. Do me a favor, spell your name for me.

24 PROSPECTIVE JUROR 166: So, after the D, there's a space, and

25 then C-E-S-P-E-D-E-S.

1 THE COURT: Okay. D-E, dash, C-E-S-P-E-D-E-S?
2 PROSPECTIVE JUROR 166: Yes.
3 THE COURT: Okay. Thank you. Jessica Meuir?
4 PROSPECTIVE JUROR 175: Present. Caucasian.
5 THE COURT: Thank you. Luzmaria Alarcon?
6 PROSPECTIVE JUROR 177: Present. Hispanic.
7 THE COURT: All right. Janice Forbes?
8 PROSPECTIVE JUROR 178: Present. Caucasian.
9 THE COURT: Okay. Bruce Gorham?
10 PROSPECTIVE JUROR 183: Present. Caucasian.
11 THE COURT: Dierdre Parker?
12 PROSPECTIVE JUROR 184: Present. African American.
13 THE COURT: Hold on. We've got to speak -- did you get that?
14 Okay. Could you speak into the microphone for me?
15 PROSPECTIVE JUROR 184: Present. African American.
16 THE COURT: Thank you. Michael Stroud?
17 PROSPECTIVE JUROR 185: Present. Caucasian.
18 THE COURT: Lisa Villa-Real?
19 PROSPECTIVE JUROR 194: Present. Hispanic.
20 THE COURT: Thank you. Kathy Garcia?
21 PROSPECTIVE JUROR 204: Present. Hispanic.
22 THE COURT: Mark Eli?
23 PROSPECTIVE JUROR 205: Present. Caucasian and Native.
24 THE COURT: Okay. Sun Jones?
25 PROSPECTIVE JUROR 210: I'm here.

1 THE COURT: Okay. What's your ethnic background? Where are
2 you from?
3 PROSPECTIVE JUROR 210: Korea.
4 THE COURT: Okay. Thank you. Leon Burton?
5 PROSPECTIVE JUROR 213: Present. Asian.
6 THE COURT: Robert Patynik?
7 PROSPECTIVE JUROR 219: Present. Caucasian.
8 THE COURT: Thank you. Did you pick that up? Okay.
9 THE MARSHAL: Say it again.
10 PROSPECTIVE JUROR 219: Present. Caucasian.
11 THE COURT: Thank you. Paula Dalcour?
12 PROSPECTIVE JUROR 221: Present. Black.
13 THE COURT: Thank you. Ivan Rodriguez?
14 PROSPECTIVE JUROR 226: Present. Hispanic.
15 THE COURT: Thank you. Cesar Rivera?
16 PROSPECTIVE JUROR 228: Present and Spanish.
17 THE COURT: Thank you. Ronda Mayfield?
18 PROSPECTIVE JUROR 229: Present. African American.
19 THE COURT: Thank you. Daniel Robinson?
20 PROSPECTIVE JUROR 231: Present. Caucasian.
21 THE COURT: Thank you. Johnathon Gludt?
22 PROSPECTIVE JUROR 240: Present. Caucasian.
23 THE COURT: Milo Jenereaul?
24 PROSPECTIVE JUROR 243: Present. Caucasian.
25 THE COURT: Did I say that right?

1 PROSPECTIVE JUROR 243: Jenereaul.
2 THE COURT: Jenereaul. Thank you. John Wiseman?
3 PROSPECTIVE JUROR 247: Present. Caucasian.
4 THE COURT: Damian Serrano?
5 PROSPECTIVE JUROR 252: Present. Hispanic.
6 THE COURT: Lawrence Luna?
7 PROSPECTIVE JUROR 260: Present. Asian.
8 THE COURT: Erik Thompson?
9 PROSPECTIVE JUROR 261: Present. Caucasian.
10 THE COURT: Michael Clay?
11 PROSPECTIVE JUROR 268: Present. African American/Native
12 American.
13 THE COURT: Glenn Adams?
14 PROSPECTIVE JUROR 277: Present. Mixed ethnicity.
15 Asian/Caucasian.
16 THE COURT: Okay. Socrisar Guese?
17 PROSPECTIVE JUROR 279: Socrisar Guese.
18 THE COURT: Not even close. Okay. Guese. Got it.
19 PROSPECTIVE JUROR 279: Yeah.
20 THE COURT: And what's your ethnic background, sir?
21 PROSPECTIVE JUROR 279: Philippines.
22 THE COURT: Okay. Seth Wright?
23 PROSPECTIVE JUROR 280: Present. Here.
24 THE COURT: And Lisa Dominguez? Lisa?
25 PROSPECTIVE JUROR 280: Caucasian, by the way.

1 THE COURT: Oh, okay. Thank you. Lisa Dominguez? Sorry about
2 that.

3 PROSPECTIVE JUROR 283: Present. Mexican, Spanish, Irish, and
4 Indian.

5 THE COURT: Okay. Thank you very much. All right. So, ladies
6 and gentlemen, before we start the question and answer process, I want you
7 to understand that we are very concerned with having this matter tried by
8 jurors who are completely openminded, fair and impartial, in their thinking.
9 Why discretion is vested in the trial judge -- that's me -- as to the method of
10 the examination of the prospective jurors.

11 As I told you before, I'm going to ask you questions and the
12 lawyers will be given this opportunity, as well. It is not our desire to
13 unnecessary pry into your personal lives. These questions are necessary so
14 that the attorneys and myself can make a determination as to your capability
15 to serve fairly and impartially.

16 Please do not try hide or withhold anything, touching upon your
17 qualifications, or that might indicate any prejudice of any sort by any of you.

18 Now, as we go through this process, I'm going to ask questions,
19 and when I ask a question, I'm going to do it in an organized fashion for the
20 answers. I'll start on this side of the room and look for people who have their
21 hand raised, and I'll go from the front row to the back row, and then I'll go to
22 the middle section, and I'll go from the front row to the back row. Then I'll go
23 to this section, and I'll go from the front row to the back row.

24 I'm going to ask you to give me the last three digits on your badge.
25 So, for example, Mr. Hughes is going to be Juror 798, Haddad is 024, Mejia is

1 152, Jenereaul is 243, and so on. You'll give me the last three digits on your
2 badge, and you'll give us a minute to find you on our list, so we can take notes
3 while you speak.

4 I can tell you I've done this in excess of, oh, 250 times, okay. So,
5 take it from me, from experience, because I've done it 250 times, and you
6 haven't, this process is much more efficient if you answer the question that I
7 ask, when I ask it, and not tell me everything else you want me to know. I have
8 no doubt -- I'm sure as I'm sitting here, and the sun will rise, and the sun will
9 set, that you have something to tell me about jury service. I'm going to get to
10 it. I promise.

11 I have an exhaustive list of questions, and then if freakishly, my
12 exhaustive list of questions don't cover what you need to tell me about your
13 jury service, I have a catch all question. That is, is there anything else about
14 you personally or professionally that you need me to know about serving on
15 this jury. So, I promise I will get there, but if you would do me a favor and the
16 other, I don't know, 80 people in this room, don't tell me everything you want
17 me to know until we get there. Just answer the question that I ask when I ask
18 it. It's much more organized and fast, okay?

19 With that said, has anyone present ever been convicted of a
20 felony? Starting on this side of the room. Okay. Could you hand that over?
21 Yes, your number?

22 THE MARSHAL: Badge number.

23 PROSPECTIVE JUROR 965: Oh, I'm sorry.

24 THE COURT: Last three digits on your badge.

25 PROSPECTIVE JUROR 965: Yeah, I forgot it already. 965.

1 THE COURT: Okay. Hold on one second. Ms. Brown, you were
2 convicted of a felony?

3 PROSPECTIVE JUROR 965: Yes.

4 THE COURT: When was that?

5 PROSPECTIVE JUROR 965: Forty-three years ago.

6 THE COURT: Of what?

7 PROSPECTIVE JUROR 965: It was -- what was the felon?

8 THE COURT: Yes.

9 PROSPECTIVE JUROR 965: Well, it was -- I don't know how to put
10 it. I delivered -- I took some marijuana to a friend in the jail cell and got caught
11 for delivering marijuana --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR 965: -- to the --

14 THE COURT: And where was that?

15 PROSPECTIVE JUROR 965: In Des Moines, Iowa.

16 THE COURT: Okay. And so, you know that you were convicted of
17 a felony and just one or multiple?

18 PROSPECTIVE JUROR 965: I'm not sure. I think they tagged
19 something else on there, but I can't remember. It's been so long.

20 THE COURT: Okay. And so, you never had it sealed or --

21 PROSPECTIVE JUROR 965: Yes. Deferred sentence. Is that what
22 it's called?

23 THE COURT: Okay. So, at the time that you were sentenced, your
24 sentence was deferred?

25 PROSPECTIVE JUROR 965: Yes.

1 THE COURT: Okay. So --

2 PROSPECTIVE JUROR 965: I had two years' probation, and then
3 deferred.

4 THE COURT: All right.

5 PROSPECTIVE JUROR 965: And then the deferred sentence.

6 THE COURT: And then what do you think happened after that two
7 years was up?

8 PROSPECTIVE JUROR 965: What do you mean what do I think? I --

9 THE COURT: Well, I said, have you ever convicted of a felony.

10 PROSPECTIVE JUROR 965: Yes.

11 THE COURT: Deferred means to me you weren't convicted --

12 PROSPECTIVE JUROR 965: Yeah.

13 THE COURT: -- because it was ultimately dismissed, but yet you
14 said you were convicted, so you seem confused.

15 PROSPECTIVE JUROR 965: Well, I mean --

16 THE COURT: In a respectful way.

17 PROSPECTIVE JUROR 965: I just figure, why hide my past. I
18 mean, I was --

19 THE COURT: Okay. So -- right, which is why I'm asking --

20 PROSPECTIVE JUROR 965: Yeah.

21 THE COURT: -- because they're two different things, right?

22 PROSPECTIVE JUROR 965: Yeah, I know.

23 THE COURT: Were you convicted, or it was deferred?

24 PROSPECTIVE JUROR 965: It was deferred.

25 THE COURT: Okay, so you don't have a conviction, but you were

1 arrested and had probation?

2 PROSPECTIVE JUROR 965: Yes.

3 THE COURT: Okay. And you're pretty sure there's no conviction
4 for a felony, though?

5 PROSPECTIVE JUROR 965: Yes.

6 THE COURT: Okay. I'm not picking on you. I'm just trying to cut
7 to the chase.

8 PROSPECTIVE JUROR 965: I guess I got confused and shouldn't
9 have said anything, but --

10 THE COURT: No, it's okay.

11 PROSPECTIVE JUROR 965: Just being honest.

12 THE COURT: Believe me, there's other questions that get there.

13 PROSPECTIVE JUROR 965: Okay.

14 THE COURT: I'm just trying to make sure I understand.

15 PROSPECTIVE JUROR 965: Sorry.

16 THE COURT: That's okay. Don't be sorry. Conviction or no
17 conviction, okay, because one may affect your ability to serve. One is just your
18 background. Does that make sense to you?

19 PROSPECTIVE JUROR 965: Yes.

20 THE COURT: Okay. So, as you sit here today, you're pretty sure
21 there's no actual conviction?

22 PROSPECTIVE JUROR 965: Yes.

23 THE COURT: Okay, perfect. Thank you very much. Anybody else
24 in this section? How about that section? Yes, sir. If you could wait for the
25 mic, please, and give me the last three digits on your badge.

1 PROSPECTIVE JUROR 119: 119.
2 THE COURT: 119. Okay. Mr. Miller? Duane Miller?
3 PROSPECTIVE JUROR 119: Yes. Yes, Your Honor.
4 THE COURT: Okay. When do you believe you were convicted of a
5 felony?
6 PROSPECTIVE JUROR 119: It was in '94.
7 THE COURT: Okay. And where was that?
8 PROSPECTIVE JUROR 119: Pennsylvania.
9 THE COURT: And what do you believe the felony or felonies to be?
10 PROSPECTIVE JUROR 119: It was receiving stolen property.
11 THE COURT: And was it just one count of that or something else?
12 PROSPECTIVE JUROR 119: Yes, Your Honor. That was it.
13 THE COURT: And what happened to that case?
14 PROSPECTIVE JUROR 119: Basically, I got probation. That was it.
15 THE COURT: Okay.
16 PROSPECTIVE JUROR 119: First offense.
17 THE COURT: And you never had the record sealed or --
18 PROSPECTIVE JUROR 119: No.
19 THE COURT: Okay. All right. And do you know -- did you ever
20 have a restoration of civil rights or anything like that?
21 PROSPECTIVE JUROR 119: No, I don't believe so.
22 THE COURT: Okay. Thank you.
23 PROSPECTIVE JUROR 119: Yes.
24 THE COURT: Who else had their hand up? Anybody over there?
25 Okay. Anybody else until we go to the final section? Have any of you ever

1 been convicted of a felony? All right. No one else indicates om the
2 affirmative.

3 Is there anyone present who is not a United States citizen? Not
4 because I am going to do anything about it, but because you might not qualify
5 to serve. I don't do immigration, so that is not of my concern. The only thing
6 that matters to me is qualification to serve. Does that make sense? Okay.
7 That's why I'm asking all these questions. Okay. So, anybody in the first
8 section not a United States citizen? How about the second section? Third
9 section? No one indicates in the affirmative.

10 Are there any of you that believe that you are familiar with the
11 Defendant, Shawn Glover, or either of his attorneys in this case? Starting in
12 the first section. No? How about the second section? Third section? All right.
13 No one has indicated in the affirmative.

14 Are there any of you that believe you are acquainted with either of
15 the deputy district attorneys that were introduced to you at the start of this?
16 Anybody? First section? Second section? No one indicates in the affirmative.

17 The District Attorney, Steve Wolfson, employs many deputies and
18 other personnel. Is there anyone who has such a close relationship with either
19 the District Attorney, Steve Wolfson, or his deputies, or other members of his
20 staff that it rises to the level that you think you should bring it to my attention,
21 meaning this is someone you know well or have frequent contact with, starting
22 in this section. Nobody indicates in the affirmative. How about the middle
23 section? Nope. How about over here? Yes, sir? Can you hold on a second
24 while we get you the microphone, please? Can I have the last three digits on
25 your badge?

1 PROSPECTIVE JUROR 268: Yes, ma'am. 268.

2 THE COURT: 268. Mr. Clay, who do you know?

3 PROSPECTIVE JUROR 268: One of the individuals that work for the
4 Coroner's Office.

5 THE COURT: Oh, sorry. Say it again. The Coroner's Office?

6 PROSPECTIVE JUROR 268: Yes, ma'am.

7 THE COURT: Who do you know at the Coroner's Office?

8 PROSPECTIVE JUROR 268: Through my work, I work very closely
9 with everyone, including the Coroner.

10 THE COURT: What do you do?

11 PROSPECTIVE JUROR 268: I am the family services manager for
12 Nevada Donor Network.

13 THE COURT: Do you have -- is there something wrong with the
14 mic? Can you check -- can you tap it just to see --

15 PROSPECTIVE JUROR 258: There we go.

16 THE COURT: Okay. So, you work in the family services -- say that,
17 again, please.

18 PROSPECTIVE JUROR 268: For Nevada Donor Network, the
19 federally designated organ -- became an organization for Nevada.

20 THE COURT: Okay. Thank you. Anybody else believe you may be
21 familiar with either the District Attorney or any members of the staff? Oh, hold
22 on one second. Coming back with the mic here. What's the last three digits?

23 PROSPECTIVE JUROR 967: 967.

24 THE COURT: Ms. Kinnard, who do you know?

25 PROSPECTIVE JUROR 967: Jay Raymond. He's one of the

1 -- I don't know him very well. I met him twice, but I know someone is related
2 to him.

3 THE COURT: I'm sorry. You said you know someone that is
4 related?

5 PROSPECTIVE JUROR 967: His wife.

6 THE COURT: His wife?

7 PROSPECTIVE JUROR 967: Uh-huh.

8 THE COURT: Okay. And is that a social relationship or a
9 professional one?

10 PROSPECTIVE JUROR 967: Social.

11 THE COURT: Okay. Thank you. Anybody else? No one indicates
12 in the affirmative.

13 Are there any of you that believe you're acquainted -- other than
14 the gentleman that already talked about the gentleman that already talked
15 about the Coroner's Office personnel -- any of you believe you may be
16 acquainted with any of the witnesses that were listed by either side in this
17 case? Starting on this side of the room. Yes, sir? Could I have the last three
18 digits on your badge, please?

19 PROSPECTIVE JUROR 923: 923.

20 THE COURT: Mr. Huntsman?

21 PROSPECTIVE JUROR 923: Yes.

22 THE COURT: Who do you believe you know?

23 PROSPECTIVE JUROR 923: Scott Hafen.

24 THE COURT: And how do you know him?

25 PROSPECTIVE JUROR 923: Personal family friend.

1 THE COURT: How long have you known him?
2 PROSPECTIVE JUROR 923: Since -- about 20 something years.
3 THE COURT: Is that it?
4 PROSPECTIVE JUROR 923: Yes.
5 THE COURT: Okay. Just checking. Anybody else? How about in
6 the middle of the room here? Yes? If you could wait for the mic. What's your
7 number, please?
8 PROSPECTIVE JUROR 099: 099.
9 THE COURT: Ms. Godwin?
10 PROSPECTIVE JUROR 099: Yes.
11 THE COURT: Who do you know?
12 PROSPECTIVE JUROR 099: I used to know, when I went to school,
13 Kevin Emry.
14 THE COURT: Okay. When you went to school, meaning how long
15 ago?
16 PROSPECTIVE JUROR 099: 1981 is when we graduated.
17 THE COURT: Okay. And how well did you know Kevin Emry?
18 PROSPECTIVE JUROR 099: He was one of my classmates. I didn't
19 know him too well.
20 THE COURT: You didn't know him too well?
21 PROSPECTIVE JUROR 099: No, but I knew of him. He was a
22 football player, and I was one of the flag twirlers, so I knew the football team
23 very well.
24 THE COURT: But you didn't twirl together?
25 PROSPECTIVE JUROR 099: No.

1 THE COURT: Perfect. Okay. Anybody else know any of the
2 witnesses whose names were listed by the District Attorney or the Defense in
3 the middle section before I move over to the left over here? No. Okay. Over
4 here? Anybody? No one indicates in the affirmative. Okay.

5 Do any of you believe that you are familiar with either myself or
6 any of the staff that you see in the courtroom today that work for the court?
7 Nobody indicates in the affirmative. All right.

8 Are there any of you that speak English as a second language? I
9 know we have a gentleman that indicated he doesn't speak English very well. I
10 would just -- whether you speak English well or not, I just want to know if you
11 speak English as a second language. Starting on this side of the room. Okay.
12 Nobody speaks English as a second language? Okay. Oh. Meaning your first
13 language is something else and English is your second or third or fourth. It's
14 just not your first. So, let's start with you, sir, since you raised your hand first.
15 What's your last three digits on your badge or --

16 PROSPECTIVE JUROR 024: English and Arabic.

17 THE COURT: Yes. What's your badge number, again, as I don't
18 have everyone --

19 PROSPECTIVE JUROR 024: 024.

20 THE COURT: 024. Hold on one second. Mr. Haddad, what's your
21 first language?

22 PROSPECTIVE JUROR 024: The first language is Arabic --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR 024: -- Lebanese, and English.

25 THE COURT: Okay. And how long have you been speaking

1 English?

2 PROSPECTIVE JUROR 024: Thirty-five, 40 years.

3 THE COURT: All right. Thank you very much. Next to you, what's

4 the last three digits on your badge?

5 PROSPECTIVE JUROR 015: 015.

6 THE COURT: Mr. Ho. What's your first language?

7 PROSPECTIVE JUROR 015: Vietnamese.

8 THE COURT: And how long have you been speaking English?

9 PROSPECTIVE JUROR 015: Five years.

10 THE COURT: Five years. And do you work?

11 PROSPECTIVE JUROR 015: Yes.

12 THE COURT: What do you do?

13 PROSPECTIVE JUROR 015: We do nail.

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

15 PROSPECTIVE JUROR 015: Fourteen, 15 years.

16 THE COURT: Fourteen or 15 years?

17 PROSPECTIVE JUROR 015: Uh-huh.

18 THE COURT: Is the test that they give you to be able to have your

19 license in English or Vietnamese?

20 PROSPECTIVE JUROR 015: Say again.

21 THE COURT: To have your license to do nails, right?

22 PROSPECTIVE JUROR 015: Yeah, yeah, yeah.

23 THE COURT: Your manicure license.

24 PROSPECTIVE JUROR 015: Yeah, yeah.

25 THE COURT: Is that in English or Vietnamese?

1 PROSPECTIVE JUROR 015: English, English.
2 THE COURT: English?
3 PROSPECTIVE JUROR 015: Yeah.
4 THE COURT: Okay. Do you have a driver's license?
5 PROSPECTIVE JUROR 015: Yes.
6 THE COURT: Do you have like an apartment or a house?
7 PROSPECTIVE JUROR 015: We have a house.
8 THE COURT: All right. Do you have a mortgage?
9 PROSPECTIVE JUROR 015: Yes.
10 THE COURT: Do you have insurance?
11 PROSPECTIVE JUROR 015: Yes.
12 THE COURT: Credit cards?
13 PROSPECTIVE JUROR 015: Yes.
14 THE COURT: Oh, you're going to be fine. Thank you. Who else in
15 this first row? Second row? Anybody speak English as a second language?
16 Third row? Fourth row? Okay. Going to this side. First row. Anybody speak
17 English as a second language? Second row? Third row? Okay. Sir, if you
18 could give me the last three digits on your badge, please.
19 PROSPECTIVE JUROR 166: The last three digits are 166.
20 THE COURT: Yeah. For some people, it works really well, and for
21 other people, we can't hear it. I don't think it's working very well. 166. Maybe
22 on the break, we can replace that one and pull out another one. Mr. De
23 Cespedes, what's your first language?
24 PROSPECTIVE JUROR 166: Spanish.
25 THE COURT: And how long have you been speaking English?

1 PROSPECTIVE JUROR 166: Ten years.
2 THE COURT: Okay. And how old are you?
3 PROSPECTIVE JUROR 166: Twenty.
4 THE COURT: Okay. Thank you. Who else over there? Anybody
5 speak English as a second language before I come to this side? I mean, other
6 than the gentleman who already told me? Mr. Park already talked about it.
7 This lady right here. What's your number, please?
8 PROSPECTIVE JUROR 210: 894 (sic).
9 THE MARSHAL: Let's go with 210.
10 THE COURT: 210. All right. The other three. 210.
11 PROSPECTIVE JUROR 210: I had this number.
12 THE MARSHAL: 210.
13 THE COURT: Thank you. Okay. Ms. Jones, you speak Korean,
14 yes?
15 PROSPECTIVE JUROR 210: Yes.
16 THE COURT: And how long have you been speaking English?
17 PROSPECTIVE JUROR 210: Oh, 35, 40 years.
18 THE COURT: And what do you do?
19 PROSPECTIVE JUROR 210: What do I do?
20 THE COURT: Yes. What do you do? Do you work?
21 PROSPECTIVE JUROR 210: Oh, I'm retired. I was work.
22 THE COURT: What did you used to do?
23 PROSPECTIVE JUROR 210: Dealer.
24 THE COURT: Okay. And how long did you do that?
25 PROSPECTIVE JUROR 210: Twenty-four, 25 years.

1 THE COURT: Okay. Thank you. Who else speaks English as --
2 okay. That gentleman over there, please.

3 PROSPECTIVE JUROR 226: 226.

4 THE COURT: Mr. Rodriguez, what's your first language?

5 PROSPECTIVE JUROR 226: Spanish.

6 THE COURT: And how long have you been speaking English?

7 PROSPECTIVE JUROR 226: Thirteen years.

8 THE COURT: And how old are you?

9 PROSPECTIVE JUROR 226: Twenty.

10 THE COURT: Okay. Thank you very much. Anybody else on that
11 side speak English as a second language?

12 THE MARSHAL: One moment.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR 228: 228.

15 THE COURT: 228. Mr. Rivera, you speak Spanish?

16 PROSPECTIVE JUROR 228: Yes.

17 THE COURT: And how long have you been speaking English?

18 PROSPECTIVE JUROR 228: Thirty years.

19 THE COURT: Twenty or 30?

20 PROSPECTIVE JUROR 228: Thirty.

21 THE COURT: 30. And what do you do, sir?

22 PROSPECTIVE JUROR 228: What I do?

23 THE COURT: Yeah. What do you -- do you work?

24 PROSPECTIVE JUROR 228: I work.

25 THE COURT: What do you do?

1 PROSPECTIVE JUROR 228: What I do?

2 THE COURT: Right. What do you do? What do you do?

3 PROSPECTIVE JUROR 228: Porter.

4 THE COURT: Porter. Okay. Thank you.

5 PROSPECTIVE JUROR 228: You're welcome.

6 THE COURT: Anybody else? Okay. Is there anyone present who
7 needs a physical accommodation if you're selected to serve, meaning you
8 have either -- let's say you have diabetes and you might need breaks, or you
9 have a back problem, you might need an end seat, so you can stand up when
10 you need to. Something like that. Starting on this side of the room, front row
11 to the back row. Does anybody have a physical condition that you would
12 request an accommodation for if you were selected to serve? Yes? Okay.
13 Start with Mr. Haddad in the front row.

14 THE MARSHAL: Yes, sir.

15 PROSPECTIVE JUROR 024: Yeah, I have diabetes.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR 024: And I have neck and back pain from
18 car accident happening four years ago.

19 THE COURT: Okay. And are you on any medication for that? Do
20 you take any pain medication for that?

21 PROSPECTIVE JUROR 024: Yes. Yes.

22 THE COURT: Okay. Every day, or just when it acts up or what?

23 PROSPECTIVE JUROR 024: Every day. Yeah.

24 THE COURT: Every day. And does that involve narcotic pain
25 medication or anti-inflammatory?

1 PROSPECTIVE JUROR 024: I didn't hear the question.

2 THE COURT: Does that involve narcotic pain medication or anti-
3 inflammatories?

4 PROSPECTIVE JUROR 024: Both.

5 THE COURT: Okay. Thank you. Who else had their hand up?
6 Yes? Can you give me those last three numbers, again, for me? 965?

7 PROSPECTIVE JUROR 965: Yeah, 965.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR 965: I have three deteriorating discs in my
10 back, and then two bone spurs in my knee, and then I broke my ankle in a car
11 accident and I'm -- I can't take any medication for it because I'm on heart
12 medicine, and they told me, you know, not to take anything, so I just live with
13 the pain.

14 THE COURT: Okay. And are you working?

15 PROSPECTIVE JUROR 965: No, I'm retired.

16 THE COURT: Okay. Thank you.

17 PROSPECTIVE JUROR 965: Yes.

18 THE COURT: And by the way, do you have a disability, or is it just
19 because you're retired, you didn't pursue that?

20 PROSPECTIVE JUROR 965: What --

21 THE COURT: Meaning like deemed by the United States
22 Government disabled?

23 PROSPECTIVE JUROR 965: No, no, no.

24 THE COURT: Okay. No disability. Okay. Who else had their hand
25 up in the second row? Third row? Fourth row? All right. Over to the middle

1 here. Anybody in the first row have a physical condition, you would request
2 an accommodation or need to bring to my attention? Yes, sir. Last three
3 digits on your badge, please.

4 PROSPECTIVE JUROR 068: 068.

5 THE COURT: Hold on one second. Mr. Emery, yes?

6 PROSPECTIVE JUROR 068: Yeah, frequent restroom breaks,
7 anywhere from an hour to two hours.

8 THE COURT: Okay. Do you work?

9 PROSPECTIVE JUROR 068: Yes.

10 THE COURT: What do you do?

11 PROSPECTIVE JUROR 068: Security.

12 THE COURT: For a hotel or somewhere else?

13 PROSPECTIVE JUROR 068: Private firm.

14 THE COURT: Okay. Okay, thanks. Who else had their hand up?

15 PROSPECTIVE JUROR 061: 061.

16 THE COURT: Mr. Childs?

17 PROSPECTIVE JUROR 061: Yes.

18 THE COURT: What's your physical accommodation request?

19 PROSPECTIVE JUROR 061: Well, as long as we have these nice
20 comfy chairs, I'm pretty good. I have a back problem. I'm wearing a brace for
21 it right now, and I'm good. I also have a fused neck, so I can pretty much only
22 look straight ahead. So, even if I look like I'm not paying attention, I am, but
23 I'm only going to look that way.

24 THE COURT: Okay, I got it. You're in the cheap seats, by the way.
25 The jurors that ultimately get selected to serve are in those three rows and

1 they have the best seats, just so you know. Anybody else in that section,
2 starting in the second row?

3 PROSPECTIVE JUROR 086: Yep. Number is 086.

4 THE COURT: Okay. Mr. Blake, what's the physical accommodation
5 that you have?

6 PROSPECTIVE JUROR 086: I'm a type one diabetic.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR 086: If I get low blood sugar, I have
9 difficulty concentrating for long periods of time.

10 THE COURT: Do you work?

11 PROSPECTIVE JUROR 086: I do.

12 THE COURT: What do you do?

13 PROSPECTIVE JUROR 086: I'm a web designer.

14 THE COURT: Okay. And so, I don't know that being a juror is
15 anymore mentally challenging than web design, and I can take a break any
16 time you need one, okay?

17 PROSPECTIVE JUROR 086: That's fine.

18 THE COURT: Okay. Thank you.

19 PROSPECTIVE JUROR 086: Thanks.

20 THE COURT: Second row?

21 PROSPECTIVE JUROR 099: 099.

22 THE COURT: Ms. Godwin?

23 PROSPECTIVE JUROR 099: Yes.

24 THE COURT: Yes.

25 PROSPECTIVE JUROR 099: Type II diabetes.

1 THE COURT: Okay. Same situation. If you need a break --

2 PROSPECTIVE JUROR 099: Usually, I'm okay.

3 THE COURT: The jury selection is the most pressing, otherwise
4 we're pretty -- once we get going, it's, you know -- breaks are very regular.
5 Okay. Thank you very much. Who else had a hand up for medical or physical
6 condition? Third row? Okay. Going over to this section. First row? Or
7 second row? Going to the second row. Can you give me the last three digits
8 on your badge, again, please?

9 PROSPECTIVE JUROR 221: 221.

10 THE COURT: 221. Ms. Dalcour?

11 PROSPECTIVE JUROR 221: Yes.

12 THE COURT: Yes. What's your physical accommodation?

13 PROSPECTIVE JUROR 221: I walk with this walker, and I just
14 started walking with it, and I have a hard time standing and sitting, and I have
15 real bad headaches, and I can't remember what it's called, but it's like when I
16 get real dizzy.

17 THE COURT: Vertigo?

18 PROSPECTIVE JUROR 221: Yes, that's it.

19 THE COURT: And do you work?

20 PROSPECTIVE JUROR 221: I'm not working right now.

21 THE COURT: Okay. And is this as a result of a medical condition,
22 or did you have an accident, or what happened?

23 PROSPECTIVE JUROR 221: I got assaulted.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR 221: Yeah.

1 THE COURT: How long ago was that?

2 PROSPECTIVE JUROR 221: It happened in 2016 -- October 2016.

3 THE COURT: And have you been deemed disabled by the
4 government, or have you not pursued that, or --

5 PROSPECTIVE JUROR 221: I'm working on that right now, and I'm
6 supposed to be like having physical therapy and stuff right now, but I will hear
7 about it, like they're going to let me know what's going on.

8 THE COURT: And you have an attorney for that or --

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: Okay. Thank you. Who else had their hand up in
11 that row? There were some hands. Okay. What's the last three digits on your
12 badge?

13 PROSPECTIVE JUROR 229: 1229.

14 THE COURT: Ms. Mayfield?

15 PROSPECTIVE JUROR 229: Yes. I'm a type II diabetic, and from a
16 work injury, my knee and my back.

17 THE COURT: Okay. Thank you.

18 PROSPECTIVE JUROR 229: Okay.

19 THE COURT: Anyone else in that row?

20 PROSPECTIVE JUROR 231: 231.

21 THE COURT: Mr. Robinson, what's your physical accommodation?

22 PROSPECTIVE JUROR 231: I have had both knees replaced. I take
23 anti-inflammatory and pain medication.

24 THE COURT: Okay. Thank you. Anybody else? Oh, in the back
25 there.

1 PROSPECTIVE JUROR 219: 604.
2 THE COURT: 604. Are you sure?
3 PROSPECTIVE JUROR 219: Oh. 219. I'm sorry.
4 THE COURT: No, it's okay. Mr. Patynik?
5 PROSPECTIVE JUROR 219: I have difficulty in hearing. I have
6 approximately 50 percent hearing. I have two hearing aids, but at times, I do
7 miss things.
8 THE COURT: So, are your aids on right now? Are your hearing
9 aids on right now?
10 PROSPECTIVE JUROR 219: Yes, they are.
11 THE COURT: Okay. How hard is it to take them out?
12 PROSPECTIVE JUROR 219: Not too hard.
13 THE COURT: Will you try these?
14 PROSPECTIVE JUROR 219: Pardon? I'm sorry.
15 THE COURT: Will you try these?
16 PROSPECTIVE JUROR 219: Oh, sure.
17 THE COURT: Okay.
18 PROSPECTIVE JUROR 219: Do I have to adjust the sound?
19 THE COURT: You have to adjust the sound.
20 PROSPECTIVE JUROR 219: The volume?
21 THE COURT: Yes. Okay. So, I don't know if you took your aids out
22 or not, did you?
23 PROSPECTIVE JUROR 219: You're kind of muffled and staticky.
24 THE COURT: Did you take your aids out?
25 PROSPECTIVE JUROR 219: Now, they're both out.

1 THE COURT: Okay. So, does that make a difference?
2 PROSPECTIVE JUROR 219: Yes. A lot better.
3 THE COURT: Yes.
4 PROSPECTIVE JUROR 219: Thank you.
5 THE COURT: You can't take those home.
6 PROSPECTIVE JUROR 219: Shucks.
7 THE COURT: I guarantee you, they're very valuable.
8 PROSPECTIVE JUROR 219: Okay. Thank you, Your Honor.
9 THE COURT: Thank you. Okay, and I'll try to speak more clearly --
10 PROSPECTIVE JUROR 219: Thank you.
11 THE COURT: -- since I have a tendency to talk fast when we get
12 going.
13 THE MARSHAL: Anyone else back here? Okay.
14 PROSPECTIVE JUROR 283: My number is 283.
15 THE COURT: 283. Ms. Dominguez, what's your physical
16 accommodation?
17 PROSPECTIVE JUROR 283: I actually suffer from Graves Disease,
18 so my endocrinologist is still balancing my medication. So, sometimes, I
19 suffer from heart palpitations, so I'm on Metropol and Propranolol. At times --
20 THE COURT: Do you work?
21 PROSPECTIVE JUROR 283: I do work.
22 THE COURT: What do you do?
23 PROSPECTIVE JUROR 283: Customer service.
24 THE COURT: In what industry?
25 PROSPECTIVE JUROR 283: I work at Savers.

1 THE COURT: Okay. Like retail?

2 PROSPECTIVE JUROR 283: Yeah, retail.

3 THE COURT: Okay. Retail. And what is your normal schedule,
4 usually?

5 PROSPECTIVE JUROR 283: Like I usually work the night shift.

6 THE COURT: Night shift?

7 PROSPECTIVE JUROR 283: Yeah.

8 THE COURT: Which is what, 12 to 8?

9 PROSPECTIVE JUROR 283: Two to 10.

10 THE COURT: Two to 10.

11 PROSPECTIVE JUROR 283: Yeah. And the side effects of my
12 medication is sometimes short-term memory loss, and I'm actually being
13 referred out to a hearing doctor right now, as well, because I'm losing some
14 hearing, too.

15 THE COURT: Okay. Thank you very much.

16 PROSPECTIVE JUROR 283: Thank you.

17 THE COURT: Anybody else? All right. Nobody else indicates in
18 the affirmative. So, before I ask you the next question, I'm going to give you
19 some information. First of all, there are no automatic exemptions from jury
20 service unless you are 70 years of age or older. Is there anyone here who is 70
21 years of age or older and would prefer not to serve because you are not
22 required to, by Nevada law? You can choose to serve, and I've had people do
23 it, but you do not have to serve. Anybody? No one indicates in the
24 affirmative. That's the only time in the history of the world that you wish you
25 were older. Okay.

1 So, let me read this to you. NRS 6.190 reads: Terminating or
2 threatening to terminate employment because of jury duty prohibited. Civil
3 action for unlawful termination. Requiring employee to use sick leave, or
4 vacation time, or to work certain hours prohibited. Notice to employer,
5 dissuasion from service as juror.

6 Basically, this statute makes it a crime, punishable by up to one
7 year in jail and/or a \$2,000 fine, for your employer to terminate you or threaten
8 to terminate you for jury service. It's not like 20 years ago where you just tell
9 your employer, you'll get out of it. That's not how it works.

10 So, what we do is I'm going to tell you the schedule of this trial. If
11 serving this period of time would represent either a personal or a professional
12 hardship to you, personal being family, or financial, or professional, you run a
13 business, or you think your boss can't survive without you no matter what,
14 you can bring that to my attention. I'm not going to be able to automatically
15 excuse you. The lawyers and I take careful notes, then we'll take a break, and I
16 give as much consideration as I can to your hardships in consultation with the
17 attorneys, but I cannot automatically excuse you. I can only weigh and
18 consider your hardships, okay?

19 This trial is expected to last this week, possibly Monday. It may
20 finish on Friday. It may finish on Monday. The trial schedule goes from
21 approximately -- by the way, today is day one. You're here already, right? So,
22 it's going to go for possibly five days more. The trial schedule will be,
23 tomorrow, 10:30 to 5ish. When I say 5ish, I mean I don't stop someone in the
24 middle of their sentence and kick them off. You know, 5:05, 5:10 at the latest,
25 because my staff gets here at 7:00 in the morning, right? Wednesday would

1 be 9 to 5ish. Thursday, 10:30 to 5. Not because we don't do anything before
2 10:30, because I have all my other cases in the morning, and then Friday is a
3 wildcard. It wouldn't be earlier than 10 because I have cases on Friday
4 morning at 9:00, so probably about 10.

5 Would serving that period of time represent such an undue burden
6 upon you, such that you would like to bring it to my attention for the lawyers
7 and I to consider? Please keep in mind this one thing before I go around the
8 room. Do not wait until I say the magic words, all preemptory challenges
9 having been exercised or waived, and I'm telling you to raise your right hand
10 and take the juror's oath. There are some people that seem to live in some
11 parallel universe where they think they're not going to get seated, so they
12 never tell me what I need to know, and then it will be too late.

13 So, would serving that period of time represent such an undue
14 burden upon you -- and I'm going to work my way around the room, so you
15 can relax for a minute -- but you need to bring it to my attention, starting in the
16 first row. And I need the juror numbers, please, because I still don't have
17 everyone memorized. First row, would serving that period of time represent
18 an undue burden upon you? Raise your hand. Really? Second row?

19 PROSPECTIVE JUROR 965: Oh, God.

20 THE COURT: All right. Starting with --

21 PROSPECTIVE JUROR 965: I'm sorry.

22 THE COURT: Ms. Brown.

23 PROSPECTIVE JUROR 965: Okay. I have a 96 year old -- well, my
24 dad is almost 97. He lives out in Boulder City, and I help. He lives alone
25 because he wants to, but my sister and I take the burden to try to help take

1 care of him.

2 THE COURT: And do you live there?

3 PROSPECTIVE JUROR 965: No, but I go out there a lot, and it's a
4 lot of times, about a 50 minute drive and --

5 THE COURT: Okay. How many days a week do you go there?

6 PROSPECTIVE JUROR 965: Minimum one, but it depends. If he
7 doesn't answer the phone, then I have to go out there and usually, he has it
8 turned off or something. Trying to get him in assisted living, but he refuses.
9 He wants to stay there. Plus, with my back, I've had these deteriorating discs
10 for 30 years and since I had heart surgery, I can't take any pain medicine, but I
11 really don't want to, but I exercise --

12 THE COURT: I got it. I got it.

13 PROSPECTIVE JUROR 965: -- four days a week --

14 THE COURT: I got it.

15 PROSPECTIVE JUROR 965: -- just so I don't lock up.

16 THE COURT: Okay. Thank you. Who else had their hand up? Ms.
17 Kinnard?

18 PROSPECTIVE JUROR 967: Yes, 967.

19 THE COURT: Yeah. I don't ever mean to cut anyone short, but
20 honestly, to get done by Friday, I have to kind of, you know, get the short
21 version. So, 967, Ms. Kinnard, what's your undue burden?

22 PROSPECTIVE JUROR 967: I have a work --

23 THE COURT: You're claiming an undue burden, right?

24 PROSPECTIVE JUROR 967: Yes.

25 THE COURT: Okay. What is it?

1 PROSPECTIVE JUROR 967: I'm in the middle of an implementation
2 at work, and I have consultants flying in. They actually arrived today.

3 THE COURT: What do you do?

4 PROSPECTIVE JUROR 967: Analyst. Benefits analyst.

5 THE COURT: And where do you work?

6 PROSPECTIVE JUROR 967: Scientific Gaming. And tomorrow is
7 my test day.

8 THE COURT: Test day for what?

9 PROSPECTIVE JUROR 967: I am testing the system with the
10 consultants.

11 THE COURT: And what kind of testing is that and how long does it
12 take?

13 PROSPECTIVE JUROR 967: It's an implementation into a new
14 system, so it's bringing over all human resources benefits, payroll. So, the
15 first implementation is this week. I mean, the first testing system is this week,
16 so I'm scheduled tomorrow from -- I believe it's like 9 to 5. Tomorrow is my
17 only day for testing that I have for my department.

18 THE COURT: And how many people do that?

19 PROSPECTIVE JUROR 967: Two.

20 THE COURT: Okay. Thank you. Who else had their hand up in the
21 second row? Last three digits on your badge, please?

22 PROSPECTIVE JUROR 993: 993.

23 THE COURT: 993?

24 PROSPECTIVE JUROR 993: Uh-huh.

25 THE COURT: Ms. Perez?

1 PROSPECTIVE JUROR 993: Yes.

2 THE COURT: What's your undue burden?

3 PROSPECTIVE JUROR 993: My dad is sort of suffering through a
4 colon infection, so I'm helping my mom during her job to -- because they work
5 together, so I'm doing his part in helping out my mom --

6 THE COURT: Okay.

7 PROSPECTIVE JUROR 993: -- during the days.

8 THE COURT: So, you don't have a separate job?

9 PROSPECTIVE JUROR 993: I have my own job, yes, but --

10 THE COURT: What's that?

11 PROSPECTIVE JUROR 993: I am sales agent for Hilton's Grand
12 Vacations.

13 THE COURT: And what hour and days do you work?

14 PROSPECTIVE JUROR 993: I work in the morning shift, and I have
15 to help my mom in the afternoon.

16 THE COURT: And what does your mom and dad do?

17 PROSPECTIVE JUROR 993: They're janitorial supervisors.

18 THE COURT: Where?

19 PROSPECTIVE JUROR 993: Golden City.

20 THE COURT: And so, you go to Golden City, or you watch him at
21 home, or what do you do to help?

22 PROSPECTIVE JUROR 993: Well, we work between my brother.
23 So, if he's not working, he takes care of my dad, and if he's working, then I go
24 ahead and take care of my dad. So, we both like switch over to help out my
25 mom.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 993: It is going to be -- it's a couple of days,
3 so he said -- the doctor said he should be better by Thursday or Friday.

4 THE COURT: All right. Thank you. Who else had their hand up in
5 the second row? Third row? Okay. Last three digits on your badge, please?

6 PROSPECTIVE JUROR 951: 951.

7 THE COURT: Ms. Rodriguez, what's your undue burden?

8 PROSPECTIVE JUROR 951: Two doctor's appointments. One on
9 Wednesday and one on Friday.

10 THE COURT: What time are they?

11 PROSPECTIVE JUROR 951: 3:45 and 1.

12 THE COURT: And where are they located?

13 PROSPECTIVE JUROR 951: One in Summerlin and one in North
14 Las Vegas.

15 THE COURT: Okay. If you get selected to serve on the jury, you'll
16 be allowed to go to your doctor's appointments, okay?

17 PROSPECTIVE JUROR 951: Okay.

18 THE COURT: All right. Thanks. And by the way, can you tell me --
19 I don't need to know the details of your personal circumstances medically, but
20 can you tell me what kind of doctors they are?

21 PROSPECTIVE JUROR 951: One is an OBGYN and another one is
22 just a physician, so I can get a -- what's it called?

23 THE COURT: Referral or --

24 PROSPECTIVE JUROR 951: Yes, a referral to a cardiovascular
25 doctor.

1 THE COURT: Okay. Thank you.

2 THE MARSHAL: Anyone else? All the way down.

3 THE COURT: Last three digits on your badge?

4 PROSPECTIVE JUROR 940: 940.

5 THE COURT: 940. Ms. Kime?

6 PROSPECTIVE JUROR 940: Yes, Your Honor. I only have an

7 appointment with the doctor on Monday, and I know you said it's only going to

8 be until Friday.

9 THE COURT: What time is the appointment?

10 PROSPECTIVE JUROR 940: 8:00 in the morning.

11 THE COURT: And where is it?

12 PROSPECTIVE JUROR 940: Northwest. It's --

13 THE COURT: What kind --

14 PROSPECTIVE JUROR 940: -- Dr. Tottori. An allergist for

15 injections.

16 THE COURT: Oh, you could be there forever. You've got to wait 20

17 minutes, right? Are you doing the testing, or the shot, or what?

18 PROSPECTIVE JUROR 940: I'm getting the shot.

19 THE COURT: Okay. So, you're, you know, in and out in an hour,

20 yes?

21 PROSPECTIVE JUROR 940: Yes.

22 THE COURT: Okay. There are not too many of those around.

23 Tottoris, I mean.

24 PROSPECTIVE JUROR 940: Yes.

25 THE COURT: That do that work.

1 PROSPECTIVE JUROR 940: Yes.

2 THE COURT: Okay. So, if you're selected to serve, we wouldn't
3 start before you could get in from that, okay?

4 PROSPECTIVE JUROR 940: Okay.

5 THE COURT: All right. Yes?

6 PROSPECTIVE JUROR 798: Oh.

7 THE COURT: Mr. Hughes?

8 PROSPECTIVE JUROR 798: Yeah, 798.

9 THE COURT: What's your undue burden?

10 PROSPECTIVE JUROR 798: So, I start my job tomorrow for
11 training and orientation.

12 THE COURT: What job is that?

13 PROSPECTIVE JUROR 798: So, it's a new place opening up.
14 Mary's Hamburgers.

15 THE COURT: What's your assignment?

16 PROSPECTIVE JUROR 798: Oh, they're training me to be a server.

17 THE COURT: Okay. And where is it?

18 PROSPECTIVE JUROR 798: It's right by -- sorry, I don't know the
19 exact like crossroads, but it's by Desert Inn and Rainbow.

20 THE COURT: So, it's called Mary's Hamburgers?

21 PROSPECTIVE JUROR 798: Yeah.

22 THE COURT: And it's just opening or what?

23 PROSPECTIVE JUROR 798: Yeah, it opens on the 16th, but they are
24 doing training starting tomorrow.

25 THE COURT: And how long and what hours is training?

1 PROSPECTIVE JUROR 798: So, it starts at 12 p.m., and then it goes
2 to about like 2 or 3 p.m.

3 THE COURT: And how many people are training that day?

4 PROSPECTIVE JUROR 798: Oh, I don't know. I mean, they're
5 doing the entire staff, so I don't quite know.

6 THE COURT: Okay. And then when's the next day of training?

7 PROSPECTIVE JUROR 798: It's just today and then tomorrow is
8 the training.

9 THE COURT: And the hours tomorrow are the same?

10 PROSPECTIVE JUROR 798: Yes.

11 THE COURT: Meaning, you know you're not getting there today?

12 PROSPECTIVE JUROR 798: Yeah. No, I'm sorry.

13 THE COURT: It's 10 to 3.

14 PROSPECTIVE JUROR 798: Yeah. No.

15 THE COURT: Mary went without you.

16 PROSPECTIVE JUROR 798: Yeah.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 798: You get like two different days to pick,
19 and so I --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR 798: -- was going to pick today,
22 but --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR 798: -- I picked tomorrow.

25 THE COURT: Okay. All right. Thank you very much. Who else

1 had their hand up in the back row?

2 THE MARSHAL: Anybody else?

3 THE COURT: Before I leave this section, is there any personal,
4 professional, or financial hardship that any of you have not brought to my
5 attention related to serving on the jury, if you were selected to serve, that you
6 could tell me now? All right. Going to the first row. Please raise your hand
7 and give me the last three digits on your badge so we can continue to take
8 notes, please.

9 PROSPECTIVE JUROR 061: 061.

10 THE COURT: Mr. Childs, what's your undue burden, sir?

11 PROSPECTIVE JUROR 061: I have doctor's appointments on
12 Thursday afternoon and Friday afternoon. Thursday with the cardiologist and
13 Friday with pain management. I can postpone them if I absolutely had to, but
14 if I could be accommodated to go to those, I would very much appreciate it.

15 THE COURT: All right. Anything else?

16 PROSPECTIVE JUROR 061: No, thanks.

17 THE COURT: Thank you. Who else had their hand up? Yes, sir?
18 Last three digits on your badge?

19 PROSPECTIVE JUROR 063: 063.

20 THE COURT: Mr. Tripp?

21 PROSPECTIVE JUROR 063: Yes.

22 THE COURT: What's your undue burden, sir?

23 PROSPECTIVE JUROR 063: My wife just had six fusions done in
24 her back, and I'm her only caregiver, and she's been in bed basically all the
25 time.

1 THE COURT: Okay. And are you working?

2 PROSPECTIVE JUROR 063: Yes. I work at night, so when she's
3 sleeping, I'm gone. She has the emergency number for my neighbor in her
4 phone, so if anything happens when I'm gone, she can get ahold of them.

5 THE COURT: Okay. What do you do and what hours do you work?

6 PROSPECTIVE JUROR 063: I work for Anderson Dairy driving a
7 truck, and I usually go to work about -- between 12 and 1:00 in the morning
8 and get off around noon.

9 THE COURT: And what days of the week?

10 PROSPECTIVE JUROR 063: I work every day of the week, but
11 Saturday and Sunday.

12 THE COURT: All right. Thank you very much. Who else had their
13 hand up?

14 PROSPECTIVE JUROR 070: 070.

15 THE COURT: 070. Mr. Larson?

16 PROSPECTIVE JUROR 070: Yeah.

17 THE COURT: What's your undue burden, sir?

18 PROSPECTIVE JUROR 070: On Thursday and Friday, I have
19 orientation and training for my new job. Both days are 9 to 6.

20 THE COURT: And what's your new job?

21 PROSPECTIVE JUROR 070: HVAC tech at Summer Wind Ovation
22 Apartments.

23 THE COURT: And I'm sorry, you said it was 9 a.m. to 6?

24 PROSPECTIVE JUROR 070: Yeah.

25 THE COURT: And new employee orientation, or new tech

1 orientation, or something that to that effect?

2 PROSPECTIVE JUROR 070: Yeah, it's a new orientation.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 070: New hire orientation and then I start
5 training the next day, at the same time.

6 THE COURT: Meaning the Monday or --

7 PROSPECTIVE JUROR 070: For the orientation or the training?

8 THE COURT: Oh, the training is Thursday and Friday, or the
9 orientation is --

10 PROSPECTIVE JUROR 070: No, orientation is Thursday morning,
11 and --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR 070: -- Friday, I have training at the same
14 time, 9 to 6.

15 THE COURT: Okay. And how long before this had it been since
16 you were working?

17 PROSPECTIVE JUROR 070: Two days.

18 THE COURT: Meaning you had --

19 PROSPECTIVE JUROR 070: It's a new job, yeah.

20 THE COURT: You left a job?

21 PROSPECTIVE JUROR 070: Yeah. I left a job to get this job.

22 THE COURT: Okay. And is it orientation just for you? Is there a
23 group of people? Have --

24 PROSPECTIVE JUROR 070: There's about 10 of us.

25 THE COURT: And so, if you missed orientation or training, what

1 would happen?

2 PROSPECTIVE JUROR 070: I wouldn't be able to work.

3 THE COURT: And how often does this place hire 10 people like
4 you?

5 PROSPECTIVE JUROR 070: Once every two summers.

6 THE COURT: Okay. Thank you very much.

7 PROSPECTIVE JUROR 070: Thank you.

8 THE COURT: Who else had their hand up?

9 PROSPECTIVE JUROR 068: 068.

10 THE COURT: Are you picking him up?

11 PROSPECTIVE JUROR 068: Yeah, 068.

12 THE COURT: 068. I don't know what the deal is with the
13 microphone. It's not him. He's plenty close. It's just not working. Mr. Emery,
14 what's your undue burden?

15 PROSPECTIVE JUROR 068: I have two full-time jobs. Majority of
16 my money goes to child support.

17 THE COURT: Okay. What jobs do you have?

18 PROSPECTIVE JUROR 068: Two security jobs.

19 THE COURT: And what days and hours do you work?

20 PROSPECTIVE JUROR 068: I work one job, it's 40 hours, and the
21 other one is 48 hours.

22 THE COURT: And what days do you work?

23 PROSPECTIVE JUROR 068: One job at night, I work from Monday
24 to Saturday, and the other job in the morning, Monday through Friday.

25 THE COURT: And so, are you -- you said you have child support?

1 Are you married?

2 PROSPECTIVE JUROR 068: No, I'm separated.

3 THE COURT: All right. So, you're supporting two households?

4 Does she work?

5 PROSPECTIVE JUROR 068: Yes. No, they do not work.

6 THE COURT: Okay. The person you're separated from doesn't

7 work?

8 PROSPECTIVE JUROR 068: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR 068: I have two different children.

11 THE COURT: Okay. But just talking about your soon-to-be ex-

12 spouse, potentially --

13 PROSPECTIVE JUROR 068: Oh, she's long been an ex-spouse.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR 068: Yeah.

16 THE COURT: Well, you said separated, so I was --

17 PROSPECTIVE JUROR 068: Yeah. Yeah, like 10 years ago.

18 THE COURT: Okay. All right. And so, do you live alone? Do you

19 have roommates?

20 PROSPECTIVE JUROR 068: I live alone.

21 THE COURT: And you have child support orders; is that what you

22 said?

23 PROSPECTIVE JUROR 068: Child support orders and arrearages.

24 That's what I'm paying.

25 THE COURT: Okay. And how old are your kids?

1 PROSPECTIVE JUROR 068: Anywhere from -- one is going to be
2 16. The other one is going to be 17.

3 THE COURT: All right. Thank you very much.

4 PROSPECTIVE JUROR 068: Yeah.

5 THE COURT: Who else had their hand up?

6 THE MARSHAL: Anyone in the next row?

7 THE COURT: Next row?

8 THE MARSHAL: Straight back.

9 THE COURT: Thank you. Last three digits on your badge, please?

10 PROSPECTIVE JUROR 175: It's going to be 175.

11 THE COURT: 175.

12 PROSPECTIVE JUROR 175: 175, yeah.

13 THE COURT: One second. Ms. Meuir?

14 PROSPECTIVE JUROR 175: Yes.

15 THE COURT: Okay. What's your undue burden?

16 PROSPECTIVE JUROR 175: I'm a school teacher and the teachers
17 are contracting back this Friday. I'm also the activities director, and we're
18 finalizing the calendar for the year on Friday and Monday, so they would be
19 unable to do that without me there.

20 THE COURT: Activities for the year meaning for your grade or --

21 PROSPECTIVE JUROR 175: So, that would include standardized
22 testing, school events, meetings with the Department of Education. Anywhere
23 from social to educational.

24 THE COURT: And is it high school, middle school?

25 PROSPECTIVE JUROR 175: It's a charter school. We have 7th

1 through 12th grade.

2 THE COURT: Okay. Thank you very much. Who else had their
3 hand up over there?

4 THE MARSHAL: Anybody else on this side?

5 THE COURT: Shifting to this side in the front row. Hardship.
6 Okay. Gentleman on the end, start, please. What's the last three digits on
7 your badge?

8 PROSPECTIVE JUROR 213: 213.

9 THE COURT: Mr. Burton?

10 PROSPECTIVE JUROR 213: Yeah.

11 THE COURT: What's your undue burden?

12 PROSPECTIVE JUROR 213: I work full-time and support myself.

13 THE COURT: Okay. So, you have a financial hardship? Because
14 most people work full-time and support themselves, so I'm trying to --

15 PROSPECTIVE JUROR 213: Yeah, correct.

16 THE COURT: You won't be able to support yourself?

17 PROSPECTIVE JUROR 213: Yeah, I don't get paid.

18 THE COURT: Okay. And so, what do you do?

19 PROSPECTIVE JUROR 213: I'm a project engineer for a
20 construction project. Resorts World Las Vegas.

21 THE COURT: Are you married?

22 PROSPECTIVE JUROR 213: No.

23 THE COURT: Do you have kids?

24 PROSPECTIVE JUROR 213: No.

25 THE COURT: Do you own a house?

1 PROSPECTIVE JUROR 213: No.
2 THE COURT: Do you live in an apartment?
3 PROSPECTIVE JUROR 213: Yeah.
4 THE COURT: And who do you live with?
5 PROSPECTIVE JUROR 213: My girlfriend.
6 THE COURT: Does she work?
7 PROSPECTIVE JUROR 213: No.
8 THE COURT: And what hours and days do you normally work?
9 PROSPECTIVE JUROR 213: 7 to 5 or 7 to 6.
10 THE COURT: Monday through Friday?
11 PROSPECTIVE JUROR 213: Correct.
12 THE COURT: Okay. Thank you very much. Who else had their
13 hand up?
14 PROSPECTIVE JUROR 204: 204.
15 THE COURT: Ms. Garcia, what's your undue burden?
16 PROSPECTIVE JUROR 204: I'm the only income at home.
17 THE COURT: What do you do?
18 PROSPECTIVE JUROR 204: I work for Sprint.
19 THE COURT: Sprint?
20 PROSPECTIVE JUROR 204: Yes.
21 THE COURT: Okay. And what hours and days do you work?
22 PROSPECTIVE JUROR 204: 9 to 6, Tuesday through Saturday.
23 THE COURT: And what do you do?
24 PROSPECTIVE JUROR 204: Executive escalations.
25 THE COURT: What does that mean?

1 PROSPECTIVE JUROR 204: When people escalate their issue all
2 the way to the CEO. It's appointed to me to resolve their issue.

3 THE COURT: Okay. Boy, this would be a lot easier than that. And
4 so, are you married?

5 PROSPECTIVE JUROR 204: No.

6 THE COURT: Okay. And do you live with anyone?

7 PROSPECTIVE JUROR 204: Yes.

8 THE COURT: Who do you live with?

9 PROSPECTIVE JUROR 204: My mother, my brother, and my sister.

10 THE COURT: Any kids?

11 PROSPECTIVE JUROR 204: No, but my mom can't work right now,
12 so --

13 THE COURT: I'm sorry. I didn't catch that last part.

14 PROSPECTIVE JUROR 204: My mother is not able to work right
15 now.

16 THE COURT: Oh, okay. And your brother and sister, do they work?

17 PROSPECTIVE JUROR 204: My sister does, but she just pays her
18 own stuff. I pay everything at the house. My brother doesn't work.

19 THE COURT: Okay. Thank you very much. Who else had their
20 hand up?

21 PROSPECTIVE JUROR 184: Badge 184.

22 THE COURT: Ms. Parker?

23 PROSPECTIVE JUROR 184: Yes.

24 THE COURT: What's your undue burden?

25 PROSPECTIVE JUROR 184: If for any reason the case extends

1 beyond the timeframe, I just wanted you to know I have a hand surgery
2 scheduled for the 14th.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 184: Okay.

5 THE COURT: Thank you. You mean August 14th?

6 PROSPECTIVE JUROR 184: Yes, ma'am.

7 THE COURT: Shouldn't be a problem. Thank you, though. I'm
8 glad you brought it to my attention. Thank you. Yes?

9 PROSPECTIVE JUROR 226: 226.

10 THE COURT: Mr. Rodriguez, what's your undue burden?

11 PROSPECTIVE JUROR 226: I'm a Jehovah Witness, and I have
12 meetings on Tuesdays and Saturdays from 6:30 to 8.

13 THE COURT: 6:30 at night?

14 PROSPECTIVE JUROR 226: Yes.

15 THE COURT: Okay. And so, what -- so, does that have something
16 to do with the trial during the day that won't possibly go to 6:30?

17 PROSPECTIVE JUROR 226: I guess I don't want to miss my
18 meetings.

19 THE COURT: I promise you won't miss your meetings.

20 PROSPECTIVE JUROR 226: All right. Thank you.

21 THE COURT: Okay. Anybody else in that row before -- yes, sir?
22 Last three?

23 PROSPECTIVE JUROR 228: 228. I want to confirm that my
24 language is poor.

25 THE COURT: Okay. Can you give me the last three digits on your

1 badge, please?

2 PROSPECTIVE JUROR 228: Say it again.

3 THE COURT: The last three digits on your badge?

4 PROSPECTIVE JUROR 228: 228.

5 THE COURT: Mr. Rivera?

6 PROSPECTIVE JUROR 228: Yes.

7 THE COURT: Where do you work as a porter?

8 PROSPECTIVE JUROR 228: Where I working?

9 THE COURT: Yes.

10 PROSPECTIVE JUROR 228: Bellagio.

11 THE COURT: How long have you been a porter?

12 PROSPECTIVE JUROR 228: Thirty years.

13 THE COURT: Is that your only hardship, the English language? Do
14 you have any other problems serving?

15 PROSPECTIVE JUROR 228: Yes, understanding. I don't
16 understand too much.

17 THE COURT: So, if I call your supervisor, he's going to say you
18 barely speak English? You don't understand the word where; is that what
19 you're telling me?

20 PROSPECTIVE JUROR 228: Well, I understand 20 percent English.
21 I understand 40 percent.

22 THE COURT: Okay. So, when I say where do you work, you look at
23 me like you don't understand what I'm saying. Do you understand where you
24 work?

25 PROSPECTIVE JUROR 228: Usually, they have people that speak

1 Spanish there.

2 THE COURT: Okay. So, you don't understand me when I ask
3 simple phrases like that?

4 PROSPECTIVE JUROR 228: Simple things, yes, I understand.

5 THE COURT: Okay. And that's what your supervisor would tell me
6 probably, right?

7 PROSPECTIVE JUROR 228: Say it again?

8 THE COURT: That's what your supervisor would tell me, that you
9 understand simple English?

10 PROSPECTIVE JUROR 228: Yes.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR 228: Yeah.

13 THE COURT: Like when I said, do you have a job, you kind of
14 looked at me like you didn't understand what I'm saying. You understand
15 what I'm saying on these simple phrases?

16 PROSPECTIVE JUROR 228: Yeah, simple.

17 THE COURT: Okay. Thank you very much.

18 PROSPECTIVE JUROR 228: You're welcome.

19 THE COURT: Anybody else?

20 PROSPECTIVE JUROR 210: 210.

21 THE COURT: Ms. Jones?

22 PROSPECTIVE JUROR 210: Uh-huh.

23 THE COURT: Yes?

24 PROSPECTIVE JUROR 210: I have a problem with having speaking,
25 just simple. English problem, understanding problem, hearing problem, so --

1 THE COURT: Did you say hearing problem?
2 PROSPECTIVE JUROR 210: I mean understanding problem.
3 THE COURT: Okay.
4 PROSPECTIVE JUROR 210: Uh-huh. So, other than that --
5 THE COURT: Thank you. Could you hand the microphone back,
6 please?
7 THE MARSHAL: Who else?
8 PROSPECTIVE JUROR 283: I'm number 283.
9 THE COURT: Ms. Dominguez?
10 PROSPECTIVE JUROR 283: Yes.
11 THE COURT: Other than your physical long list that you gave me,
12 did you have something else?
13 PROSPECTIVE JUROR 283: I'm actually a single mother, so my
14 only source of income is my employment, and I'm kind of paycheck to
15 paycheck right now, so any loss of income could be a financial hardship for
16 me. I also do have three appointments coming up with my primary tomorrow,
17 my endocrinologist on Wednesday, and I have a dental appointment on
18 Monday.
19 THE COURT: Okay. Thank you very much. Anybody else have
20 something they remember that they didn't already tell me?
21 PROSPECTIVE JUROR 268: Yes, 268.
22 THE COURT: 268. Mr. Clay, what's your undue burden?
23 PROSPECTIVE JUROR 268: Yes, ma'am. A previously scheduled
24 family vacation to Seattle, August 2nd to -- returning on the evening of August
25 6th.

1 THE COURT: And are you flying, driving?
2 PROSPECTIVE JUROR 268: Flying.
3 THE COURT: Do you have your ticket?
4 PROSPECTIVE JUROR 268: Yes, ma'am.
5 THE COURT: Can you email it to us?
6 PROSPECTIVE JUROR 268: Absolutely.
7 THE COURT: Or do you have it, so you could -- a hard copy of it?
8 PROSPECTIVE JUROR 268: I could, I mean, screenshot, email.
9 Email is probably easier.
10 THE COURT: Okay. My Marshal will give you an email address,
11 okay?
12 PROSPECTIVE JUROR 268: Thank you.
13 THE COURT: Thank you. Next?
14 PROSPECTIVE JUROR 247: 247.
15 THE COURT: Mr. Wiseman?
16 PROSPECTIVE JUROR 247: I just have to find a daycare to put my
17 kid in this week, because I stay at home during the summer because I'm a
18 teacher, and my wife is going to have to get off of work any day we do this
19 early, to pick up the kid from daycare --
20 THE COURT: Okay.
21 PROSPECTIVE JUROR 247: -- because it only goes until 4.
22 THE COURT: What does your wife do?
23 PROSPECTIVE JUROR 247: She works in alcohol sales.
24 THE COURT: And what hours does she work?
25 PROSPECTIVE JUROR 247: It changes depending on when the

1 buyers are there, but roughly like 10 to 7.

2 THE COURT: And how old is your child?

3 PROSPECTIVE JUROR 247: 15 months old on the 1st.

4 THE COURT: And what do you do when school is in?

5 PROSPECTIVE JUROR 247: They're going to go to a daycare, 8 to
6 4.

7 THE COURT: Okay. Thank you. Who else had their hand up?
8 Anybody else? Okay. We're going to take a short break. Here's the thing.
9 There are bathrooms, and water or soda machines on the floors above and
10 below. There's no reason why you all have to go to one restroom on the same
11 floor. The only thing I would ask is that you be looking for my Marshal to
12 bring you back into the courtroom in about 15 minutes.

13 Are there any Star Trek fans here? You're dwindling, by the way.
14 As I pick jurors over the years, there's fewer and fewer of you. You are the
15 borg. You're the collective. You go together as a group and you come in as a
16 group, and you only come in when you're brought in by Ramsey, my Marshal.

17 So, those of you that are going to be selected to serve as a juror in
18 this case are going to be told you can't talk about the case or anything, anyone
19 that has anything to do with the case, until you've been discharged as a juror
20 by myself. So, when you're out taking your break, you can talk about the
21 weather or whatever else you want to, but you can't talk about the case or
22 anyone that has anything to do with the case. I'll bring you back in.

23 You're going to have to be brought in by my Marshal, and if you
24 could be looking at -- right now, it's 3:07. If you could come in at -- if you could
25 be looking for Ramsey outside at 3:25, okay? You are excused, and we'll see

1 you at 3:25.

2 THE MARSHAL: All rise. The jury is exiting

3 [Outside the presence of the jury]

4 THE COURT: The record should reflect we're outside of the
5 presence of the prospective jury panel. We're going to go through these
6 people with a hardship and every other person that you want to address.
7 Would you like to take your restroom break first or after?

8 MR. STANTON: No preference.

9 THE COURT: Client?

10 THE DEFENDANT: No.

11 MR. BASHOR: Okay.

12 THE COURT: All right. Have a seat. Okay. So, what I would
13 normally do then is I would go through, and I would number these. So, Cody
14 Hughes had no undue burden that I took note of, correct?

15 MR. BASHOR: He's the one --

16 MR. STANTON: He's the Mary's Hamburgers.

17 THE COURT: Oh, Mary's Hamburgers, Mary's Hamburgers. Yeah.
18 Well, in my mind, that was --

19 MR. STANTON: I figured that's what you meant.

20 THE COURT: How could I forget Mary's Hamburgers? Really? Oh,
21 there it is. So, what do you want to do about Mary's Hamburgers?

22 MR. STANTON: Submit it to the courtroom.

23 THE COURT: I would normally either excuse him or skip.

24 MR. BASHOR: Yeah, I would be very nervous about starting a new
25 job like --

1 THE COURT: Okay. So, do you want to excuse him since he's a
2 server for a living and --

3 MR. BASHOR: Yes, Your Honor.

4 THE COURT: -- is starting a new job?

5 MR. STANTON: That's fine with --

6 THE COURT: I normally ask how long you've been unemployed
7 first, and I didn't do it with him because I got caught up in Mary's Burgers, but
8 if you wanted me to, I would, otherwise we could excuse him at the end of the
9 day. Excuse?

10 MR. BASHOR: Yeah.

11 MR. STANTON: Excuse.

12 THE COURT: Okay. Clinton Barnes would be in seat number 1,
13 unless you recall a hardship with him. Seat number 1. Aziyel Madrigal is in 2.
14 John Graber will be in 3. Mr. Huntsman has known Scott Hafen, personal
15 family friend for 20 plus years. What's your thoughts on that, starting with
16 whoever wants to start?

17 MR. STANTON: There's no concern from the State. Officer Hafen,
18 large likelihood, he will not testify.

19 THE COURT: He will not?

20 MR. STANTON: He will not.

21 THE COURT: Oh.

22 MR. BASHOR: That makes things a lot easier, Judge. I would've
23 voir dire on him, but given the State's indication, I'd probably make that a
24 minimum.

25 THE COURT: So, he'll be in seat number 4 if he's not going to

1 testify. So, he's in seat number 4. Morgan Dwinell, seat number 5. Ms. Kime
2 has a Tottori shot at 8 a.m. on Monday. I have to give up the courtroom to
3 Judge Bell for Veteran's Court. We have a deal, so I wouldn't even start before
4 10:30, unless I borrowed another courtroom, so I think she's fine. Do you
5 agree? We'll just let her go to her shot and come after.

6 MR. STANTON: Fine.

7 THE COURT: Okay. So, she'll be in seat 6. Lindell Pierce. I saw no
8 hardship on Pierce, so that would be seat number 7. Stettler would be 8,
9 Harris would be 9, Stanek, Samantha would be 10. Isabel Rodriguez is full of
10 problems. OBGYN, referral to cardiovascular, two appointments that I can't --
11 you know, first of all, getting an appointment with a specialist in this town is
12 like an act of congress and you can't give it up. That's number one. That's
13 why I ask, because if it's just -- so, I would be inclined to excuse her, but if you
14 disagree, you should bring that to my attention.

15 MR. STANTON: State agrees.

16 MR. BASHOR: Defense agrees.

17 THE COURT: Okay, so she'll be excused. I didn't see a hardship
18 for Nancy Cardoza, so she would be in seat 11. Miles Vinluan would be in seat
19 number 12. Alyce Brown wants off so bad I can't even tell you, my opinion.
20 965, Alyce Brown, deferred 43 years ago, back, bone spurs, heart surgery, sick
21 dad, 96 years old, drives to Boulder City at least one day a week, deteriorating
22 discs, the list goes on and on.

23 MR. STANTON: State would agree.

24 THE COURT: Excuse?

25 MR. BASHOR: Yes, Your Honor.

1 THE COURT: Okay. I don't know how she could concentrate in this
2 trial with all of those problems, so she's excused. Verna Kinnard. She has a
3 gaming testing system, human resources. Only two people do it at this
4 gaming place for nine -- eight hours tomorrow. I'd be inclined to skip and see
5 how we do or --

6 MR. STANTON: State would agree to excuse her. I don't know
7 how you get around that.

8 MR. BASHOR: Same for Defense.

9 THE COURT: Okay. Victoria Farfan, I didn't see any problems for
10 Victoria Farfan. She's in seat 13. Perez, dad has a colon infection. Didn't
11 really want to hear any more about that. Clearly, mom works as janitorial
12 something or other, brother doesn't work. I don't know. I don't know what
13 you feel about it, but I'd be inclined to excuse her.

14 MR. STANTON: State would agree.

15 MR. BASHOR: Defense agrees.

16 THE COURT: Okay. Perri seemed to have no problems, so she --
17 he or she is -- excuse me. Benjamin Perri is in 14. Stephanie Mazzei is in 15.
18 Mr. Ho is going to be fine, I personally think, but if you feel differently, I can
19 leave him in the skip pile or be excused.

20 MR. STANTON: I would excuse, Your Honor.

21 MR. BASHOR: I have the same concerns about language as Mr.
22 Stanton.

23 THE COURT: So, you want to leave it --

24 MR. BASHOR: I would excuse.

25 THE COURT: -- excuse him?

1 MR. BASHOR: Yes, Your Honor.

2 THE COURT: All right. What about Nassif Haddad? My only
3 concern about Mr. Haddad is he doesn't seem to understand -- he seemed to
4 not understand questions when I was asking.

5 MR. BASHOR: I would ask to excuse.

6 MR. STANTON: And I would concur. The pain meds is my
7 problem.

8 THE COURT: Okay.

9 MR. STANTON: Along with the language.

10 THE COURT: All right. He'll be excused. Diane Morgan would be
11 in seat 16, David Harrell would be in 17, Susan Gevers would be in 18, Laurie
12 Renforth would be in 19, Robert Chiesi would be in 20, Frances Cortez in 21,
13 William Childs can only look straight ahead.

14 MR. BASHOR: Yeah. Sorry.

15 THE COURT: I mean, I have more IT equipment in here and
16 audio/visual stuff, but I don't have one right in front of him.

17 MR. BASHOR: Well, that and he's got appointments with
18 specialists on Thursday and Friday, Your Honor.

19 THE COURT: So, you want to excuse him?

20 MR. STANTON: Please.

21 THE COURT: Michael Tripp has -- or excuse me -- he has a wife
22 with six fusions on her back. Night sleeping, delivers milk and, you know,
23 graveyard, which can be concerning if you're a daytime --

24 MR. BASHOR: Yep.

25 THE COURT: -- trial person. What's your position? From the

1 Defense, first.

2 MR. BASHOR: Excuse him.

3 THE COURT: State, you agree?

4 MR. STANTON: Agree. I agree.

5 THE COURT: Okay. Aaron Emery works 88 hours a week, has to
6 have frequent restroom breaks every hour, is behind on his child support, and
7 is in arrears, so he claims financial hardship. What's your position? Starting
8 with the Defense.

9 MR. BASHOR: Yeah, I guess would be the arrears, Your Honor, we
10 would agree to excuse.

11 MR. STANTON: State would agree.

12 THE COURT: Not only that. It's 88 hours of security guard work.
13 That's not usually a defense's first pick for a juror, but I don't know.

14 MR. BASHOR: Well, I don't want to say things like that out loud,
15 Your Honor.

16 THE COURT: Okay. Okay. So, he'll be excused for financial
17 hardship. I mean, we could always accommodate his restroom issues. It's the
18 other hardship issue that makes you concerned. He might not give all time
19 and attention to this matter. Brenden Larson has a brand new job.

20 MR. BASHOR: We would agree to excuse.

21 MR. STANTON: State agrees, as well.

22 THE COURT: And for the record, he was the HVAC. He won't be
23 able to work, and they only do the training every other summer. I mean, I
24 asked everything -- every way to Sunday to see if maybe --

25 MR. BASHOR: And I appreciate that, Your Honor, but I, again --

1 just like what was going to be Prospective Juror Number 1, starting a new job,
2 again.

3 MR. STANTON: He's going from a food server at Capriotti's to a
4 technical job. I'm sure it's a substantial pay increase, as well.

5 THE COURT: Okay, so he'll be excused. Mario Reyna, I don't recall
6 any hardships there, so he would be in seat number 22. Roi Hillstead, 23.
7 Bryan Blake, 24. Teresa Fernandez, 25. Arian Tassy, 26. Ms. Godwin told me
8 she had a medical issue, but she didn't ask to be excused, correct?

9 MR. STANTON: Yes. She's a type II diabetic and said that she can
10 control it as --

11 THE COURT: Okay.

12 MR. STANTON: -- most type II can, with diet and exercise.

13 THE COURT: And what about knowing Kevin Emry? Apparently,
14 they were both the popular kids. I got that distinct impression that they were
15 clearly in the high school group I wasn't in when they were in high school.
16 Flag twirling and football and all.

17 MR. STANTON: We do not anticipate Officer Emry testifying, as
18 well.

19 MR. BASHOR: I'm sorry. Oh. That's fine, Your Honor. With that
20 indication, Ms. Godwin can remain.

21 THE COURT: All right. So, she is 27. Duane Miller, do we believe
22 he is disqualified from serving on this jury having a 1994 felony conviction for
23 receiving stolen property with no sealing, no restoration of civil rights? You
24 know, I don't have any way of knowing that information, so I rely on their
25 testimony under oath. It's hopefully truthful, and that's not something

1 everybody wants to talk about every day and seem genuine. I don't know. I
2 don't know.

3 MR. BASHOR: No objection to excusal from the Defense.

4 MR. STANTON: I believe that is -- he is excludable.

5 THE COURT: Okay. So, State, that's your request, as well?

6 MR. STANTON: Yes.

7 THE COURT: And there's no objection by the Defense, he'll be
8 excluded -- excused. Excuse me. Melissa Webster, I don't show any conflicts
9 with her, so she will be 28. Matthew Jones will be 29, unless you -- oh, wait.
10 English.

11 MR. BASHOR: That's Mr. Park.

12 THE COURT: Oh, yeah, yeah. Well, there's another Jones, Sun
13 Jones, but that's --

14 MR. BASHOR: Oh.

15 THE COURT: -- not her. Okay. So, Matthew Jones is 29. I assume
16 you're agreeing to excuse -- here's the thing. I've done this so many times,
17 and I'm staring at them, and you're not because your backs are to them. He
18 doesn't have a clue what's going on. Some of these people, respectfully, I
19 don't always believe them. This gentleman has no clue what's going on.

20 MR. STANTON: Are you talking about Jones or Park?

21 THE COURT: I'm talking about John Park.

22 MR. STANTON: Okay.

23 THE COURT: Like not -- unless he's going to get an Academy
24 Award, he might as well be -- you know, have dropped in on planet Mars from
25 the spaceship. He has no clue what's happening.

1 MR. BASHOR: No objection.

2 MR. STANTON: No objection.

3 THE COURT: Bethany Johnson, 151. I show no problem with her,
4 so she would be number 30. Paul Mejia did make any claim for hardship. He
5 would be 31. Stewart would be 32. Nicole Williams would be called to the
6 box, if needed. Do you agree?

7 MR. STANTON: Yes.

8 MR. BASHOR: Yes.

9 THE COURT: Number 175 claimed hardship. Jessica Meuir. She's
10 a school teacher, activities, charter school, so on and so on. What's your
11 position? School starts --

12 MR. STANTON: I don't --

13 THE COURT: -- Thursday, I think, or Monday.

14 MR. STANTON: -- I don't have a problem excusing her. To me, the
15 grade and the position is not in and of itself, but based upon the totality, I have
16 no problem excusing her or bringing her to the end.

17 MR. BASHOR: I would --

18 THE COURT: Skip or excuse? Which do you want?

19 MR. BASHOR: Excuse is fine with me, Your Honor.

20 THE COURT: Okay.

21 MR. BASHOR: Going back --

22 THE COURT: It's a hard time to pick a teacher. School starts like
23 anywhere from --

24 MR. BASHOR: Right.

25 THE COURT: -- Monday to the following Monday. Okay.

1 MR. STANTON: I think counsel wanted to go back to 166, Mr. De
2 Cespedes.

3 THE COURT: Oh, yeah. Mr. De Cespedes. Yes? What's your issue
4 with him?

5 MR. BASHOR: Your Honor, I didn't jot down. I know that you
6 inquired of a few of the people about their age and how long they've been
7 doing it. If he's one of the ones that is younger and started, you know, when
8 he was seven, I have no objection.

9 THE COURT: He's been speaking English since he was 10 years
10 old.

11 MR. BASHOR: Then I have no objection.

12 THE COURT: He said he was 20 years old and had been speaking
13 English 10 years. So, we're good?

14 MR. BASHOR: From the Defense perspective; yes, Your Honor.

15 THE COURT: Okay. You're good?

16 MR. STANTON: Good.

17 THE COURT: Okay. So, the next person I had that had an issue -- I
18 think Parker is okay. Having surgery on the 14th. We'll never get there. 204, is
19 that Kathy Garcia? Garcia. Sprint executive, supporting the whole family.

20 MR. BASHOR: I would ask to excuse.

21 MR. STANTON: Same.

22 THE COURT: Okay. Kathy Garcia will be excused at the end of the
23 day. Next is 210, Sun Jones. I believe she has an English impediment to
24 understanding English.

25 MR. STANTON: State agrees. State would ask for her to be

1 excused.

2 MR. BASHOR: Same from the Defense.

3 THE COURT: All right. She'll be excused at the end of the day.
4 Thank you. Next is 213, Burton. Burton works full-time, project engineer at
5 Resorts World, girlfriend, lives with girlfriend, financial hardship. Looks very
6 young.

7 MR. BASHOR: I would ask to excuse.

8 MR. STANTON: Same here.

9 THE COURT: 226 is Rodriguez, Ivan. He's a Jehovah's Witness,
10 but I'm going to get to that point where I can't pass judgment on someone, but
11 we're not there yet, but I'm just pointing that out to you to be on the lookout.
12 BOLO.

13 MR. STANTON: Is this 226?

14 THE COURT: Yeah.

15 MR. STANTON: Okay. Did you want to do anything with 221?

16 THE COURT: Hold on one second. She didn't claim it as a
17 -- yeah, see I don't know what to do with her. We might have to bring her in
18 here. 221, Ms. Dalcour claimed standing, sitting, headaches, an attorney for
19 disability.

20 MR. BASHOR: Vertigo.

21 THE COURT: Vertigo. None of those things are good for your trial,
22 but she didn't raise her hand for hardship. Maybe she thought the thing spoke
23 for itself because, you know, she's got a lot of problems, but why don't I just
24 call her in, in an abundance of caution, and doublecheck that before we bring
25 everybody else; is that acceptable?

1 MR. STANTON: Yes.

2 MR. BASHOR: Yes, Your Honor.

3 THE COURT: All right. Just make a super record on her. Okay.
4 So, going to 226, just be on the lookout for, you know, a religious problem,
5 objection. Next is Rivera, 228. Look, I'll keep my thoughts to myself. He
6 claims a language barrier, and I leave that to you to decide what you want to
7 do.

8 MR. STANTON: The State would ask to excuse. Forty percent, I
9 think, whether it's true or if it's a ballpark, it's still more than what the court, I
10 believe, would allow. The Supreme Court.

11 THE COURT: Cesar Rivera, what are your thoughts?

12 MR. BASHOR: I would agree, but I appreciate the entertainment.

13 THE COURT: You know, it's amazing how it'll shift. The
14 percentage will go way up when you're going to call their supervisor and ask
15 their supervisor --

16 MR. BASHOR: Oh, all of a sudden.

17 THE COURT: -- their opinion of their percentage. Okay. Next is
18 247, Wiseman. Well, I don't know. Let's go back to -- excuse me -- 229 and
19 231. I could probably bring them in with Ms. Dalcour and talk to them about
20 their knee, back and pain medication issues.

21 MR. BASHOR: I would agree, Your Honor.

22 MR. STANTON: I would agree.

23 THE COURT: So, I'll bring in 221, 229, and 231 for a little mini voir
24 dire before I bring in everybody else. Then we go to 247, Wiseman. He's got
25 some unexpected expenses associated with childcare. I'd be inclined to

1 excuse him because he's going to start school any minute, and he's got a 15
2 month old.

3 MR. STANTON: That's no problem with the State.

4 MR. BASHOR: Agreed, Your Honor.

5 THE COURT: Okay. 268, Clay. He is leaving, and I have the flight.
6 Here's the problem. He has a prepaid outbound flight to -- Alaska Airlines,
7 Thursday, August 2nd, 7:05 a.m., flight 617, arrives in Seattle 9:42 a.m., with
8 three family members. Apparently, traveling with a couple people.

9 MR. BASHOR: No objection.

10 MR. STANTON: No objection.

11 THE COURT: So, he paid for a ticket. I can't force him to skip a
12 family vacation, so he'll be excused. And that's Michael Clay. 283, paycheck
13 to paycheck, Dominguez. Graves Disease, memory loss.

14 MR. BASHOR: Excuse, Your Honor.

15 MR. STANTON: Excuse, Your Honor.

16 THE COURT: Okay. Is there anybody else that you'd like to bring
17 to my attention before we take a break?

18 MR. STANTON: Not on behalf of the State.

19 MR. BASHOR: Not on behalf of the Defense.

20 THE COURT: Okay. When we come back, we'll talk to those three
21 people, and then we'll take everybody else in.

22 MR. BASHOR: Thank you.

23 THE COURT: Thank you. So, a couple minutes, yeah?

24 MR. BASHOR: Yes, Your Honor.

25 [Recess at 3:29 p.m., recommencing at 3:37 p.m.]

1 THE MARSHAL: All rise. Please come to order.

2 MR. STANTON: Judge, could we just -- I'm trying to coordinate
3 with the charging document, get -- striking one of the counts. The issue
4 bumped it to the end, and then the court staff couldn't read the prohibited
5 person and the count.

6 THE CLERK: That's what they did in the court trial.

7 THE COURT: Right, but I mean, we're not even close to that yet.
8 We won't get to that until tomorrow. I have a better chance of a pig flying
9 through this room than getting the jury and reading a complaint -- I mean, an
10 admission.

11 MR. STANTON: No, I just wanted to get it going, but I'll get it done
12 tomorrow.

13 THE COURT: Okay. Okay. I need 221, 229, and 231.

14 THE MARSHAL: Okay.

15 THE COURT: And just sit them close so that, you know -- out there,
16 so that they're not --

17 THE MARSHAL: Okay.

18 THE COURT: -- uncomfortable or taking longer to sit down. So,
19 does anyone have a problem if I shred Michael Clay's airline ticket, and do you
20 want to see it before I do?

21 MR. STANTON: I have no objection to you shredding it.

22 MR. BASHOR: Same, Your Honor.

23 THE MARSHAL: Please have a seat in these three seats.

24 THE COURT: You can sit in any -- you can sit on the other side, if
25 you want. Anywhere that you're comfortable. All right. So, first of all, do you

1 all three understand you're still under oath?

2 PROSPECTIVE JUROR 231: Yes.

3 PROSPECTIVE JUROR 229: Yes.

4 PROSPECTIVE JUROR 221: Yes.

5 THE COURT: Okay. Do you have the mic? Can you give the mic to
6 Ms. Dalcour, please?

7 THE MARSHAL: Ms. Dalcour.

8 THE COURT: So, Ms. Dalcour --

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: -- hi. You gave me a long list of problems,
11 physically, that you've been having. Have all of these problems been going on
12 since 2016 or is it intermittent, or do you have new problems? How is that?

13 PROSPECTIVE JUROR 221: Not -- this is something new.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR 221: I just got out the hospital on Friday
16 because --

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 221: -- I kept falling, and I didn't know why I
19 was falling.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR 221: And the vertigo, it had went away, but
22 it's coming back.

23 THE COURT: Did you get here with help today, or how are you
24 maneuvering?

25 PROSPECTIVE JUROR 221: Yes.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 221: I don't drive anymore. I was a bus
3 driver, and I don't drive anymore.

4 THE COURT: Since 2016?

5 PROSPECTIVE JUROR 221: Yes. I haven't been able to drive.

6 THE COURT: Okay. And how'd you get to court today?

7 PROSPECTIVE JUROR 221: I got a ride. My husband brought me.

8 THE COURT: Okay. And is he going to pick you up?

9 PROSPECTIVE JUROR 221: He's outside.

10 THE COURT: Okay. So, you told me that you applied for disability;
11 is that correct? Or you're working on it?

12 PROSPECTIVE JUROR 221: No, I didn't say I applied for disability.

13 THE COURT: Or you're working on it?

14 PROSPECTIVE JUROR 221: Not disability.

15 THE COURT: Well, SSI? Like what --

16 PROSPECTIVE JUROR 221: No, none of that. They -- I don't know
17 what they're doing. I got hurt on a job and --

18 THE COURT: Oh, worker's comp?

19 PROSPECTIVE JUROR 221: Yes, and --

20 THE COURT: Okay. Okay.

21 PROSPECTIVE JUROR 221: -- but I'm not getting any, my job fired
22 me. It's crazy. I've just been going through it right now.

23 THE COURT: Well, I'm not -- you know, the reason I'm asking you
24 is because --

25 PROSPECTIVE JUROR 221: Uh-huh.

1 THE COURT: -- I have to understand the significance of your
2 physical circumstances.

3 PROSPECTIVE JUROR 221: Yes.

4 THE COURT: And so, basically, what I'm hearing is, you had -- you
5 were a victim of a crime while on the job?

6 PROSPECTIVE JUROR 221: Yes.

7 THE COURT: And so, you have an attorney that you made pursue
8 workers' comp?

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: Okay, and you're not able to work?

11 PROSPECTIVE JUROR 221: Right. I haven't been able to work.

12 THE COURT: And you can't drive?

13 PROSPECTIVE JUROR 221: And I haven't been able to drive.

14 THE COURT: And you have vertigo and --

15 PROSPECTIVE JUROR 221: Yes.

16 THE COURT: -- headaches?

17 PROSPECTIVE JUROR 221: Yes.

18 THE COURT: And are you on any medication?

19 PROSPECTIVE JUROR 221: Yes.

20 THE COURT: Okay. What kind of medication?

21 PROSPECTIVE JUROR 221: Pain medication and --

22 THE COURT: The narcotic kind --

23 PROSPECTIVE JUROR 221: Yes.

24 THE COURT: -- or the Advil kind?

25 PROSPECTIVE JUROR 221: No, 500 milligram and other kind of

1 milligrams.

2 THE COURT: So, you don't -- you need to tell me if you think
3 you're physically unable to serve.

4 PROSPECTIVE JUROR 221: The meds --

5 THE COURT: You didn't say it in those words, but you gave me a
6 long list --

7 PROSPECTIVE JUROR 221: Okay.

8 THE COURT: -- of problems.

9 PROSPECTIVE JUROR 221: Well, the medication that I take, and I
10 haven't taken any today, because when I take it, it knocks me out, and I'm not
11 able to function properly. So, I don't think I'm physically fit, which is kind of
12 bad for me, but, yes.

13 THE COURT: Okay. Thank you very much. Do any of the
14 attorneys have any questions for her?

15 MR. STANTON: No, Your Honor.

16 MR. BASHOR: No, Your Honor.

17 THE COURT: Okay. Could you pass the microphone to Ms.
18 Mayfield? Hi, Ms. Mayfield. You listed some physical challenges that you
19 endure, including type II diabetes, knee and back issues.

20 PROSPECTIVE JUROR 229: Yes. I was an employee at McCarran
21 Airport back in 2015, and I was on a machine, and I fell off the machine, and I
22 hurt my back and my knee.

23 THE COURT: Okay. And did you go back to work after that or were
24 you out?

25 PROSPECTIVE JUROR 229: No, they let me go on medical

1 separation.

2 THE COURT: Okay. And do you take medication for these injuries?

3 PROSPECTIVE JUROR 229: I do take insulin, but I just take like
4 over-the-counter Tylenol or something for the pain. I have the narcotic
5 medication, but I try not to take it.

6 THE COURT: Okay. And how do you think this affects your ability
7 to serve?

8 PROSPECTIVE JUROR 229: The only thing is, when I sit long, I get
9 -- my back gets real stiff and my knee kind of goes out, but other than that,
10 I'm --

11 THE COURT: You're okay?

12 PROSPECTIVE JUROR 229: That's -- yeah.

13 THE COURT: Because here's the thing. These seats are much
14 nicer. I'm not saying you're going to be on the jury. You may be done by
15 tomorrow.

16 PROSPECTIVE JUROR 229: Okay.

17 THE COURT: But if you were seated on the jury, you would be
18 seated in nicer seats. I go an hour, an hour and 20 minutes, hour and a half,
19 hour and 40 minutes, then I take a break. If I put you on an end seat, you could
20 stand up and lean against the little wall there, if you wanted to, if that would
21 work for you. If not, you just need to tell me.

22 PROSPECTIVE JUROR 229: No, I can give it a shot. Also, I didn't
23 let you know. I work at McDonald's like about four hours a day, just to have
24 something to do because I am semi-retired.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR 229: So --

2 THE COURT: So, my guess is, this would be a lot less physically
3 challenging than McDonald's?

4 PROSPECTIVE JUROR 229: Yeah, because I stand at the counter.
5 I'm like the front person.

6 THE COURT: Also, the people who are selected to serve on the
7 jury will be parking in a closer spot. I just can't do that for everyone right now.

8 PROSPECTIVE JUROR 229: Okay.

9 THE COURT: Would that also help?

10 PROSPECTIVE JUROR 229: Yes.

11 THE COURT: Okay. So, so far, you're okay?

12 PROSPECTIVE JUROR 229: Yes, I am.

13 THE COURT: Okay. Thank you very much.

14 PROSPECTIVE JUROR 229: You're welcome.

15 THE COURT: Mr. Robinson?

16 PROSPECTIVE JUROR 231: Yes. I've had both knees replaced, one
17 in 2016, and one in 2017.

18 THE COURT: Okay. And you said you are on pain medication?

19 PROSPECTIVE JUROR 231: I am. I'm on Naprosyn for
20 inflammatory, and I'm on -- I don't really know the name of it. It's like Norcal
21 625 oxycodone.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR 231: And I may have to take one of those
24 once or twice a week.

25 THE COURT: And so -- excuse me. Clearing my throat here. How

1 does that affect your ability to serve?

2 PROSPECTIVE JUROR 231: It doesn't. It just needs -- I think the
3 Court needs to be aware of it.

4 THE COURT: Okay. When you have to take the Norcal 625
5 milligrams, how does that affect you?

6 PROSPECTIVE JUROR 231: I normally do it at home. I don't go --
7 I'm on full disability. I don't go to work anymore.

8 THE COURT: And when you have to take it, what precipitates your
9 need to take it?

10 PROSPECTIVE JUROR 231: Sitting for much more than two hours
11 or driving for more than two hours, and the only way it seems to really work is
12 get up and move around every once in a while.

13 THE COURT: All right. Do either of the lawyers have any
14 questions for Ms. Mayfield or Mr. Robinson before I excuse them with
15 everybody?

16 MR. STANTON: No, Your Honor.

17 MR. BASHOR: No, Your Honor.

18 THE COURT: Okay. Ms. Dalcour, could you stay here for a second,
19 and Mr. Mayfield and -- I mean, Ms. Mayfield and Mr. Robinson, go ahead and
20 step outside. We're going to call you back in a few minutes. Can I see counsel
21 at the bench?

22 [Sidebar begins at 3:46 p.m.]

23 THE COURT: Do you object to Dalcour going now?

24 MR. STANTON: No.

25 MR. BASHOR: No.

1 THE COURT: Okay. I just wondered. She's -- okay.

2 MR. STANTON: Okay.

3 THE COURT: Thank you.

4 [Sidebar ends at 3:47 p.m.]

5 THE COURT: Okay. Ms. Dalcour, I'm going to excuse you from
6 service. Your physical challenges are just going to make it too hard for you,
7 and I don't really want you to have to suffer like that. And, ordinarily, I would
8 have you stay until the end of the day, but I just don't think you should. So,
9 you are excused with the thanks of the Court. You can go find your husband.
10 Thank you very much.

11 [Outside the presence of the prospective jurors.]

12 Okay. So, as the record should reflect, we're outside the panel of
13 the prospective jury -- we're outside the presence of the prospective jury
14 panel. Ronda Mayfield, I think she's going to be okay, and especially if she
15 had an end seat, if she was selected to serve. If you feel differently, please
16 speak up.

17 MR. BASHOR: I don't disagree, Your Honor.

18 MR. STANTON: I don't disagree either.

19 THE COURT: Okay. Daniel Robinson, though, is concerning to me
20 because the very thing we do, which is sit and listen, is going to -- you know, is
21 when he needs his Norcal 625 milligrams. So, I'll start with the Defense first.

22 MR. BASHOR: I have no objection to excuse him.

23 THE COURT: State?

24 MR. STANTON: I'd request his excusal.

25 THE COURT: Okay. He'll be excused at the end of the day. Was

1 there anyone else on this list that I neglected to discuss with you that you
2 wanted to discuss before we go seat everybody in the order that I had, and the
3 replacements will come, you know -- so for example, if we lose number 5, then
4 the next person in order, which will be Nicole Williams, will go into seat
5 number 5 and so on.

6 MR. BASHOR: Yes, Your Honor.

7 THE COURT: Okay? All right. So, are we good?

8 MR. STANTON: The State's good.

9 MR. BASHOR: The Defense is good.

10 THE COURT: Okay. Bring the jury in now.

11 THE MARSHAL: Okay.

12 THE COURT: When you can. Work your magic. My Marshall is
13 very, very good at running a jury, let me tell you.

14 [Pause]

15 THE MARSHAL: All rise for the jury. Go all the way down. Just fill
16 up the seats. Come on in. The jury is all present, ma'am.

17 [In the presence of the prospective jurors.]

18 THE COURT: Okay. Thank you very much. Counsel, you stipulate
19 to the presence of the prospective jury panel?

20 MR. STANTON: Yes, Your Honor.

21 MR. BASHOR: Yes, Your Honor.

22 THE COURT: Okay. Ladies and gentlemen, I am going to be
23 focused on, first, a group of 32 people. That would be this group, and then
24 that -- let me have Phyllis Stewart, raise your hand. All right. Ms. Stewart, you
25 are the end of the 32, meaning I'm going to have this group, and then I'm

1 going to ask you starting on the right, all the way down to Ms. Stewart. If you
2 are the two on the end or anybody else in the room, I'm not asking you any
3 questions right now. I just ask that you listen. I'm going to ask the same kinds
4 of questions of every single juror in the case, so this process goes much more
5 quickly if you're thinking about what your answers would be if you were called
6 upon to answer the questions.

7 So, for the first 32 people, which is this group, and from my right
8 over there, all the way to Ms. Stewart and everybody in between, here's what
9 the questions are going to be of each person. I'm going to ask you how long
10 you've lived in Clark County, and if it's less than 10 years, I'm going to ask you
11 to give me your residence history going back 10 years. I don't need addresses
12 or anything like that. What I'm looking for is, you know, Clark County, five
13 years, Seattle, three years, you know, New York, three years. Something like
14 that, okay?

15 Then I'm going to ask you about your educational background.
16 What I'm looking for is, you know, I graduated high school, or I have high
17 school and some technical school, high school and some college, high school,
18 college, and you know, graduate school. Just give me an idea of what your
19 general education is.

20 I'm going to ask you if you're working, and if so, what you do. I'm
21 going to ask you to give me a checklist of every job title that you've held going
22 back as far as you can remember. It sounds really, you know, challenging, but
23 it's not. I'm not asking where you worked, I'm not asking specific titles. Just
24 give me like a general understanding. Okay?

25 So, if I were going to be myself, I would tell you, here's a checklist

1 of all the job titles that I've held. Pool attendant, lifeguard, spa attendant, spa
2 receptionist, law clerk, lawyer, judge. I've had a lot more than seven jobs in
3 my life, but this gives you the gist, and what I'm looking for with your work
4 history is the gist, okay? All the job titles that you held, like, you know,
5 generally speaking.

6 I'm going to ask you if you're married and if so, your spouse is
7 working, what your spouse's employment is, or significant other. If you're
8 divorced, what your spouse did when you were married. I'm going to ask you
9 how many kids you have, how old they are, and if they're of working age, what
10 they do.

11 So, starting with -- and we're just going to pass that microphone
12 around and move it right along. Clinton. How long have you lived in Clark
13 County?

14 PROSPECTIVE JUROR 912: Twenty-eight years.

15 THE COURT: And your educational background?

16 PROSPECTIVE JUROR 912: High school and some college.

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

18 PROSPECTIVE JUROR 912: I teach.

19 THE COURT: And what do you teach?

20 PROSPECTIVE JUROR 912: Manufacturing.

21 THE COURT: And how long have you taught manufacturing?

22 PROSPECTIVE JUROR 912: This is my third year.

23 THE COURT: In what industry? Like --

24 PROSPECTIVE JUROR 912: It's like a machine shop.

25 THE COURT: Machine shop. Can you give me a checklist of any

1 other job titles that you've held?

2 PROSPECTIVE JUROR 912: I've worked in a machine shop, and
3 I've worked in retail.

4 THE COURT: Okay. And are you married?

5 PROSPECTIVE JUROR 912: I am not.

6 THE COURT: Does your spouse -- or have you previously been
7 married? Excuse me.

8 PROSPECTIVE JUROR 912: No.

9 THE COURT: And do you have any kids?

10 PROSPECTIVE JUROR 912: I do not.

11 THE COURT: Okay. Thank you very much. Ms. Madrigal, how
12 long have you lived in Clark County?

13 PROSPECTIVE JUROR 913: Twelve years.

14 THE COURT: Your educational background?

15 PROSPECTIVE JUROR 913: College.

16 THE COURT: And what do you do now?

17 PROSPECTIVE JUROR 913: I'm a nurse at Desert Springs Hospital.

18 THE COURT: And how long have you done that?

19 PROSPECTIVE JUROR 913: Three months.

20 THE COURT: Are you in a particular assignment?

21 PROSPECTIVE JUROR 913: Med search.

22 THE COURT: Okay. And can you give me a checklist of any other
23 job titles that you've held?

24 PROSPECTIVE JUROR 913: Just cafeteria worker, home health,
25 and then this job now.

1 THE COURT: Okay. And when you say three months, have you
2 been a nurse three months, or just three months at that assignment?

3 PROSPECTIVE JUROR 913: A nurse for three months.

4 THE COURT: Okay. Are you married?

5 PROSPECTIVE JUROR 913: No.

6 THE COURT: And have you previously been married?

7 PROSPECTIVE JUROR 913: No.

8 THE COURT: Do you have a significant other currently?

9 PROSPECTIVE JUROR 913: No.

10 THE COURT: And do you have any kids?

11 PROSPECTIVE JUROR 913: No.

12 THE COURT: Mr. Bares, I forgot to ask you. Do you have a
13 significant other currently?

14 PROSPECTIVE JUROR 912: I do.

15 THE COURT: And your significant other's occupation?

16 PROSPECTIVE JUROR 912: She is an office manager for a law
17 office.

18 THE COURT: Okay. And what kind of law office?

19 PROSPECTIVE JUROR 913: I guess it's like personal injury.

20 THE COURT: Okay. What's the name of the law office?

21 PROSPECTIVE JUROR 913: Karen H. Ross.

22 THE COURT: Okay. And so, to your knowledge, does that law firm
23 do any criminal work?

24 PROSPECTIVE JUROR 913: Not to my knowledge.

25 THE COURT: Okay. Thank you very much. Mr. Graber, can you tell

1 me how long you've lived in Clark County?

2 PROSPECTIVE JUROR 916: About 20 years.

3 THE COURT: Your educational background?

4 PROSPECTIVE JUROR 916: College.

5 THE COURT: And are you working?

6 PROSPECTIVE JUROR 916: Yes.

7 THE COURT: What do you do?

8 PROSPECTIVE JUROR 916: Real estate broker.

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

10 PROSPECTIVE JUROR 916: About 10 years.

11 THE COURT: Can you give me a checklist of any other job titles

12 that you've held?

13 PROSPECTIVE JUROR 916: Every position in a restaurant, and also

14 the Marines.

15 THE COURT: Okay. What did you do in the Marines?

16 PROSPECTIVE JUROR 916: Parachute rigger.

17 THE COURT: And what is that? You just --

18 PROSPECTIVE JUROR 916: Pack parachutes and jump out of

19 planes.

20 THE COURT: Sounds hideously awful.

21 PROSPECTIVE JUROR 916: It was actually a lot of fun.

22 THE COURT: Oh, okay. Everybody's, you know, different. Okay.

23 Are you married?

24 PROSPECTIVE JUROR 916: Yes.

25 THE COURT: Does your spouse work?

1 PROSPECTIVE JUROR 916: Yes.

2 THE COURT: And what does your spouse do?

3 PROSPECTIVE JUROR 916: She works real estate, as well. Office
4 administration.

5 THE COURT: Okay. Do you have any kids?

6 PROSPECTIVE JUROR 916: Yes.

7 THE COURT: And how many and how old?

8 PROSPECTIVE JUROR 916: Five.

9 THE COURT: How old are they?

10 PROSPECTIVE JUROR 916: 20, 20, 17, 24, and 24.

11 THE COURT: Okay. What --

12 PROSPECTIVE JUROR 916: There's sets of twins.

13 THE COURT: Okay. What do the working age kids do?

14 PROSPECTIVE JUROR 916: One is married to Air Force and goes
15 to college. The other one works in Bend, Oregon. The other two are in school,
16 one for vet tech, and the other one is going to U Mass studying biology.

17 THE COURT: Okay. And the one that works in Bend, Oregon, what
18 field?

19 PROSPECTIVE JUROR 916: She works in the marijuana field.

20 THE COURT: Okay. Like not in the field itself, but --

21 PROSPECTIVE JUROR 916: Actually, she grows -- yes.

22 THE COURT: Oh, okay.

23 PROSPECTIVE JUROR 916: She actually does work for a grow
24 company --

25 THE COURT: Okay.

1 PROSPECTIVE JUROR 916: -- for recreational and medicinal
2 marijuana in Bend, Oregon.

3 THE COURT: Okay. Thank you very much. Mr. Huntsman, can
4 you tell me how long you've lived in Clark County?

5 PROSPECTIVE JUROR 923: Thirty-five years.

6 THE COURT: Your educational background?

7 PROSPECTIVE JUROR 923: Bachelor's Degree.

8 THE COURT: And what was your bachelor's degree in?

9 PROSPECTIVE JUROR 923: Construction management.

10 THE COURT: And what do you do now?

11 PROSPECTIVE JUROR 923: An estimator.

12 THE COURT: And how long have you done that?

13 PROSPECTIVE JUROR 923: Ten years.

14 THE COURT: And can you give me a checklist of any other job
15 titles that you've held?

16 PROSPECTIVE JUROR 923: Assistant estimator, and plasterer, and
17 student.

18 THE COURT: Okay. Are you married?

19 PROSPECTIVE JUROR 923: Yes.

20 THE COURT: Does your spouse work?

21 PROSPECTIVE JUROR 923: Yes.

22 THE COURT: What does your spouse do?

23 PROSPECTIVE JUROR 923: Teacher's aide.

24 THE COURT: And for what age kids?

25 PROSPECTIVE JUROR 923: First and second grade.

1 THE COURT: Okay. And do you have any kids?
2 PROSPECTIVE JUROR 923: Yes, four kids.
3 THE COURT: How old?
4 PROSPECTIVE JUROR 923: Sixteen, 13, 11, and 8.
5 THE COURT: Okay. Thank you very much. Ms. Dwinell, can you
6 tell me how long you've lived in Clark County?
7 PROSPECTIVE JUROR 933: Nineteen years.
8 THE COURT: Your educational background?
9 PROSPECTIVE JUROR 933: High school and some college.
10 THE COURT: Okay. And are you in college currently or working?
11 PROSPECTIVE JUROR 933: Part-time college, part-time working.
12 THE COURT: Okay. And what are you studying?
13 PROSPECTIVE JUROR 933: I'm exploring majors.
14 THE COURT: Okay. And what do you do for work?
15 PROSPECTIVE JUROR 933: Law clerk.
16 THE COURT: Okay. And where are you a law clerk?
17 PROSPECTIVE JUROR 933: Jeffrey Burr, Ltd.
18 THE COURT: Okay. And is that a personal injury firm?
19 PROSPECTIVE JUROR 933: No, it's estate planning.
20 THE COURT: Oh, that's right. And they don't do any criminal
21 work; is that right?
22 PROSPECTIVE JUROR 933: Not to my knowledge.
23 THE COURT: Okay. And so how long have you worked there?
24 PROSPECTIVE JUROR 933: Almost a year.
25 THE COURT: Are you married, or do you have a significant other?

1 PROSPECTIVE JUROR 933: Significant other.
2 THE COURT: And what's your significant other's occupation?
3 PROSPECTIVE JUROR 933: Retail manager.
4 THE COURT: And do you have any kids?
5 PROSPECTIVE JUROR 933: No.
6 THE COURT: Okay. Thank you very much. Ms. Kime, can you tell
7 me how long you've lived in Clark County?
8 PROSPECTIVE JUROR 940: Thirty-five years.
9 THE COURT: Your educational background?
10 PROSPECTIVE JUROR 940: Some college.
11 THE COURT: And are you working?
12 PROSPECTIVE JUROR 940: Unemployed.
13 THE COURT: And what do you do when you're working?
14 PROSPECTIVE JUROR 940: Executive assistant.
15 THE COURT: Okay. And how long have you done that?
16 PROSPECTIVE JUROR 940: Thirty years.
17 THE COURT: Can you give me a checklist of any other job titles
18 that you've held?
19 PROSPECTIVE JUROR 940: Cashier.
20 THE COURT: Okay. Are you married?
21 PROSPECTIVE JUROR 940: Yes.
22 THE COURT: And does your spouse work?
23 PROSPECTIVE JUROR 940: Yes, he does.
24 THE COURT: And what's he doing?
25 PROSPECTIVE JUROR 940: He's a glazer.

1 THE COURT: And how long has he done that?
2 PROSPECTIVE JUROR 940: Thirty years.
3 THE COURT: And do you have any kids?
4 PROSPECTIVE JUROR 940: They're all grown.
5 THE COURT: And so how many and how old?
6 PROSPECTIVE JUROR 940: Oh, geez. That's a hard question. I
7 can't remember. 35 -- no, one is 37, the other one is 35, and the other two are
8 29 and 26.
9 THE COURT: Okay. And what do they all do?
10 PROSPECTIVE JUROR 940: Three of them are not working right
11 now, and -- or I don't think they are, and the other one is a medical assistant --
12 THE COURT: Okay.
13 PROSPECTIVE JUROR 940: -- who lives here in town; yeah.
14 THE COURT: Okay. And the other three live here in town or
15 somewhere else?
16 PROSPECTIVE JUROR 940: They're -- one lives in Utah, and she's
17 unemployed right now.
18 THE COURT: What does she normally do, to your knowledge?
19 PROSPECTIVE JUROR 940: She does a lot of things, Your Honor.
20 THE COURT: Anything in the medical, or legal field, or law
21 enforcement?
22 PROSPECTIVE JUROR 940: No.
23 THE COURT: Okay. What about your other children?
24 PROSPECTIVE JUROR 940: My youngest lives in town, and she is
25 home, a housewife.

1 THE COURT: Okay. And so, just to go through this top row real
2 quick, other than what you've already told me, do any of you have any law
3 enforcement training, experience, or education, or legal, other than what
4 you've, you know -- you have a significant other that works in a law office, or
5 you work in a probate, and estates, and trust office. Anybody?

6 Do any of you in that back row have anyone close to you that
7 works in law enforcement? And I mean close to you meaning a relative, or a
8 very close personal friend. No one indicates on the affirmative. Okay. Thank
9 you very much. Lindell Pierce?

10 PROSPECTIVE JUROR 942: Yeah.

11 THE COURT: Sir, can you tell me how long you've lived in Clark
12 County?

13 PROSPECTIVE JUROR 942: Twenty years.

14 THE COURT: Your educational background?

15 PROSPECTIVE JUROR 942: Construction.

16 THE COURT: And are you working?

17 PROSPECTIVE JUROR 942: Yeah.

18 THE COURT: What do you do?

19 PROSPECTIVE JUROR 942: Construction.

20 THE COURT: What do you do in that field?

21 PROSPECTIVE JUROR 942: Everything. Painting, tile, whatever.
22 Kind of like a handyman.

23 THE COURT: Okay. And can you give me a checklist of any other
24 job titles that you've held?

25 PROSPECTIVE JUROR 942: I was a bus boy and a cook.

1 THE COURT: Okay. Are you married?
2 PROSPECTIVE JUROR 942: Divorced.
3 THE COURT: And what did your spouse do when you were
4 married?
5 PROSPECTIVE JUROR 942: She was a laborer, like --
6 THE COURT: Okay.
7 PROSPECTIVE JUROR 942: -- in the Laborer's Union.
8 THE COURT: Okay. And do you have a significant other currently?
9 PROSPECTIVE JUROR 942: No.
10 THE COURT: And do you have any kids?
11 PROSPECTIVE JUROR 942: No children.
12 THE COURT: Okay. Do you have any legal or law enforcement
13 training, background, education, or experience?
14 PROSPECTIVE JUROR 942: No.
15 THE COURT: And do you have anyone close to you -- family
16 member or friend that's very close to you that's in law enforcement?
17 PROSPECTIVE JUROR 942: No.
18 THE COURT: All right. Thank you very much. Mr. Stettler, how
19 long have you lived in Clark County?
20 PROSPECTIVE JUROR 944: Born and raised.
21 THE COURT: Excuse me. And your educational background?
22 PROSPECTIVE JUROR 944: High school.
23 THE COURT: And are you working?
24 PROSPECTIVE JUROR 944: Yes.
25 THE COURT: What do you do?

1 PROSPECTIVE JUROR 944: Bus driver.
2 THE COURT: And how long have you done that?
3 PROSPECTIVE JUROR 944: Eighteen years.
4 THE COURT: Can you give me a checklist of any other job titles
5 that you've held?
6 PROSPECTIVE JUROR 944: Well, I'm a trainer there.
7 THE COURT: Okay.
8 PROSPECTIVE JUROR 944: Previous jobs, I worked for parks and
9 rec.
10 THE COURT: Okay. What'd you do for parks and rec?
11 PROSPECTIVE JUROR 944: Ball field. Just handled the ball fields.
12 THE COURT: Okay.
13 PROSPECTIVE JUROR 944: Yeah.
14 THE COURT: And are you married?
15 PROSPECTIVE JUROR 944: No.
16 THE COURT: And have you previously been married?
17 PROSPECTIVE JUROR 944: No.
18 THE COURT: Do you have a significant other currently?
19 PROSPECTIVE JUROR 944: Yes.
20 THE COURT: And your significant other's occupation?
21 PROSPECTIVE JUROR 944: She does the same thing I do.
22 THE COURT: Okay. And do you have any kids?
23 PROSPECTIVE JUROR 944: No.
24 THE COURT: And you -- so, I didn't hear any law enforcement or
25 legal training in there anywhere for you.

1 PROSPECTIVE JUROR 944: No.

2 THE COURT: And do you -- or anyone close to you in law
3 enforcement? Do you have someone close to you?

4 PROSPECTIVE JUROR 944: No.

5 THE COURT: All right. Thank you very much. Mr. Harris, how
6 long have you lived in Clark County, sir.

7 PROSPECTIVE JUROR 947: Three years.

8 THE COURT: And before that, where'd you live?

9 PROSPECTIVE JUROR 947: Kaiserslautern, Germany.

10 THE COURT: How long did you live there?

11 PROSPECTIVE JUROR 947: Twenty years.

12 THE COURT: Okay. And what brought you to the United States?

13 PROSPECTIVE JUROR 947: I'm from here.

14 THE COURT: But like a change of employment? I don't know, it's
15 cold there. I don't know.

16 PROSPECTIVE JUROR 947: Ten years as an MP, 10 years as a
17 customs agent overseas. Decided to come home and take care of my dead.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR 947: Now, I'm back.

20 THE COURT: All right. So, your educational background?

21 PROSPECTIVE JUROR 947: High school. Some college.

22 THE COURT: And you were an MP for --

23 PROSPECTIVE JUROR 947: Ten years, 11 deployments, it's time to
24 get out.

25 THE COURT: Okay. And which branch?

1 PROSPECTIVE JUROR 947: The army.

2 THE COURT: Okay. And then -- excuse me -- then you said you did
3 customs?

4 PROSPECTIVE JUROR 947: Yes, I was a federal law enforcement
5 agent for DOT.

6 THE COURT: Okay. And you did that how long?

7 PROSPECTIVE JUROR 947: Nine years.

8 THE COURT: Okay. And so, I assume there's certain specialized
9 training that's law enforcementesque type, but it's specialized in its own field,
10 right?

11 PROSPECTIVE JUROR 947: Yes.

12 THE COURT: I mean, for the military they have their own set of
13 codes --

14 PROSPECTIVE JUROR 947: Yes.

15 THE COURT-- agreed? And as far as customs, how much would
16 you say your experience in either of those fields crossed over into state law?

17 PROSPECTIVE JUROR 947: We did black marketing investigations
18 from a criminal level for contractors, people who took money from the U.S.
19 Government. I would even have to come back to the states to be a witness.

20 THE COURT: Okay. But as far as knowing anything about Nevada
21 law associated with the --

22 PROSPECTIVE JUROR 947: I know nothing.

23 THE COURT: Okay. I wasn't going to assume that, I was just
24 waiting for you to tell me. If you were selected to serve as a juror in this case -
25 - excuse me -- you would have to follow the Court's instructions on the law

1 even if you -- even if your opinions about what the law ought to be were
2 different. Would you be able to do that?

3 PROSPECTIVE JUROR 947: Yes.

4 THE COURT: Is there anything about your law enforcement
5 training experience that you have in both of your employments that you think
6 would limit your ability to be fair and impartial here?

7 PROSPECTIVE JUROR 947: No.

8 THE COURT: Do you understand why I ask?

9 PROSPECTIVE JUROR 947: Yes.

10 THE COURT: I'm starting earlier. I don't usually get to it that quick,
11 but because you're here, I'm going to. Do you understand that the State has
12 the burden of proof in this case to prove -- well, the State has the burden of
13 proof in every case, in every court in the country -- to prove whether a
14 defendant is guilty -- whether a crime was committed, and the defendant
15 committed it beyond a reasonable doubt. And that a defendant has no
16 obligation to prove anything whatsoever. Do you understand that?

17 PROSPECTIVE JUROR 947: I do.

18 THE COURT: Do you believe in that basic precept of American
19 justice?

20 PROSPECTIVE JUROR 947: Yes.

21 THE COURT: And so, do you -- when I say that the Defense could
22 sit there during this trial, which they won't, by the way, but they could, do
23 absolutely nothing, stare off into the, you know, ceiling, never ask a question,
24 never do anything, and the jury's job in this case would be to determine
25 whether the State met the burden of proof?

1 PROSPECTIVE JUROR 947: Yes.
2 THE COURT: Do you understand that concept?
3 PROSPECTIVE JUROR 947: I do.
4 THE COURT: And do you have any problem with that?
5 PROSPECTIVE JUROR 947: No.
6 THE COURT: So, if they didn't prove the case beyond a reasonable
7 doubt, based upon your experience, background, education, and training,
8 would you have a difficult time in rendering a verdict --
9 PROSPECTIVE JUROR 947: No.
10 THE COURT: -- in favor of the Defendant
11 PROSPECTIVE JUROR 947: No.
12 THE COURT: Would it bother you at all?
13 PROSPECTIVE JUROR 947: No.
14 THE COURT: Okay. Did I ask you if you had kids?
15 PROSPECTIVE JUROR 947: No. So, right now, I'm a manager for
16 insurance.
17 THE COURT: Okay.
18 PROSPECTIVE JUROR 947: I have two kids. One in Texas with the
19 Air Force, the other one is in Germany doing international nursing.
20 THE COURT: Okay. And did you tell me you're married or not?
21 PROSPECTIVE JUROR 947: Significant other.
22 THE COURT: And what does your significant other --
23 PROSPECTIVE JUROR 947: Works on the Air Base.
24 THE COURT: Okay. Doing?
25 PROSPECTIVE JUROR 947: Defense commissary.

1 THE COURT: Okay. Thank you very much. Ms. Stanek, can you
2 tell me how long you have lived in Clark County?
3 PROSPECTIVE JUROR 948: Nineteen years.
4 THE COURT: And your educational background?
5 PROSPECTIVE JUROR 948: High school and some college.
6 THE COURT: Are you working?
7 PROSPECTIVE JUROR 948: Yes.
8 THE COURT: What do you do?
9 PROSPECTIVE JUROR 948: Cashier.
10 THE COURT: And how long have you done that
11 PROSPECTIVE JUROR 948: Two months.
12 THE COURT: So, it's a new job?
13 PROSPECTIVE JUROR 948: Yeah.
14 THE COURT: And what did they say when you said I have to go to
15 jury duty?
16 PROSPECTIVE JUROR 948: Yeah.
17 THE COURT: They're okay with it?
18 PROSPECTIVE JUROR 948: Yeah.
19 THE COURT: Okay. Is it a big business?
20 PROSPECTIVE JUROR 948: No, not really.
21 THE COURT: So -- but they have someone that can cover you?
22 PROSPECTIVE JUROR 948: They should, yeah.
23 THE COURT: Okay. Can you give me a checklist of any other job
24 titles?
25 PROSPECTIVE JUROR 948: That's it.

1 THE COURT: Okay. And are you married?
2 PROSPECTIVE JUROR 948: No.
3 THE COURT: Do you have a significant other?
4 PROSPECTIVE JUROR 948: No.
5 THE COURT: And do you have any kids?
6 PROSPECTIVE JUROR 948: No.
7 THE COURT: All right. Thank you very much. Ms. Cardoza, can
8 you tell me how long you have lived in Clark County?
9 PROSPECTIVE JUROR 952: Twenty-five years.
10 THE COURT: Your educational background?
11 PROSPECTIVE JUROR 952: Bachelor's degree.
12 THE COURT: In.
13 PROSPECTIVE JUROR 952: Accounting and finance.
14 THE COURT: Okay. And you're working currently?
15 PROSPECTIVE JUROR 952: Yes.
16 THE COURT: What do you do?
17 PROSPECTIVE JUROR 952: Auditor.
18 THE COURT: And how long have you done that?
19 PROSPECTIVE JUROR 952: Current position two weeks, but five
20 years' experience.
21 THE COURT: Okay. Another new job person.
22 PROSPECTIVE JUROR 952: Uh-huh.
23 THE COURT: Yes. Is it for a big company?
24 PROSPECTIVE JUROR 952: For the city.
25 THE COURT: Oh, for the city. They'll live.

1 PROSPECTIVE JUROR 952: Yeah.

2 THE COURT: Okay. So, can you give me a checklist of any other

3 job titles that you held?

4 PROSPECTIVE JUROR 952: Drafter.

5 THE COURT: Drafter, okay. And do you have -- are you married?

6 PROSPECTIVE JUROR 952: No.

7 THE COURT: Have you previously been married?

8 PROSPECTIVE JUROR 952: No.

9 THE COURT: Do you have a significant other currently?

10 PROSPECTIVE JUROR 952: No.

11 THE COURT: And do you have any kids

12 PROSPECTIVE JUROR 952: No.

13 THE COURT: All right. Thank you very much. Mr. Vinluan.

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Can you tell me how long you have in Clark County?

16 PROSPECTIVE JUROR 961: Sixteen years.

17 THE COURT: Your educational background?

18 PROSPECTIVE JUROR 961: Some college.

19 THE COURT: And are you working?

20 PROSPECTIVE JUROR 961: Yes.

21 THE COURT: What do you do?

22 PROSPECTIVE JUROR 961: Cabana service at the Mirage.

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

24 PROSPECTIVE JUROR 961: About a year.

25 THE COURT: Can you give me a checklist of any other job titles

1 that you've held?

2 PROSPECTIVE JUROR 961: Retail and runner and busser at
3 restaurants.

4 THE COURT: Okay. Are you married?

5 PROSPECTIVE JUROR 961: No.

6 THE COURT: Do you have a significant other?

7 PROSPECTIVE JUROR 961: No.

8 THE COURT: Have you previously been married?

9 PROSPECTIVE JUROR 961: No.

10 THE COURT: Do you have any kids?

11 PROSPECTIVE JUROR 961: No.

12 THE COURT: And so, when you worked Cabana service at the
13 Mirage, you were outside all day long, right?

14 PROSPECTIVE JUROR 961: Yes.

15 THE COURT: Welcome to the RJC. The air conditioning
16 abounding everywhere.

17 PROSPECTIVE JUROR 961: Right.

18 THE COURT: Okay. Thank you very much. Where's Victoria
19 Farfan? All right. Ms. Farfan, how long have you lived in Clark County?

20 PROSPECTIVE JUROR 978: I've been living here for five years.

21 THE COURT: And where did you live before?

22 PROSPECTIVE JUROR 978: Chicago.

23 THE COURT: How long did you live there?

24 PROSPECTIVE JUROR 978: I was born and raised there.

25 THE COURT: Okay. Your educational background?

1 PROSPECTIVE JUROR 978: High school and some college.
2 THE COURT: And are you working?
3 PROSPECTIVE JUROR 978: Yes, ma'am.
4 THE COURT: What do you do?
5 PROSPECTIVE JUROR 978: I'm a nurse's assistant at a nursing
6 home.
7 THE COURT: Okay. And how long have you done that?
8 PROSPECTIVE JUROR 978: I recently graduated college, so I've
9 been doing it for about five months now.
10 THE COURT: Okay. And if you were selected to serve as a juror in
11 this case, it would have to cover your --
12 PROSPECTIVE JUROR 978: Yeah, she already knows --
13 THE COURT: Okay.
14 PROSPECTIVE JUROR 978: -- that that's a possibility, so.
15 THE COURT: And that would be okay?
16 PROSPECTIVE JUROR 978: Uh-huh.
17 THE COURT: Okay. The record should reflect she said uh-huh,
18 which is yes. Okay. So, are you married?
19 PROSPECTIVE JUROR 978: No.
20 THE COURT: Do you have a significant other currently?
21 PROSPECTIVE JUROR 978: Yes.
22 THE COURT: And your significant other's occupation?
23 PROSPECTIVE JUROR 978: Retail.
24 THE COURT: Okay. And do you have any kids?
25 PROSPECTIVE JUROR 978: No.

1 THE COURT: And have you previously been married?
2 PROSPECTIVE JUROR 978: No.
3 THE COURT: Okay. Thank you very much. Benjamin Perri. Sir,
4 can you tell me how long you've lived in Clark County?
5 PROSPECTIVE JUROR 000: Twenty-three years.
6 THE COURT: And your educational background?
7 PROSPECTIVE JUROR 000: High school.
8 THE COURT: And are you working?
9 PROSPECTIVE JUROR 000: Yes.
10 THE COURT: What do you do?
11 PROSPECTIVE JUROR 000: Valet.
12 THE COURT: And how long have you been a valet?
13 PROSPECTIVE JUROR 000: Three years.
14 THE COURT: Can you give me a checklist of any other job titles
15 that you've held?
16 PROSPECTIVE JUROR 000: Landscaping and sales.
17 THE COURT: Okay. And are you married?
18 PROSPECTIVE JUROR 000: No.
19 THE COURT: Do you have a significant other?
20 PROSPECTIVE JUROR 000: No.
21 THE COURT: Have you previously been married?
22 PROSPECTIVE JUROR 000: No.
23 THE COURT: And do you have any kids?
24 PROSPECTIVE JUROR 000: No.
25 THE COURT: Okay. Thank you. Did I go through a whole row

1 without asking the law enforcement thing? Let me ask the second row? I got
2 all caught up with you. Is there anybody else in the second row that I left a
3 minute ago that has you or someone very close to you in law enforcement?
4 Okay. Can you hand that back?

5 PROSPECTIVE JUROR 948: My dad's a juvenile probation officer.

6 THE COURT: Okay. Hold on one second. So, Ms. Stanek, how
7 long?

8 PROSPECTIVE JUROR 948: He's been doing it for like nine or ten
9 years.

10 THE COURT: Okay. And do you live with him, by the way?

11 PROSPECTIVE JUROR 948: Yes.

12 THE COURT: Okay. And so, is there anything about his experience
13 in that -- it's kind of a different part of the justice system. Is there anything
14 about that that you think would limit your ability to be fair and impartial if you
15 were to serve as a juror in this case?

16 PROSPECTIVE JUROR 948: No.

17 THE COURT: So, there would be a really important question I need
18 to ask and have to give a lot of thought to it, because I need a honest answer.
19 If you were selected to serve as a juror in this case, you would not be able to
20 talk to your dad about the details of this case, at all, even a little bit, not -- zero,
21 zilch, nada, by court order, for a week. Would you be able to do that?

22 PROSPECTIVE JUROR 948: Yes.

23 THE COURT: And that would be really important because later I'm
24 going to talk to the jury about the level playing field that both sides are entitled
25 to in this case, where they're not having their case decided by jurors who are

1 out chit-chatting about it with other people. Does that make sense to you?

2 PROSPECTIVE JUROR 948: Yeah.

3 THE COURT: And would you have any problem with that?

4 PROSPECTIVE JUROR 948: No.

5 THE COURT: Okay. Thank you.

6 PROSPECTIVE JUROR 948: Uh-huh.

7 THE COURT: Anybody else know someone in law enforcement,
8 serious close relationship of any kind? About you two?

9 UNIDENTIFIED PROSPECTIVE JUROR: No.

10 THE COURT: Okay. No other jurors indicated in the affirmative.
11 Okay. Moving on to Ms. Mazzei.

12 PROSPECTIVE JUROR 004: Yes.

13 THE COURT: Am I saying it right?

14 PROSPECTIVE JUROR 004: Mazzei.

15 THE COURT: Mazzei, I'm sorry. How long have you lived in Clark
16 County?

17 PROSPECTIVE JUROR 004: Twenty-nine years.

18 THE COURT: And your educational background?

19 PROSPECTIVE JUROR 004: I have a law degree.

20 THE COURT: Okay. And do you practice?

21 PROSPECTIVE JUROR 004: Yes.

22 THE COURT: What do you do?

23 PROSPECTIVE JUROR 004: Civil litigation, insurance defense.

24 THE COURT: And how long have you done that?

25 PROSPECTIVE JUROR 004: Nine years.

1 THE COURT: And can you give me a checklist of any other job
2 titles that you've had?

3 PROSPECTIVE JUROR 004: Childcare provider, mortgage
4 processor, contract administrator, escrow coordinator, law clerk, lawyer.

5 THE COURT: Okay. And where -- what kind of law clerk were you?

6 PROSPECTIVE JUROR 004: It's all been in insurance defense.

7 THE COURT: Okay. So, you have no experience in the criminal
8 justice system?

9 PROSPECTIVE JUROR 004: I do not.

10 THE COURT: And are you married?

11 PROSPECTIVE JUROR 004: No.

12 THE COURT: Have you previously been married?

13 PROSPECTIVE JUROR 004: No.

14 THE COURT: Do you have a significant other currently?

15 PROSPECTIVE JUROR 004: No.

16 THE COURT: And do you have any kids?

17 PROSPECTIVE JUROR 004: No.

18 THE COURT: Okay. Thank you very much. Oh, by the way, do you
19 have anyone very close to you, personal friend or family member in law
20 enforcement?

21 PROSPECTIVE JUROR 004: No.

22 THE COURT: And I'm going to ask you the question about if the
23 Court gave you instructions on the law, you know, obviously, you're a lawyer,
24 at some point you took criminal justice, and criminal procedure, and maybe
25 evidence, those kinds of things. Would you be able to follow the Court's

1 instructions on the law?

2 PROSPECTIVE JUROR 004: Yes.

3 THE COURT: If they differ from your personal beliefs of what the
4 law ought to be?

5 PROSPECTIVE JUROR 004: Yes.

6 THE COURT: And even more importantly is you're sitting in a trial,
7 there's an evidentiary objection, I make a ruling, the witness has already
8 popped out with an answer, normal jurors are told the objection is sustained,
9 you must disregard the witness' answer. And normal jurors who take an oath,
10 and who are chosen because the lawyers believe that they are serious people
11 that will give serious time and attention to all the Court's orders and take this
12 super serious because it is super serious, will disregard the answer.

13 A lawyer, on the other hand, might disagree with the Court's
14 ruling. If you did disagree with my ruling, hypothetically, would you be able to
15 follow the Court's instruction anyway and disregard the answer of the
16 witness?

17 PROSPECTIVE JUROR 004: I believe I would.

18 THE COURT: Okay. And do you understand why that would be
19 really important?

20 PROSPECTIVE JUROR 004: I do.

21 THE COURT: And you would expect it of a juror in any one of your
22 cases that you tried?

23 PROSPECTIVE JUROR 004: I do. I understand.

24 THE COURT: All right. Thank you very much. Ms. Morgan, can
25 you tell me how long you have been in Clark County?

1 PROSPECTIVE JUROR 025: Thirty-nine years.
2 THE COURT: Your educational background?
3 PROSPECTIVE JUROR 025: High school.
4 THE COURT: And are you working?
5 PROSPECTIVE JUROR 025: Yes.
6 THE COURT: What do you do?
7 PROSPECTIVE JUROR 025: I'm a bartender.
8 THE COURT: How long have you done that?
9 PROSPECTIVE JUROR 025: Forty-one years.
10 THE COURT: Can you give me a checklist of any other job titles
11 that you held?
12 PROSPECTIVE JUROR 025: I was a waitress in high school, and I
13 worked on the farm growing up.
14 THE COURT: Okay. Are you married?
15 PROSPECTIVE JUROR 025: No.
16 THE COURT: Have you previously been married?
17 PROSPECTIVE JUROR 025: Yes.
18 THE COURT: What did your previous spouse do when you were
19 married?
20 PROSPECTIVE JUROR 025: He's a waiter.
21 THE COURT: And a significant other currently?
22 PROSPECTIVE JUROR 025: No.
23 THE COURT: And any kids?
24 PROSPECTIVE JUROR 025: Two.
25 THE COURT: And how old are they?

1 PROSPECTIVE JUROR 025: My daughter is 37 and my son is 31.
2 THE COURT: And what do they do?
3 PROSPECTIVE JUROR 025: My daughter is a biochemist, and my
4 son is an engineer.
5 THE COURT: Okay. So, I didn't hear any law enforcement in there
6 anywhere?
7 PROSPECTIVE JUROR 025: No.
8 THE COURT: Family or close personal friends?
9 PROSPECTIVE JUROR 025: No.
10 THE COURT: All right. Thank you, very much. Mr. Harrell, how
11 long have you lived in Clark County?
12 PROSPECTIVE JUROR 030: Eight years.
13 THE COURT: And before that, where did you live?
14 PROSPECTIVE JUROR 030: Brevard County, Cocoa Beach, Florida.
15 THE COURT: Okay. And how long did you live there?
16 PROSPECTIVE JUROR 030: Ten years.
17 THE COURT: Your educational background?
18 PROSPECTIVE JUROR 030: College, plus trade.
19 THE COURT: All right. And are you working?
20 PROSPECTIVE JUROR 030: Yes.
21 THE COURT: What do you do?
22 PROSPECTIVE JUROR 030: Major airline pilot. I'm also a
23 Homeland Security Agent.
24 THE COURT: Okay. And how long have you done that?
25 PROSPECTIVE JUROR 030: Eight years.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 030: For the Homeland.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 30: Thirty plus for the airline.

5 THE COURT: Okay. And can you give me a checklist of any other

6 job titles that you've held?

7 PROSPECTIVE JUROR 030: Retail, mass communications,

8 television production.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR 030: And that's about it.

11 THE COURT: Are you married?

12 PROSPECTIVE JUROR 030: Yes.

13 THE COURT: And does your spouse work?

14 PROSPECTIVE JUROR 030: Yes.

15 THE COURT: What does your spouse do?

16 PROSPECTIVE JUROR 030: She's a paralegal for Ashcraft and Barr.

17 THE COURT: Okay. And does that have anything to do with

18 criminal law?

19 PROSPECTIVE JUROR 030: To the best of my knowledge, no.

20 THE COURT: Okay. And has she ever worked in criminal law --

21 criminal law to the best of your knowledge?

22 PROSPECTIVE JUROR 030: She worked for the City of North Las

23 Vegas as a paralegal. And -- but I believe it was mainly for city rulings, or

24 something like that. I don't believe it was criminal at all.

25 THE COURT: Like City Council?

1 PROSPECTIVE JUROR 030: Yes.

2 THE COURT: Okay. So, related to your work, either for the airline
3 or for Homeland Security, how much interplay do you have with state law?

4 PROSPECTIVE JUROR 030: None.

5 THE COURT: What do you know about Nevada law?

6 PROSPECTIVE JUROR 030: Very -- just what affects me,
7 personally. That's about it.

8 THE COURT: Okay. If you are selected to serve as a juror in this
9 case, and I gave you instructions on the law that differ from your personal
10 beliefs of what the law ought to be, would you be able to disregard that and
11 follow the Court's instruction?

12 PROSPECTIVE JUROR 030: Yes, I would.

13 THE COURT: And would that be a problem for you?

14 PROSPECTIVE JUROR 030: No, it would not.

15 THE COURT: All right. Thank you, very much. Oh, I'm sorry, I
16 forgot to ask. Anybody else in your life law enforcement?

17 PROSPECTIVE JUROR 030: We have friends from -- from her
18 previous employment with the City of North Las Vegas, and I'm friend with
19 several law enforcement officers there.

20 THE COURT: Okay. Did any names ring a bell to you?

21 PROSPECTIVE JUROR 030: No.

22 THE COURT: All right. Thank you, very much. Ms. Gevers.

23 PROSPECTIVE JUROR 035: Gevers.

24 THE COURT: Gevers. I wrote G-E-E-V-E-R-S. I write it
25 phonetically, in the hopes that I --

1 PROSPECTIVE JUROR 035: It's okay.

2 THE COURT: -- you know do my best. You can call me Judge T,
3 and I'll call you Susan G.

4 PROSPECTIVE JUROR 035: Okay.

5 THE COURT: All right. How long have you lived in Clark County?

6 PROSPECTIVE JUROR 035: Twenty-nine years.

7 THE COURT: And your educational background?

8 PROSPECTIVE JUROR 035: I have an associate degree.

9 THE COURT: And are you working?

10 PROSPECTIVE JUROR 035: Yes.

11 THE COURT: What do you do?

12 PROSPECTIVE JUROR 035: I work retail.

13 THE COURT: And how long have you done that?

14 PROSPECTIVE JUROR 035: Twenty-eight-and-a-half years.

15 THE COURT: And any other job titles?

16 PROSPECTIVE JUROR 035: Travel agent and restaurant
17 management.

18 THE COURT: Are you married?

19 PROSPECTIVE JUROR 035: I'm a widow.

20 THE COURT: And what did your husband do?

21 PROSPECTIVE JUROR 035: Repaired swimming pools.

22 THE COURT: And do you have any kids?

23 PROSPECTIVE JUROR 035: I have two step children.

24 THE COURT: And what do they do?

25 PROSPECTIVE JUROR 035: 39 and she works for Freeman. I don't

1 -- she does a lot of different things. And I have a stepson that's 28 that works
2 in Colorado.

3 THE COURT: Okay. And do you have a significant other currently?

4 PROSPECTIVE JUROR 035: No, I do not.

5 THE COURT: And are any of those -- either of those kids or anyone
6 close to you in law enforcement?

7 PROSPECTIVE JUROR 035: No.

8 THE COURT: All right. Thank you, very much. Renforth. Ms.
9 Renforth, can you tell me how long you've lived in Clark County?

10 PROSPECTIVE JUROR 035: Nineteen years.

11 THE COURT: Your educational background?

12 PROSPECTIVE JUROR 035: High school and some college.

13 THE COURT: Are you working?

14 PROSPECTIVE JUROR 035: Yes.

15 THE COURT: What do you do?

16 PROSPECTIVE JUROR 035: I'm a retail manager.

17 THE COURT: Okay. Can you give me a checklist of any other job
18 titles that you've held?

19 PROSPECTIVE JUROR 035: Waitress.

20 THE COURT: Okay. So, how long have you done retail
21 management?

22 PROSPECTIVE JUROR 035: Twenty-two years.

23 THE COURT: Okay. Are you married?

24 PROSPECTIVE JUROR 035: No.

25 THE COURT: Have you previously been married?

1 PROSPECTIVE JUROR 035: No.
2 THE COURT: Do you have a significant other currently?
3 PROSPECTIVE JUROR 035: No.
4 THE COURT: And do you have any kids?
5 PROSPECTIVE JUROR 035: No.
6 THE COURT: Okay. Thank you, very much.
7 PROSPECTIVE JUROR 035: Thank you.
8 THE COURT: There's another name I have trouble with.
9 PROSPECTIVE JUROR 048: Chiesi works.
10 THE COURT: Chiesi. Okay, can you tell me, Mr. Chiesi, how long
11 have you lived in Clark County?
12 PROSPECTIVE JUROR 048: Three years.
13 THE COURT: And before that, where did you live?
14 PROSPECTIVE JUROR 048: St. Paul, Minnesota for seven years.
15 THE COURT: Okay, your educational background?
16 PROSPECTIVE JUROR 048: Bachelor's degree in civil engineering.
17 THE COURT: And are you working?
18 PROSPECTIVE JUROR 048: No, I'm retired.
19 THE COURT: And what did you do before you retired?
20 PROSPECTIVE JUROR 048: Oh, last one was a project engineer,
21 project manager, equipment division manager, field material control manager,
22 and then blackjack dealer.
23 THE COURT: Okay. Are you married?
24 PROSPECTIVE JUROR 048: Yes.
25 THE COURT: And does your spouse work?

1 PROSPECTIVE JUROR 048: No, she's retired.
2 THE COURT: What did she do before she retired?
3 PROSPECTIVE JUROR 048: She as an office manager for 3M.
4 THE COURT: Okay, any kids?
5 PROSPECTIVE JUROR 048: No.
6 THE COURT: And so, I didn't hear any -- do you have any close
7 personal friends, or family members in law enforcement?
8 PROSPECTIVE JUROR 048: I do not.
9 THE COURT: All right. Thank you, very much. Ms. Cortez, how
10 long have you lived in Clark County?
11 PROSPECTIVE JUROR 058: Fourteen years.
12 THE COURT: Educational background?
13 PROSPECTIVE JUROR 058: High school.
14 THE COURT: Are you working?
15 PROSPECTIVE JUROR 058: Yes.
16 THE COURT: What do you do?
17 PROSPECTIVE JUROR 058: I work as a scheduler for energy
18 inspectors. I actually just started two weeks ago.
19 THE COURT: Of course. So, everyone here has a new job, except
20 for me. So --
21 PROSPECTIVE JUROR 058: You need my history of work?
22 THE COURT: Yeah. I was going to ask you how much of a
23 hardship is it for you -- do they know you're here?
24 PROSPECTIVE JUROR 058: I told them as soon as I started, so they
25 know it's a possibility.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 058: I don't know. It's going to affect my
3 training, but they'll figure it out, I guess.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR 058: I guess.

6 THE COURT: Good. Can you give me a checklist of all the job titles
7 that you've done?

8 PROSPECTIVE JUROR 058: Yes, retail -- cashier for retail,
9 pharmacy technician, call center, customer service, and lending, like online
10 lending. Underwriting loans and whatnot.

11 THE COURT: Okay. Are you married?

12 PROSPECTIVE JUROR 058: Yes.

13 THE COURT: And does your spouse work?

14 PROSPECTIVE JUROR 058: Yes, he's a plumber pipefitter union.

15 THE COURT: Okay. Any kids?

16 PROSPECTIVE JUROR 058: Yes, two. Eight and ten.

17 THE COURT: Okay, thank you, very much. Mr. Reyna, how long
18 have you lived in Clark County?

19 PROSPECTIVE JUROR 073: Twenty-three years.

20 THE COURT: Educational background?

21 PROSPECTIVE JUROR 073: High school.

22 THE COURT: Are you working?

23 PROSPECTIVE JUROR 073: Yes.

24 THE COURT: What do you do?

25 PROSPECTIVE JUROR 073: Ticket office supervisor.

1 THE COURT: And how long have you done that?
2 PROSPECTIVE JUROR 073: Five years.
3 THE COURT: Any other job titles that you've held?
4 PROSPECTIVE JUROR 073: Bank teller, usher, cashier.
5 THE COURT: And are you married?
6 PROSPECTIVE JUROR 073: No.
7 THE COURT: Do you have a significant other?
8 PROSPECTIVE JUROR 073: Yes.
9 THE COURT: And your significant other's occupation?
10 PROSPECTIVE JUROR 073: Cage cashier.
11 THE COURT: And have you previously been married?
12 PROSPECTIVE JUROR 073: No.
13 THE COURT: Any kids?
14 PROSPECTIVE JUROR 073: No.
15 THE COURT: Okay. Thank you, very much. Ms. Hillstead.
16 PROSPECTIVE JUROR 083: Yes.
17 THE COURT: Can you tell me how long have you lived in Clark
18 County?
19 PROSPECTIVE JUROR 083 : Thirty-seven years.
20 THE COURT: And your educational background?
21 PROSPECTIVE JUROR 083: High school.
22 THE COURT: And I'm sorry, I forgot to ask Mr. Reyna. Did I ask
23 you about law enforcement? Anyone close to you in law enforcement?
24 PROSPECTIVE JUROR 073: No.
25 THE COURT: And Ms. -- yes, can you go back, Ms. Cortez?

1 PROSPECTIVE JUROR 058: No, no one in law enforcement.

2 THE COURT: Thank you, sorry. Okay, so Ms. Hillstead, I
3 interrupted you. I'm sorry. You told me how long you've lived in Clark
4 County. It was a very long time.

5 PROSPECTIVE JUROR 083: Yes, 37 years.

6 THE COURT: Educational background.

7 PROSPECTIVE JUROR 083: High school.

8 THE COURT: And are you working?

9 PROSPECTIVE JUROR 083: No.

10 THE COURT: Have you previously worked?

11 PROSPECTIVE JUROR 083: Yes.

12 THE COURT: What did you do in the past?

13 PROSPECTIVE JUROR 083: I've been a waitress, I worked at the
14 golf course, beverage cart, bartender, construction. I roped houses. And
15 worked in the warehouses.

16 THE COURT: Okay. Are you married?

17 PROSPECTIVE JUROR 083: No.

18 THE COURT: And have you previously been married?

19 PROSPECTIVE JUROR 083: Yes. Three times.

20 THE COURT: Okay, and what did your previous spouses do when
21 you were married?

22 PROSPECTIVE JUROR 083: One worked at Shetakis. It's a food
23 warehouse. And the other one is construction, and the other one didn't do
24 anything.

25 THE COURT: All right. And so, do you have any kids?

1 PROSPECTIVE JUROR 083: I do. I have four.

2 THE COURT: And how old are they and what --

3 PROSPECTIVE JUROR 083: Thirty-one, 23, 22, and 19.

4 THE COURT: And what do they do?

5 PROSPECTIVE JUROR 083: My oldest son, he does -- he sets up
6 web development for stores. My son Zach works in the marijuana industry,
7 trimming. Nikki's a -- she sells vacuum cleaners. And my youngest son is in
8 the Navy.

9 THE COURT: Okay. So, I didn't hear anybody -- kids that are in
10 law enforcement.

11 PROSPECTIVE JUROR 083: No.

12 THE COURT: All right. What about the rest of your family or
13 personal friends?

14 PROSPECTIVE JUROR 083: No.

15 THE COURT: All right. Thank you, very much. Mr. Blake, how
16 long have you lived in Clark County?

17 PROSPECTIVE JUROR 086: About 25 years.

18 THE COURT: Your educational background.

19 PROSPECTIVE JUROR 086: Graduated with a degree.

20 THE COURT: In?

21 PROSPECTIVE JUROR 086: It's called human computer interaction.
22 It's software design.

23 THE COURT: Okay. And are you working, currently?

24 PROSPECTIVE JUROR 086: I am.

25 THE COURT: What do you do?

1 PROSPECTIVE JUROR 086: Software design, web design.
2 THE COURT: Okay, and you've done that how long?
3 PROSPECTIVE JUROR 086: About eight years.
4 THE COURT: Okay, can you give me a checklist of any other job
5 titles that you've held?
6 PROSPECTIVE JUROR 086: Yeah, retail jobs, busboy, server.
7 THE COURT: Okay, are you married?
8 PROSPECTIVE JUROR 086: I am.
9 THE COURT: And your spouse's occupation, if your spouse works?
10 PROSPECTIVE JUROR 086: She's a stay at home.
11 THE COURT: Okay. How many kids do you have?
12 PROSPECTIVE JUROR 086: Two.
13 THE COURT: And how old are they?
14 PROSPECTIVE JUROR 086: One is 7, and the other is 2.
15 THE COURT: Okay, and do you have anyone close to you that's
16 law enforcement?
17 PROSPECTIVE JUROR 086: No.
18 THE COURT: Okay. Thank you, very much. Ms. Fernandez, can
19 you tell me how long you've lived in Clark County?
20 PROSPECTIVE JUROR 087: About 48 years.
21 THE COURT: And your educational background?
22 PROSPECTIVE JUROR 087: High school.
23 THE COURT: And are you working?
24 PROSPECTIVE JUROR 087: No.
25 THE COURT: Have you previously worked?

1 PROSPECTIVE JUROR 087: Yes.
2 THE COURT: And what type of work have you done?
3 PROSPECTIVE JUROR 087: Restaurant management.
4 THE COURT: Okay, and are you married?
5 PROSPECTIVE JUROR 087: Separated.
6 THE COURT: And what did your spouse do when you weren't
7 separated?
8 PROSPECTIVE JUROR 087: He's a roofer.
9 THE COURT: Okay. And do you have any kids?
10 PROSPECTIVE JUROR 087: Three.
11 THE COURT: How old are they?
12 PROSPECTIVE JUROR 087: Twenty-six, 28, and 30.
13 THE COURT: And what do they do?
14 PROSPECTIVE JUROR 087: Two are roofers and one's a food
15 server.
16 THE COURT: Okay, and do you have a significant other currently?
17 PROSPECTIVE JUROR 087: No.
18 THE COURT: All right. Thank you, very much. Mr. Tassy.
19 PROSPECTIVE JUROR 093: Yes.
20 THE COURT: How long have you lived in Clark County?
21 PROSPECTIVE JUROR 093: About 18 years.
22 THE COURT: Your educational background.
23 PROSPECTIVE JUROR 093: High school.
24 THE COURT: And are you working?
25 PROSPECTIVE JUROR 093: Yes.

1 THE COURT: What do you do?
2 PROSPECTIVE JUROR 093: Casino floor supervisor.
3 THE COURT: And how long have you done that?
4 PROSPECTIVE JUROR 093: Twenty years -- oh, the casino industry
5 20 years.
6 THE COURT: Okay, and can you give me a checklist within, you
7 know, that industry, and of any others, that -- since you've been working?
8 PROSPECTIVE JUROR 093: Before that, microchip factory, fast
9 food.
10 THE COURT: Okay. Are you married?
11 PROSPECTIVE JUROR 093: Yes.
12 THE COURT: Does your spouse work?
13 PROSPECTIVE JUROR 093: No.
14 THE COURT: And has your spouse previously worked?
15 PROSPECTIVE JUROR 093: Not in this country.
16 THE COURT: Okay. And what line of work, what other country?
17 PROSPECTIVE JUROR 093: Airport.
18 THE COURT: Okay. And do you have any kids?
19 PROSPECTIVE JUROR 093: No.
20 THE COURT: Okay. Thank you, very much. Torri Godwin. Ms.
21 Godwin, how long have you lived in Clark County?
22 PROSPECTIVE JUROR 099: Forty-three years.
23 THE COURT: And your educational background.
24 PROSPECTIVE JUROR 099: High school and some college.
25 THE COURT: Besides twirling -- you're the only twirler I've ever

1 had.

2 PROSPECTIVE JUROR 099: Oh.

3 THE COURT: Okay. So, are you working?

4 PROSPECTIVE JUROR 099: Recently retired.

5 THE COURT: Okay. What did you used to do?

6 PROSPECTIVE JUROR 099: I was a complex claims adjuster for

7 AAA Insurance.

8 THE COURT: Okay. And how long did you do that?

9 PROSPECTIVE JUROR 099: Just under 28 years.

10 THE COURT: Okay. Any other job titles that you've held?

11 PROSPECTIVE JUROR 099: Claims clerical supervisor and office

12 manager.

13 THE COURT: Okay. Are you married?

14 PROSPECTIVE JUROR 099: Divorced.

15 THE COURT: And what did your spouse do before you were

16 divorced?

17 PROSPECTIVE JUROR 099: IT.

18 THE COURT: And do you have a significant other currently?

19 PROSPECTIVE JUROR 099: Yes.

20 THE COURT: And what does your significant other do for a living?

21 PROSPECTIVE JUROR 099: He works for the Clark County School

22 District, as the head custodian.

23 THE COURT: Okay. And any kids?

24 PROSPECTIVE JUROR 099: Yes, two.

25 THE COURT: And what do -- what ages?

1 PROSPECTIVE JUROR 099: I have a 28 year old and a 24 year-old.

2 THE COURT: And what do they do?

3 PROSPECTIVE JUROR 099: My 28 year-old runs production for a
4 solar company here in town. And my 24 year-old is getting ready to go into
5 the Navy.

6 THE COURT: Okay. Thank you, very much. Melissa Webster.

7 PROSPECTIVE JUROR 121: Yes.

8 THE COURT: Can you tell me how long have you lived in Clark
9 County?

10 PROSPECTIVE JUROR 121: Three years.

11 THE COURT: And before that, where did you live?

12 PROSPECTIVE JUROR 121: North Carolina.

13 THE COURT: For how long?

14 PROSPECTIVE JUROR 121: Forty-seven years.

15 THE COURT: And your educational background?

16 PROSPECTIVE JUROR 121: Some college.

17 THE COURT: Are you working?

18 PROSPECTIVE JUROR 121: No.

19 THE COURT: Okay. Have you worked in the past?

20 PROSPECTIVE JUROR 121: Yes, I was a dental assistant a long
21 time ago, 25 years ago. And the rest of the time I was basically a stay at home
22 mom, housewife.

23 THE COURT: Okay, and are you married, currently?

24 PROSPECTIVE JUROR 121: Yes.

25 THE COURT: And your spouse's occupation, if your spouse is

1 working.

2 PROSPECTIVE JUROR 121: He's currently in unemployed, but he's
3 in sales, and he's going to pursue real estate.

4 THE COURT: All right. And any legal or law enforcement training
5 for either one of you?

6 PROSPECTIVE JUROR 121: No.

7 THE COURT: All right. And do you have any kids?

8 PROSPECTIVE JUROR 121: Yes, two.

9 THE COURT: How old?

10 PROSPECTIVE JUROR 121: A 26 year-old and a 31 year-old. Our
11 26 year-old is a daughter. She lives in North Carolina. She's a massage
12 therapist. And our son is 31, and he works for Service Now as a senior -- what
13 is he senior developer.

14 THE COURT: And I should have asked, Ms. Webster, and I'm sorry
15 I should have asked Ms. Godwin, and I'm going to ask you, Ms. Webster, are
16 you, or anyone close to you in law enforcement?

17 PROSPECTIVE JUROR 121: Not that lives here in Nevada.

18 THE COURT: Okay, where do they live?

19 PROSPECTIVE JUROR 121: North Carolina.

20 THE COURT: And who is it?

21 PROSPECTIVE JUROR 121: My brother in law.

22 THE COURT: And what does he do?

23 PROSPECTIVE JUROR 121: He is a sheriff for Orange County.

24 THE COURT: Orange County in North Carolina?

25 PROSPECTIVE JUROR 121: Yes.

1 THE COURT: Okay. And how long has he done that?

2 PROSPECTIVE JUROR 121: Thirty-five years.

3 THE COURT: And as a sheriff in Orange County, North Carolina,
4 do -- is that like a standard police department, or a highway patrol, or what
5 kind of sheriff's office is it?

6 PROSPECTIVE JUROR 121: That's a good question. I think it's just
7 standard, like local -- it's local --

8 THE COURT: Local police department?

9 PROSPECTIVE JUROR 121: Yeah, local. Yeah.

10 THE COURT: And what's his assignment there?

11 PROSPECTIVE JUROR 121: Canine unit.

12 THE COURT: All right. Thank you. What about you, Ms. Godwin?

13 PROSPECTIVE JUROR 099: I have an ex-brother-in-law that works
14 for the Henderson Police Department, an ex-brother-in-law that is retired from
15 the San Bernardino Police Department, and my significant other used to work
16 for Boulder City Police Department.

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

18 PROSPECTIVE JUROR 099: Years ago.

19 THE COURT: Years ago. Okay. And as far as the Henderson Police
20 Department, when you say ex-brother-in-law, does that mean your ex-
21 husband's brother?

22 PROSPECTIVE JUROR 099: Yes.

23 THE COURT: And how long have you been divorced?

24 PROSPECTIVE JUROR 099: Since 2013.

25 THE COURT: Okay. Thank you, very much. Matthew Jones.

1 PROSPECTIVE JUROR 131: Yes.
2 THE COURT: How long have you lived in Clark County?
3 PROSPECTIVE JUROR 131: Nineteen years.
4 THE COURT: And your educational background?
5 PROSPECTIVE JUROR 131: High school.
6 THE COURT: Are you working?
7 PROSPECTIVE JUROR 131: No.
8 THE COURT: Do you go to school?
9 PROSPECTIVE JUROR 131: No.
10 THE COURT: Okay. What's the plan? I know I sound like your
11 mother, but --
12 PROSPECTIVE JUROR 131: I'm currently looking for a job.
13 THE COURT: Okay. That's a good plan. Jury service pays \$40 a
14 day.
15 PROSPECTIVE JUROR 131: My mom would be asking for that 40
16 bucks.
17 THE COURT: All right. And so, where would you like to work?
18 Let's put it that way. What are you interested in doing?
19 PROSPECTIVE JUROR 131: IT.
20 THE COURT: Okay. And are you married?
21 PROSPECTIVE JUROR 131: No.
22 THE COURT: Okay. Thank God. And do you have a significant
23 other currently?
24 PROSPECTIVE JUROR 131: No.
25 THE COURT: Do you have any kids?

1 PROSPECTIVE JUROR 131: No.

2 THE COURT: Okay. Good to wait.

3 PROSPECTIVE JUROR 131: I have a very boring life.

4 THE COURT: Okay. So, is there any question that I've asked

5 anybody so far, like law enforcement, for example, anyone in law enforcement

6 that's close to you?

7 PROSPECTIVE JUROR 131: No.

8 THE COURT: All right. What do your parents do?

9 PROSPECTIVE JUROR 131: My dad is the only one that works, and

10 he is a plumbing supply manager.

11 THE COURT: Okay. Did your mom work in the past?

12 PROSPECTIVE JUROR 131: Yes.

13 THE COURT: What did she used to do?

14 PROSPECTIVE JUROR 131: Her last job that I know of was a clerk

15 at a hotel.

16 THE COURT: Okay. And do you have any siblings that are older

17 than you?

18 PROSPECTIVE JUROR 131: Yes.

19 THE COURT: How old, and what do they do?

20 PROSPECTIVE JUROR 131: There's two. And my brother, he's a

21 U-Haul worker, and then my sister works at Starbuck's.

22 THE COURT: Okay, thank you, very much. Bethany Johnson.

23 PROSPECTIVE JUROR 151: Yes, ma'am.

24 THE COURT: How long have you lived in Clark County?

25 PROSPECTIVE JUROR 151: Twenty-seven years.

1 THE COURT: And your educational background?
2 PROSPECTIVE JUROR 151: Some college.
3 THE COURT: And are you working?
4 PROSPECTIVE JUROR 151: Yes.
5 THE COURT: What do you do?
6 PROSPECTIVE JUROR 151: Claims associate at Wal-Mart.
7 THE COURT: Okay, and how long have you done that?
8 PROSPECTIVE JUROR 151: Three months, but been with the
9 company for six years.
10 THE COURT: Okay. Can you give me a checklist of any other job
11 titles that you've held?
12 PROSPECTIVE JUROR 151: Sales associate and support manager.
13 THE COURT: By the way, are you hiring?
14 PROSPECTIVE JUROR 151: Yes.
15 THE COURT: You can always do IT later. You've got to get a job.
16 Okay. So, you have done that for six year. Can you give me a checklist of any
17 other job titles?
18 PROSPECTIVE JUROR 151: Pretty much customer service my
19 entire.
20 THE COURT: All right. Are you married?
21 PROSPECTIVE JUROR 151: No.
22 THE COURT: Have you previously been married?
23 PROSPECTIVE JUROR 151: No.
24 THE COURT: Do you have a significant other currently?
25 PROSPECTIVE JUROR 151: No.

1 THE COURT: Do you have any kids?

2 PROSPECTIVE JUROR 151: No.

3 THE COURT: All right. Thank you, very much. Mr. Mejia, how
4 long have you lived in Clark County?

5 PROSPECTIVE JUROR 152: A year.

6 THE COURT: And before that, where did you live?

7 PROSPECTIVE JUROR 152: San Francisco.

8 THE COURT: And how long did you live there?

9 PROSPECTIVE JUROR 152: Eighteen years.

10 THE COURT: Your educational background?

11 PROSPECTIVE JUROR 152: High school.

12 THE COURT: And are you working?

13 PROSPECTIVE JUROR 152: No.

14 THE COURT: Okay. What brought you to Las Vegas, Nevada, if
15 you don't mind my asking?

16 PROSPECTIVE JUROR 152: It was getting too expensive living in
17 San Francisco, so I decided to move over here.

18 THE COURT: Okay. Are you looking for work?

19 PROSPECTIVE JUROR 152: Not right now.

20 THE COURT: Okay. So, what's the plan?

21 PROSPECTIVE JUROR 152: Going to college starting August 20th.

22 THE COURT: August 20th. And what are you going to study?

23 PROSPECTIVE JUROR 152: Criminal justice.

24 THE COURT: Okay. And are you going to UNLV, or where?

25 PROSPECTIVE JUROR 152: Right now, I'm going to Northwest

1 Career College.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR 152: Yeah, and then UNLV.

4 THE COURT: Okay. And so, you haven't started yet: is that what
5 you're saying?

6 PROSPECTIVE JUROR 152: No, I haven't.

7 THE COURT: You're going to start?

8 PROSPECTIVE JUROR 152: Yeah.

9 THE COURT: Okay. And are you married?

10 PROSPECTIVE JUROR 152: No.

11 THE COURT: And do you have a significant other currently?

12 PROSPECTIVE JUROR 152: No.

13 THE COURT: Any kids?

14 PROSPECTIVE JUROR 152: No.

15 THE COURT: Okay. Thank you, very much. Ms. Stewart.

16 PROSPECTIVE JUROR 158: Yes, ma'am.

17 THE COURT: How long have you lived in Clark County?

18 PROSPECTIVE JUROR 158: Twelve years this time.

19 THE COURT: All right. And your educational background?

20 PROSPECTIVE JUROR 158: High school and some college.

21 THE COURT: Are you working?

22 PROSPECTIVE JUROR 158: Not at the present moment.

23 THE COURT: Okay. Is that because you're retired or are you --

24 PROSPECTIVE JUROR 158: Unemployed.

25 THE COURT: Okay. What do you do when you're working?

1 PROSPECTIVE JUROR 158: The last job was customer service,
2 and, prior to that, I was a legal secretary.

3 THE COURT: Okay. And where were you a legal secretary?

4 PROSPECTIVE JUROR 158: Brandevoort [phonetic], Ryder
5 [phonetic] and Castino [phonetic], and then at Gordon Silver.

6 THE COURT: All right. And to your knowledge, did any of those
7 firms do any criminal work?

8 PROSPECTIVE JUROR 158: Brandevoort did not. Gordon Silver
9 did, but I was not in that department.

10 THE COURT: Okay. So, if I had to -- if you had to give me a
11 percentage of your overall paralegal duties at Gordon & Silver, the entire time
12 you were there, attributed to any --

13 PROSPECTIVE JUROR 158: White collar.

14 THE COURT: Yeah, any criminal?

15 PROSPECTIVE JUROR 158: White collar, SEC.

16 THE COURT: That's it?

17 PROSPECTIVE JUROR 158: Yeah.

18 THE COURT: What percentage of your work? 2 percent, 10
19 percent, 20 percent?

20 PROSPECTIVE JUROR 158: Twenty percent. Prior to that in
21 Louisiana, my attorney did do criminal law.

22 THE COURT: Okay. And how long did you work for your attorney
23 there?

24 PROSPECTIVE JUROR 158: Three years for one, and three years
25 for another.

1 THE COURT: Okay. And so what kind of paralegal work did you
2 do? Work on motions, and that kind of thing?

3 PROSPECTIVE JUROR 158: Yes, ma'am.

4 THE COURT: Okay. Sorry. Small world.

5 PROSPECTIVE JUROR 158: Yes.

6 THE COURT: Are you married?

7 PROSPECTIVE JUROR 158: Yes, ma'am.

8 THE COURT: And does your spouse work?

9 PROSPECTIVE JUROR 158: Yes, ma'am.

10 THE COURT: What does he do?

11 PROSPECTIVE JUROR 158: He's in pest control now. In Louisiana,
12 he was a deputy sheriff.

13 THE COURT: Okay. And how long was he a deputy sheriff?

14 PROSPECTIVE JUROR 158: Five years.

15 THE COURT: Okay. And can you give me any other job titles that
16 he's held?

17 PROSPECTIVE JUROR 158: Truck driver, deputy sheriff, pest
18 control.

19 THE COURT: Okay. Any kids?

20 PROSPECTIVE JUROR 158: Yes, ma'am, two.

21 THE COURT: And how old are they?

22 PROSPECTIVE JUROR 158: Twenty-six and 24. My son is a
23 teacher in Clark County and my daughter works for Boyd Denny.

24 THE COURT: Okay. So, if you were selected to serve as a juror in
25 this case, you have two kind of important orders that you would have to

1 follow.

2 PROSPECTIVE JUROR 158: Yes, ma'am.

3 THE COURT: And that you would promise to follow.

4 PROSPECTIVE JUROR 158: Yes, ma'am.

5 THE COURT: That we would hold you to. And that would be that
6 you couldn't talk about the case with your spouse or anyone else.

7 PROSPECTIVE JUROR 158: That's no problem.

8 THE COURT: And that you would have to follow the Court's
9 instructions on the law, even if those instructions differ from your personal
10 beliefs of what the law ought to be.

11 PROSPECTIVE JUROR 158: Yes, ma'am.

12 THE COURT: Would that be a problem for you?

13 PROSPECTIVE JUROR 158: No, ma'am.

14 THE COURT: What familiarity, if any, do you have with Nevada
15 criminal law?

16 PROSPECTIVE JUROR 158: I have very little familiarity with
17 Nevada criminal law.

18 THE COURT: All right. Thank you, very much.

19 PROSPECTIVE JUROR 158: Uh-huh.

20 THE COURT: All right. I'm going to shift gears now, and ask
21 questions of the group, the 32. Okay. So, if I ask you this question and you
22 need to answer, you'll raise your hand, and I'll go from the front row to the
23 back row. And do me a favor. Just give me the last three digits on your
24 badge, because I'm getting to know you, but I need it in the recording. Okay.

25 So, first of all, under our system of criminal procedures, certain

1 principles of law apply in every criminal trial. They are that an information or
2 indictment filed in a case is a mere accusation and is not evidence of guilt. It's
3 just a piece of paper with a charge on it, or charges. That the Defendant is
4 presumed innocent and that the State must prove the Defendant is guilty
5 beyond a reasonable doubt.

6 Does anyone not believe in these very basic precepts of American
7 justice? Just the 32 here. This group and that short row in front. Anybody?
8 The record should reflect nobody indicated in the affirmative.

9 Does anyone know anything about this case, other than what's
10 been stated in the courtroom today? Or think you do. Okay. Ms. Cortez
11 what's your number again?

12 PROSPECTIVE JUROR 058: 058.

13 THE COURT: 058.

14 PROSPECTIVE JUROR 058: I know I saw it on TV. That's -- that's
15 all that I know. I mean when I walked in, I know I saw the Defendant on the
16 news.

17 THE COURT: And how long ago do you believe that to have been?

18 PROSPECTIVE JUROR 058: I believe it was a year or so ago.

19 THE COURT: Okay. Anybody else believe you may be familiar
20 with this case through any kind of media or television report? I'm not saying
21 there was or wasn't one, but if you think there was, then you need to tell me
22 about it.

23 PROSPECTIVE JUROR 025: 025.

24 THE COURT: 025. Ms. Morgan.

25 PROSPECTIVE JUROR 025: Yeah, I just remember reading it from

1 the paper, that's all.

2 THE COURT: Okay. Anybody else? All right. Nobody else
3 indicates in the affirmative. Have any of you ever served as a juror before?
4 And what I'm getting at is not you know, called to jury duty, sit in a room and
5 get excused, but actually been seated on a jury, been sworn, and gone to trial.
6 Anybody been seated on a jury before?

7 Okay, Starting with Mr. Barnes. How long ago -- well, first of all,
8 how many times were you a juror?

9 PROSPECTIVE JUROR 912: Just one. Just once, Your Honor --

10 THE COURT: Okay.

11 PROSPECTIVE JUROR 912: -- as a federal grand juror.

12 THE COURT: Okay. Federal grand juror?

13 PROSPECTIVE JUROR 912: Correct.

14 THE COURT: Okay. By the way, when I ask questions about prior
15 jury service, I am never, and no attorney is ever asking you what the verdict
16 was. I'll ask did the jury deliberate and reach a verdict, yes or no, but I will not
17 ask you what the verdict was, and I don't want you to say. Although yours is a
18 little different. You understand that the burden of proof for an indictment is
19 slight or marginal evidence, or probable cause?

20 PROSPECTIVE JUROR 912: I do, Your Honor.

21 THE COURT: And that burden of proof in this trial will be beyond a
22 reasonable doubt, a completely different burden of proof in the eyes of the
23 law?

24 PROSPECTIVE JUROR 912: I do, Your Honor.

25 THE COURT: Okay. So, if you were selected to serve as a juror in

1 this case, you would have to disregard the instruction you were given by the
2 federal judge about what the standard is for an indictment and follow this
3 Court's instruction on the beyond a reasonable doubt standard. Could you do
4 that?

5 PROSPECTIVE JUROR 912: I could.

6 THE COURT: Also, state law and federal law are not the same. If
7 you have any recollection of any criminal laws, you have to disregard those
8 and follow the Court's instructions on the law, as they apply in this particular
9 case. That's my job is to give the instructions that apply. And your job as a
10 juror is to follow those instructions. Would that be a problem for you?

11 PROSPECTIVE JUROR 912: No, Your Honor.

12 THE COURT: Okay. And how long ago was your federal grand jury
13 service?

14 PROSPECTIVE JUROR 912: About two years ago it ended.

15 THE COURT: And how long did it last?

16 PROSPECTIVE JUROR 912: I was on the jury for a year and a half,
17 but it was a three year empanelment.

18 THE COURT: Oh, what happened?

19 PROSPECTIVE JUROR 912: That's just how grand jury service
20 works. You get -- any federal indictment that is filed has to go in front of a
21 grand jury before it can go to trial.

22 THE COURT: No, what I mean is if you had a three year term, and
23 you were out in a year-and-a-half --

24 PROSPECTIVE JUROR 912: Oh, well, I was an alternate, so I started
25 after the initial empanelment.

1 THE COURT: Oh, I see. Okay. I get it. I meant why did you leave.
2 And you started late?

3 PROSPECTIVE JUROR 912: Correct.

4 THE COURT: Okay. And how often did the grand jury meet?

5 PROSPECTIVE JUROR 912: Once a week.

6 THE COURT: Okay. And was it all day?

7 PROSPECTIVE JUROR 912: It usually was all day.

8 THE COURT: Okay. For a year-and-a-half?

9 PROSPECTIVE JUROR 912: For a year-and-a-half, once a week.

10 THE COURT: All day, once a week?

11 PROSPECTIVE JUROR 912: Correct.

12 THE COURT: Thank you for that. Okay. Anybody else have been a
13 jury before? Okay. I'm going to go down here. Can you give me the last three
14 digits on your badge again?

15 PROSPECTIVE JUROR 952: 952.

16 THE COURT: Ms. Cardoza.

17 PROSPECTIVE JUROR 952: Yes.

18 THE COURT: How many times have you served as a juror?

19 PROSPECTIVE JUROR 952: One, about three years ago.

20 THE COURT: Was it here in Clark County?

21 PROSPECTIVE JUROR 952: Uh-huh.

22 THE COURT: Was that a yes?

23 PROSPECTIVE JUROR 952: Yes.

24 THE COURT: Was it state court or federal court?

25 PROSPECTIVE JUROR 952: I think it was state.

1 THE COURT: Was it in this building?
2 PROSPECTIVE JUROR 952: Yes.
3 THE COURT: Okay. And was it criminal or civil?
4 PROSPECTIVE JUROR 952: It was a malpractice case.
5 THE COURT: Okay. So, it was civil.
6 PROSPECTIVE JUROR 952: Okay.
7 THE COURT: Did the jury deliberate and reach a verdict, yes or no?
8 PROSPECTIVE JUROR 952: Yes.
9 THE COURT: And were you the foreperson of that jury?
10 PROSPECTIVE JUROR 952: No.
11 THE COURT: Is there anything about that jury experience that you
12 think would limit your ability to be fair and impartial in this unrelated criminal
13 matter?
14 PROSPECTIVE JUROR 952: No.
15 THE COURT: Do you understand that the burden of proof in a civil
16 case is not the same as it is in a criminal case?
17 PROSPECTIVE JUROR 952: Yes.
18 THE COURT: The burden of proof in a civil case is more probable
19 than not. And in a criminal case it's beyond a reasonable doubt. So, if you
20 were selected to serve as a juror in this case, you'd have to disregard your
21 instructions from that other case and follow the Court's instructions on the
22 law, and particularly the burden of proof: do you understand that?
23 PROSPECTIVE JUROR 952: Yes.
24 THE COURT: Could you do that?
25 PROSPECTIVE JUROR 952: Yes.

1 THE COURT: Okay. Thank you, very much. Who else had their
2 hand up in the -- okay. I'm going -- I'll get to you.

3 UNIDENTIFIED FEMALE PROSPECTIVE JUROR: Okay.

4 THE COURT: Can I have the last three digits on your badge again?

5 PROSPECTIVE JUROR 035: 035.

6 THE COURT: Okay. Ms. Gevers.

7 PROSPECTIVE JUROR 035: Uh-huh.

8 THE COURT: How many times have you served as a juror?

9 PROSPECTIVE JUROR 035: Once.

10 THE COURT: And was it here in Clark County or somewhere else?

11 PROSPECTIVE JUROR 035: Clark County in about 1992.

12 THE COURT: And was it criminal or civil?

13 PROSPECTIVE JUROR 035: Criminal.

14 THE COURT: And did the jury deliberate and reach a verdict, yes
15 or not?

16 PROSPECTIVE JUROR 035: Yes.

17 THE COURT: And were you the foreperson of that jury?

18 PROSPECTIVE JUROR 035: No.

19 THE COURT: What kind of case was it?

20 PROSPECTIVE JUROR 035: A stolen car battery.

21 THE COURT: Okay. And is there anything about that case that
22 would limit your ability to be fair and impartial in this unrelated matter?

23 PROSPECTIVE JUROR 035: No.

24 THE COURT: Do you recall any law from 1992?

25 PROSPECTIVE JUROR 035: No.

1 THE COURT: Okay. Perfect. Thank you. Who else had their hand
2 up? Okay. Can you read in the last three digits on your badge, please?+

3 PROSPECTIVE JUROR 043: 043.

4 THE COURT: Ms. Renforth, how many times have you been a juror
5 before?

6 PROSPECTIVE JUROR 043: I've been selected as a juror one time.

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

8 PROSPECTIVE JUROR 043: Yes.

9 THE COURT: And was it in the state system or the federal system?

10 PROSPECTIVE JUROR 043: The state.

11 THE COURT: So, in this building?

12 PROSPECTIVE JUROR 043: Yes.

13 THE COURT: How long ago?

14 PROSPECTIVE JUROR 043: A little over three years.

15 THE COURT: And was it civil or criminal?

16 PROSPECTIVE JUROR 043: Criminal.

17 THE COURT: And without telling me what the verdict was, did the
18 jury deliberate and reach a verdict?

19 PROSPECTIVE JUROR 043: Yes.

20 THE COURT: Were you the foreperson of that jury?

21 PROSPECTIVE JUROR 043: No.

22 THE COURT: And what kind of case was it?

23 PROSPECTIVE JUROR 043: Attempted murder.

24 THE COURT: Okay. And three years ago, wasn't so long, do you
25 have an independent recollection of the law in that case?

1 PROSPECTIVE JUROR 043: Not really.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR 043: I mean --

4 THE COURT: If you were selected to serve as a juror in this case,
5 you would have to completely disregard the instructions and the law as given
6 to you in that case and follow the Court's instructions on the law, as they apply
7 in this completely unrelated matter. Would you be able to do that?

8 PROSPECTIVE JUROR 043: Yes.

9 THE COURT: Is there anything about that experience, that you
10 think would limit your ability to be fair and impartial here?

11 PROSPECTIVE JUROR 043: No.

12 THE COURT: All right. Thank you, very much. Who else had their
13 hand up, prior jury service? Going over there. Ms. Godwin.

14 PROSPECTIVE JUROR 099: 099.

15 THE COURT: 099. How many times have you been a juror?

16 PROSPECTIVE JUROR 099: Once.

17 THE COURT: How long ago?

18 PROSPECTIVE JUROR 099: About 14, 15 years ago.

19 THE COURT: Here in Clark County?

20 PROSPECTIVE JUROR 099: Yes.

21 THE COURT: And was it a civil case or a criminal case?

22 PROSPECTIVE JUROR 099: I believe it was criminal.

23 THE COURT: Without telling me what the verdict was, did the jury
24 deliberate and reach a verdict, yes or no?

25 PROSPECTIVE JUROR 099: Yes.

1 THE COURT: And were the foreperson of that jury?

2 PROSPECTIVE JUROR 099: No.

3 THE COURT: And what kind of case was it?

4 PROSPECTIVE JUROR 099: Statutory rape.

5 THE COURT: Okay. And do you have any recollection from 15
6 years ago, on the law in that case?

7 PROSPECTIVE JUROR 099: I do not.

8 THE COURT: If you were selected to serve as a juror in this case,
9 you would have to follow the Court's instructions on the law, as they apply
10 here. Would you be able to do that?

11 PROSPECTIVE JUROR 099: Yes.

12 THE COURT: And you understand it's a completely unrelated
13 matter?

14 PROSPECTIVE JUROR 099: Yes.

15 THE COURT: Anything about that, that would impact you here?

16 PROSPECTIVE JUROR 099: Not at all.

17 THE COURT: Fifteen years later?

18 PROSPECTIVE JUROR 099: No.

19 THE COURT: Okay. Thank you very much. Who else had their
20 hand up? Anybody? All right. Nobody else indicated in the affirmative. If you
21 were selected to serve as jurors in this case, it would be very important for you
22 to keep an open mind, and not decide any issue in the case, until you've heard
23 the whole case, and then you know what the law is, and you're in deliberating
24 with your other jurors.

25 So, the point of that is, you don't decide the case after one witness,

1 or two witnesses, or when the State rests, or when you haven't heard what the
2 law is, but that you wait in forming an opinion on the final result, until all of
3 the evidence has been heard, you know what the law is, and then you're in the
4 deliberation room. Even if that's hard to do, because it can be hard to do, are
5 there any of you that cannot do that? That cannot reserve judgment and wait
6 until you know everything before you decide this very important case?

7 Anybody? Nobody indicates that they would be unable to do that.

8 All right. Have you, or anyone very close to you, such as a close
9 family member, or close friend, starting in the back row -- I'm starting in the
10 back row, and I'll work my way forward, and then I'll go to that side -- ever
11 been the victim of a crime? Starting in the back row, raise your hand if you've
12 been a victim of a crime. You or anyone close to you. Second row. Okay, sir,
13 could you --

14 PROSPECTIVE JUROR 942: My ex-wife was in a car accident, hit by
15 a drunk driver.

16 THE COURT: Okay, hold on. It's 942, yes?

17 PROSPECTIVE JUROR 942: Yeah, 942.

18 THE COURT: Okay. Mr. Pierce. How long ago was that?

19 PROSPECTIVE JUROR 942: 2006.

20 THE COURT: And were you married?

21 PROSPECTIVE JUROR 942: Yeah, I was married at the time.

22 THE COURT: Okay. And did you say it was a DUI, or?

23 PROSPECTIVE JUROR 942: Yeah, it went to court, and he went --
24 he served four years.

25 THE COURT: Okay. Is there anything about that unrelated

1 experience, that you think would limit your ability to be fair and impartial in
2 this case?

3 PROSPECTIVE JUROR 942: No.

4 THE COURT: Do you understand why I ask?

5 PROSPECTIVE JUROR 942: Yes.

6 THE COURT: Because it's very, very important to the Defendant in
7 this case that he have a trial based on the evidence in this case, and not
8 something that's happened to somebody else, that has nothing to do with him.

9 PROSPECTIVE JUROR 942: Yeah, I understand.

10 THE COURT: Do you understand how important that is?

11 PROSPECTIVE JUROR 942: Yes. Yes.

12 THE COURT: Can you assure that that matter could be set aside?

13 PROSPECTIVE JUROR 942: Yes.

14 THE COURT: Okay. Thank you very much. Who else in the second
15 row? Third row? Okay. So, let me just -- so Ms. Renforth.

16 PROSPECTIVE JUROR 043 : Yes.

17 THE COURT: We'll pass it up to you. Hold on. Thank you. Who
18 was a -- who was a victim of a crime?

19 PROSPECTIVE JUROR 043: I was.

20 THE COURT: And when was that?

21 PROSPECTIVE JUROR 043: 2013.

22 THE COURT: And what was the crime?

23 PROSPECTIVE JUROR 043: Armed robbery.

24 THE COURT: And what -- can you tell me the circumstances of
25 that?

1 PROSPECTIVE JUROR 043: I was at work and two suspects came
2 in and came into the office where I was with another person, and had a gun,
3 and we got the safe open and gave them the money.

4 THE COURT: Okay. And I assume the police were involved.

5 PROSPECTIVE JUROR 043: Yes.

6 THE COURT: And was there anyone ever arrested for the offense?

7 PROSPECTIVE JUROR 043: No.

8 THE COURT: And which police department was it?

9 PROSPECTIVE JUROR 043: Metro.

10 THE COURT: Okay. Is there anything about that experience, being
11 a victim of a crime, that you think would limit your ability to be fair and
12 impartial in this case?

13 PROSPECTIVE JUROR 043: No.

14 THE COURT: To either side?

15 PROSPECTIVE JUROR 043: No.

16 THE COURT: Do you understand why I ask? You're looking at me
17 quizzically, but --

18 PROSPECTIVE JUROR 043: No. Yeah, I understand.

19 THE COURT: If you had -- let's say you had a grudge against
20 Metro, because you didn't think they gave the investigation fair attention, you
21 know, you would be required to tell me that or, conversely, if you just decide
22 that for whatever reason people that are facing a trial, you know, must have
23 done something, and you struggle with the burden of proof, you need to tell
24 me that. Do you understand what I'm getting at?

25 PROSPECTIVE JUROR 043: Yes.

1 THE COURT: Okay. So, is there anything about those experiences
2 that you had that cause you concern either way for either side that you can't
3 be fair and impartial?

4 PROSPECTIVE JUROR 043: No.

5 THE COURT: And you understand that as the Defendant sits there
6 now, he's presumed innocent?

7 PROSPECTIVE JUROR 043: Yes.

8 THE COURT: And now would be a good time to ask. As far as law
9 enforcement goes, we may or may not have law enforcement. You've heard a
10 list of witnesses. I don't know who exactly will be called to testify, but if a law
11 enforcement officer comes here, takes the witness stand, takes the oath, and
12 testifies, would you automatically, without hearing what they say, have a
13 tendency to give more or less credence to their testimony, simply because
14 they're a police officer? Meaning, you know, you would either automatically
15 believe it or disbelieve it, or would you be able to consider that testimony in
16 conjunction with all the evidence in the case to determine what weight, if any,
17 to give to it?

18 PROSPECTIVE JUROR 043: I'd be able to consider.

19 THE COURT: Consider it fairly?

20 PROSPECTIVE JUROR 043: Yes.

21 THE COURT: And you understand why I'm asking?

22 PROSPECTIVE JUROR 043: Yes.

23 THE COURT: Okay. Anybody else ever been a victim of a crime in
24 the front row? Yes, sir.

25 PROSPECTIVE JUROR 048: 048.

1 THE COURT: I'm sorry, say your number again.

2 PROSPECTIVE JUROR 048: 048.

3 THE COURT: Mr. Chiesi.

4 PROSPECTIVE JUROR 048: Yes.

5 THE COURT: Yes.

6 PROSPECTIVE JUROR 048: I wasn't a victim, but I had a cousin
7 that was murdered.

8 THE COURT: Okay. How long ago was that?

9 PROSPECTIVE JUROR 048: It was 1992.

10 THE COURT: And was that here in Clark County, or somewhere
11 else?

12 PROSPECTIVE JUROR 048: Somewhere else.

13 THE COURT: And where was that?

14 PROSPECTIVE JUROR 048: Indiana.

15 THE COURT: And do you know a lot about the case?

16 PROSPECTIVE JUROR 048: Yeah, I went to the trial every day.

17 THE COURT: Okay. And what were the circumstances?

18 PROSPECTIVE JUROR 048: He was having issues with his wife,
19 and she hired someone to have him killed.

20 THE COURT: Okay. And what happened with the trial?

21 PROSPECTIVE JUROR 048: The suspect was found guilty, and then
22 his wife went on trial, and she was found guilty, also.

23 THE COURT: Okay. So, I mean you understand that there's an
24 allegation here. And that's what it remains, an allegation. And the whole
25 purpose of the trial is to determine whether the State will prove and meet the

1 burden of proof beyond a reasonable doubt. So, as the Defendant sits there
2 now, he's --

3 PROSPECTIVE JUROR 048: Right. Presumed innocent.

4 THE COURT: -- presumed innocent. Is there anything about your
5 experiences in that situation, which I'm sure was very stressful and horrible at
6 the time, that you think would limit your ability to be fair and impartial here,
7 since it's a similar charge, if not a similar circumstance?

8 PROSPECTIVE JUROR 048: I don't think so.

9 THE COURT: Do you understand why I ask? Because it's really
10 important for anyone in the Defendant's position to have the case judged on
11 the evidence and not something that happened to somebody else?

12 PROSPECTIVE JUROR 048: Yes, I do understand.

13 THE COURT: Okay. And so, would you tell me if you couldn't do
14 it?

15 PROSPECTIVE JUROR 048: Yes.

16 THE COURT: Okay, but you think you can?

17 PROSPECTIVE JUROR 048: I think I can.

18 THE COURT: Okay. Thank you. Who else had their hand up?
19 Victim of a crime? Anyone over there in that first row?

20 UNIDENTIFIED PROSPECTIVE JUROR: We had one --

21 THE COURT: Ms. Stewart. Oh, I'm sorry, did you have your hand
22 up?

23 PROSPECTIVE JUROR 025: Yeah.

24 THE COURT: I'm sorry.

25 PROSPECTIVE JUROR 025: Sorry.

1 THE COURT: Last three -- last three digits on your badge again?
2 PROSPECTIVE JUROR 025: 025.
3 THE COURT: Ms. Morgan?
4 PROSPECTIVE JUROR 025: Yes.
5 THE COURT: Okay. who was the victim?
6 PROSPECTIVE JUROR 025: Well, my house was broken into.
7 THE COURT: How long ago was that?
8 PROSPECTIVE JUROR 025: About 20 years ago.
9 THE COURT: And did you report it?
10 PROSPECTIVE JUROR 025: Yes.
11 THE COURT: And did anyone ever get caught?
12 PROSPECTIVE JUROR 025: No.
13 THE COURT: Is there anything about that experience, that you
14 think would limit your ability to be fair and impartial in this case?
15 PROSPECTIVE JUROR 025: No.
16 THE COURT: Okay. And you've heard me explain why I'm asking,
17 right?
18 PROSPECTIVE JUROR 025: Yes.
19 THE COURT: And so, you understand that's really important to tell
20 me?
21 PROSPECTIVE JUROR 025: Absolutely.
22 THE COURT: Okay. But no problem?
23 PROSPECTIVE JUROR 025: No.
24 THE COURT: All right. Thank you, very much. Ms. Stewart.
25 PROSPECTIVE JUROR 158: Yes.

1 THE COURT: Who was the victim and when?

2 PROSPECTIVE JUROR 158: My brother was kidnapped in '84.

3 THE COURT: Okay, and --

4 PROSPECTIVE JUROR 158: Louisiana and --

5 THE COURT: -- what happened?

6 PROSPECTIVE JUROR 158: The person was caught, convicted, life
7 sentence because he was armed.

8 THE COURT: Okay. And how old were you at the time?

9 PROSPECTIVE JUROR 158: Twenty-three, 24, something like that.

10 THE COURT: And did he know the person, or what was the
11 circumstances?

12 PROSPECTIVE JUROR 158: He was working at a convenience store
13 while he was in school. He came out and was held at gunpoint. Turned out
14 that we all knew the person, but the person was not actually after my brother,
15 he was actually after the owner's son of the store. And my brother worked the
16 wrong shift.

17 THE COURT: I see.

18 PROSPECTIVE JUROR 158: So --

19 THE COURT: So, he's lucky he didn't get hurt or killed.

20 PROSPECTIVE JUROR 158: He escaped, and they caught the
21 gunman.

22 THE COURT: All right. So, obviously, you've heard the questions -
23 - the types of questions I've been asking other people, if you have close family
24 members that have been victims of a crime. Is there anything about that case,
25 that you think would limit your ability to be fair and impartial to the Defendant

1 in this case?

2 PROSPECTIVE JUROR 158: No.

3 THE COURT: Or to the state of Nevada?

4 PROSPECTIVE JUROR 158: No.

5 THE COURT: And you understand why I ask, and why it's
6 important?

7 PROSPECTIVE JUROR 158: Yes, ma'am.

8 THE COURT: And you would tell me?

9 PROSPECTIVE JUROR 158: Yes, ma'am.

10 THE COURT: Okay. Thank you very much.

11 PROSPECTIVE JUROR 158: Uh-huh.

12 THE COURT: Anybody else? Okay. Shifting gears. Remember at
13 the beginning, I said I would never ask you personal questions, unless I had to.
14 And that's one of these times. Have you, or anyone close to you, ever been
15 arrested for, accused of, charged with, or cited for a crime more serious than a
16 traffic violation? Can I just start in the back row? I'm going by row. It makes it
17 easier.

18 UNIDENTIFIED PROSPECTIVE JUROR: Can you repeat that, please.

19 THE COURT: Have you, or anyone close to you, ever been arrested
20 for, even if you weren't charged, charged, even if you weren't arrested,
21 accused of, or cited for, meaning a ticket, like petty larceny, or DUI, or battery,
22 things like that, more serious than a traffic violation. You know, speeding
23 ticket is not what I'm looking at here. So, anyone in the back row?

24 PROSPECTIVE JUROR 940: My father.

25 THE COURT: Hold on one second.

1 PROSPECTIVE JUROR 940: Oh.

2 THE COURT: I'll let you - we'll have you go first. Give me the last
3 three digits on your badge.

4 PROSPECTIVE JUROR 940: 940.

5 THE COURT: Ms. Kime.

6 PROSPECTIVE JUROR 940: Yes.

7 THE COURT: Your father was arrested for -- can you tell me the
8 circumstances?

9 PROSPECTIVE JUROR 940: Molestation.

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

11 PROSPECTIVE JUROR 940: He just came out of jail September of
12 last year, in Gary, Indiana.

13 THE COURT: Okay. So that all happened in Indiana?

14 PROSPECTIVE JUROR 940: Yes. Well, not in Gary, but, yes, in
15 Indiana.

16 THE COURT: Okay, and are you familiar with the circumstances of
17 the allegations?

18 PROSPECTIVE JUROR 940: Of?

19 THE COURT: Well, what he was accused of doing and to whom?

20 PROSPECTIVE JUROR 940: Yes.

21 THE COURT: Okay. And were you familiar with that from family
22 members, from him, how did you become aware?

23 PROSPECTIVE JUROR 940: From him.

24 THE COURT: Okay. And based upon what you spoke to him, and
25 what you know independently, if anything, do you feel like he was treated

1 fairly or unfairly, by the justice system in Indiana?

2 PROSPECTIVE JUROR 940: Your Honor, I can't answer that.

3 THE COURT: You don't know what to believe?

4 PROSPECTIVE JUROR 940: I wasn't there. I lived here. I wasn't
5 close to my dad. He was married to somebody else. He came and told me
6 what the charges were. I never went to the courthouse. I can't -- I can't
7 answer that.

8 THE COURT: That's okay. Well, you did.

9 PROSPECTIVE JUROR 940: Yeah.

10 THE COURT: So, is there anything about that experience that your
11 dad had, that you think would limit your ability to be fair and impartial in this
12 completely unrelated case?

13 PROSPECTIVE JUROR 940: Absolutely not.

14 THE COURT: Okay. Thank you very much. Mr. Barnes, could you
15 pass that down? Who was arrested, or cited, or charged?

16 PROSPECTIVE JUROR 912: My parents had issues with domestic
17 violence.

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

19 PROSPECTIVE JUROR 912: When I was very young.

20 THE COURT: Okay. Was that here in Clark County or somewhere
21 else?

22 PROSPECTIVE JUROR 912: It was here in Clark County.

23 THE COURT: And misdemeanor or something more serious?

24 PROSPECTIVE JUROR 912: I'm unaware of what the resulting
25 charges were.

1 THE COURT: Okay. Is there anything about those experiences that
2 your parents had that you think would limit your ability to be fair and impartial
3 in this case?

4 PROSPECTIVE JUROR 912: No, Your Honor.

5 THE COURT: How old were you at the time?

6 PROSPECTIVE JUROR 912: Probably around eight or nine.

7 THE COURT: Okay. And they don't -- did they discuss it with you
8 at length or?

9 PROSPECTIVE JUROR 912: No.

10 THE COURT: Okay. Thank you very much. Who else in the first
11 row? The second row? All right. Third row. If you could pass it forward. Can
12 you give me the last three -- I need your --

13 PROSPECTIVE JUROR 000: 285.

14 THE COURT: 285. Sorry, one second. Okay, who was it that was --
15 what's your other three numbers? Do you have three other numbers?

16 PROSPECTIVE JUROR 000: Three zero's. 000.

17 THE COURT: Yeah. Okay. You're number 000, believe it or not.

18 PROSPECTIVE JUROR 000: Okay.

19 THE COURT: Okay. So, I'm sorry, who was arrested?

20 PROSPECTIVE JUROR 000: Three of my friends.

21 THE COURT: Okay. And like close friends?

22 PROSPECTIVE JUROR 000: Yeah.

23 THE COURT: And what were they arrested for?

24 PROSPECTIVE JUROR 000: Home invasion and armed robbery.

25 THE COURT: And how long ago was that?

1 PROSPECTIVE JUROR 000: Either three or four years ago.

2 THE COURT: And then what happened with their cases, if you
3 know?

4 PROSPECTIVE JUROR 000: They were all found guilty.

5 THE COURT: Well, did they have -- how did that happen?

6 PROSPECTIVE JUROR 000: The one friend told.

7 THE COURT: Okay. No, what I mean is -- what I meant was did
8 they have a trial --

9 PROSPECTIVE JUROR 000: Yeah, it went on for a while.

10 THE COURT: Okay. And did they -- and so, you know about their
11 circumstances because they spoke to you about it?

12 PROSPECTIVE JUROR 000: Yeah.

13 THE COURT: Okay. And did your friends, all three of them, have a
14 feeling that they were treated fairly or unfairly by the justice system? I can
15 imagine, but I'm going to go ahead and let you fill in the blank.

16 PROSPECTIVE JUROR 000: I guess it would be fairly.

17 THE COURT: Really?

18 PROSPECTIVE JUROR 000: Yeah.

19 THE COURT: All right. Well, and so what happened with them?

20 PROSPECTIVE JUROR 000: They're all released now, but they
21 were in prison for at least three years.

22 THE COURT: Okay. Like all three of them?

23 PROSPECTIVE JUROR 000: Yeah.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR 000: Well, the one like he got a smaller

1 sentence, because he was only 16 at the time.

2 THE COURT: Okay. And so, based upon your conversations with
3 your friends, do you feel that they were treated fairly or unfairly by the justice
4 system? You, not them.

5 PROSPECTIVE JUROR 000: Yeah, fairly.

6 THE COURT: And why is that, if you don't mind me asking?

7 PROSPECTIVE JUROR 000: I just -- if you're going to do the crime -
8 - I don't know, because they all admitted to doing it.

9 THE COURT: Okay. So, if you thought they did it --

10 PROSPECTIVE JUROR 000: Yeah.

11 THE COURT: -- then they pay the price.

12 PROSPECTIVE JUROR 000: Yeah.

13 THE COURT: Is that what you're saying?

14 PROSPECTIVE JUROR 000: Yeah.

15 THE COURT: Okay. And so, is there anything about that case that
16 would limit your ability to be fair and impartial to these people in this trial?

17 PROSPECTIVE JUROR 000: No.

18 THE COURT: And you understand why that's really important?

19 PROSPECTIVE JUROR 000: Yes.

20 THE COURT: Okay. Thank you very much. Who else? Okay.
21 Last three digits on your badge, please?

22 PROSPECTIVE JUROR 093: 093.

23 THE COURT: Okay. Mr. Tassy, who was arrested?

24 PROSPECTIVE JUROR 093: Myself.

25 THE COURT: And how long ago was it?

1 PROSPECTIVE JUROR 093: 2003.
2 THE COURT: And was it here in Clark County or somewhere else?
3 PROSPECTIVE JUROR 093: Clark County.
4 THE COURT: And what was it for?
5 PROSPECTIVE JUROR 093: A domestic violence.
6 THE COURT: And what happened with that?
7 PROSPECTIVE JUROR 093: Plead no contest and do the training
8 course and --
9 THE COURT: Okay.
10 PROSPECTIVE JUROR 093: -- first offense, so --
11 THE COURT: Okay. And is there anything about that experience
12 that you think would limit your ability to be fair and impartial in this case?
13 PROSPECTIVE JUROR 093: No.
14 THE COURT: And was that with a city entity, or a county entity?
15 Or what was that? What court was that ?
16 PROSPECTIVE JUROR 093: It moved into Clark County from a
17 different --
18 THE COURT: Okay.
19 PROSPECTIVE JUROR 093: -- location from Las Vegas.
20 THE COURT: Okay. And where did the -- where did the arrest
21 occur, or the event that they said was --
22 PROSPECTIVE JUROR 093: I believe it was still Clark County.
23 THE COURT: Was it unincorporated Clark County, or Henderson or
24 North Las Vegas, or Las Vegas, or?
25 PROSPECTIVE JUROR 093: Sahara and Decatur.

1 THE COURT: Sahara and Decatur, okay. And did you go to
2 municipal court or justice court?

3 PROSPECTIVE JUROR 093: It was this building. Justice court.

4 THE COURT: Okay. And is -- do you feel after that experience, that
5 you were treated unfairly or fairly by the justice system?

6 PROSPECTIVE JUROR 093: Well, the details of the case, you know,
7 that was actually a manipulation, so --

8 THE COURT: Unfairly?

9 PROSPECTIVE JUROR 093: Yes, unfairly.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR 093: Of course.

12 THE COURT: And when you say a manipulation -- is that what
13 said, not extrapolation? Late in the day, and I'm making sure I understand
14 what you're saying. The complainant was manipulating, or who?

15 PROSPECTIVE JUROR 093: My ex-wife was a foreign entity. She
16 used the law to secure an American citizenship.

17 THE COURT: Okay. And so, if you were selected to serve as a
18 juror in this case, both sides are entitled to the same fair and impartial
19 consideration, regardless of personal circumstances that may have happened
20 to you, that you believe are unfair, and it's just as important for the State, as it
21 is for the Defendant, to have their case judged on the evidence in the
22 courtroom and not from something that happened to somebody else. Is that
23 something that you would be able to do?

24 PROSPECTIVE JUROR 093: Yes, that's very important to be taken
25 serious.

1 THE COURT: Okay. And if you weren't going to be able to do it,
2 would you tell me?

3 PROSPECTIVE JUROR 093: Of course.

4 THE COURT: Okay. Thank you. I know it seems obvious, but I
5 have to ask. Thank you. Okay. Anybody else? Yes, right next to you, sir?
6 Last three digits on your badge?

7 PROSPECTIVE JUROR 087: 087.

8 THE COURT: Ms. Fernandez, who was arrested?

9 PROSPECTIVE JUROR 087: My son.

10 THE COURT: And what was he arrested for?

11 PROSPECTIVE JUROR 087: Conspiracy to sell drugs.

12 THE COURT: And how long ago was that?

13 PROSPECTIVE JUROR 087: Four years ago.

14 THE COURT: And was that here in Clark County or something
15 else?

16 PROSPECTIVE JUROR 087: Here.

17 THE COURT: And what happened with the case?

18 PROSPECTIVE JUROR 087: He -- it didn't go to trial, he just had
19 probation and did his time.

20 THE COURT: Okay, and do you feel he was treated fairly or
21 unfairly by the justice system, based upon what you know?

22 PROSPECTIVE JUROR 087: Fairly.

23 THE COURT: And why is that?

24 PROSPECTIVE JUROR 087: Because they didn't send him to jail,
25 not to prison.

1 THE COURT: So, they didn't send him to prison, and no jail.

2 PROSPECTIVE JUROR 087: No. No. Yeah.

3 THE COURT: And so, how's he doing now?

4 PROSPECTIVE JUROR 087: He's in Iowa.

5 THE COURT: Okay. So, as far as things -- you know, negative,
6 positive, or neither. Was it a negative impact, a positive impact, the
7 experience that he had or neither? I'm just curious.

8 PROSPECTIVE JUROR 087: Well, a negative for his life, but, you
9 know.

10 THE COURT: Okay. Was it a felony or something else?

11 PROSPECTIVE JUROR 087: I'm pretty sure it's a felony.

12 THE COURT: Okay. Is there anything about that that happened to
13 him, that you think would limit your ability to be fair and impartial in this case?
14 To either side?

15 PROSPECTIVE JUROR 087: No.

16 THE COURT: Do you under -- I mean I've been asking the same
17 questions. There's no wrong answer.

18 PROSPECTIVE JUROR 087: Right.

19 THE COURT: But it would be important for you to tell me, if that
20 was a problem for you.

21 PROSPECTIVE JUROR 087: No, not at all.

22 THE COURT: Okay. Thank you very much. Who else had their
23 hand up? Last three digits on your badge, please?

24 PROSPECTIVE JUROR 083: 083.

25 THE COURT: Okay. Ms. Hillstead.

1 PROSPECTIVE JUROR 083: Yes.
2 THE COURT: Who was it that was arrested?
3 PROSPECTIVE JUROR 083: I was.
4 THE COURT: And how long ago?
5 PROSPECTIVE JUROR 083: About 19 years ago.
6 THE COURT: Okay. And what was it for?
7 PROSPECTIVE JUROR 083: Battery, domestic.
8 THE COURT: And what happened with it?
9 PROSPECTIVE JUROR 083: I was never charged with it.
10 THE COURT: Okay. And so, it was an arrest for a misdemeanor,
11 battery domestic, and then nothing ever happened?
12 PROSPECTIVE JUROR 083: Correct.
13 THE COURT: Okay. Did you come away with the sense that you
14 were treated fairly or unfairly by the -- I mean I know you didn't really go to the
15 justice system, but --
16 PROSPECTIVE JUROR 083: Right. I --
17 THE COURT: I mean the - let's focus on the police department,
18 because some police must have arrested you, yes?
19 PROSPECTIVE JUROR 083: Right.
20 THE COURT: Okay. And do you remember which police
21 department?
22 PROSPECTIVE JUROR 083: The city of Las Vegas.
23 THE COURT: Okay. And based upon that experience, is there
24 anything that you think would limit your ability to be fair and impartial in this
25 case?

1 PROSPECTIVE JUROR 083: No.
2 THE COURT: And you understand why I ask?
3 PROSPECTIVE JUROR 083: Yes.
4 THE COURT: And do you feel that the police treated you fairly in
5 that circumstance or no?
6 PROSPECTIVE JUROR 083: Yes.
7 THE COURT: Based upon whatever was going on at the time?
8 PROSPECTIVE JUROR 083: Yes.
9 THE COURT: Okay. Thank you very much. Who else had their
10 hand up? Yes, Ms. Cortez. Did you have -- okay.
11 PROSPECTIVE JUROR 058: 058. My husband was --
12 THE COURT: Arrested?
13 PROSPECTIVE JUROR 058: -- arrested. It was like 28 years ago, or
14 so, for a statutory rape.
15 THE COURT: Okay. And what happened with that case?
16 PROSPECTIVE JUROR 058: He was found guilty.
17 THE COURT: Did you know him then?
18 PROSPECTIVE JUROR 058: No.
19 THE COURT: Okay. And so, you met him after?
20 PROSPECTIVE JUROR 058: Yes.
21 THE COURT: And what happened with the -- after he was found
22 guilty?
23 PROSPECTIVE JUROR 058: He's still having to register even
24 though it was -- like he was 18, she was 16.
25 THE COURT: Okay.

1 PROSPECTIVE JUROR 058: It's stupid.

2 THE COURT: That's here in Nevada?

3 PROSPECTIVE JUROR 058: He's -- it happened in Utah.

4 THE COURT: Oh, in Utah.

5 PROSPECTIVE JUROR 058: Uh-huh.

6 THE COURT: Okay. And so, is there anything about that
7 experience that he had in Utah, that would limit your ability to be fair and
8 impartial in this matter?

9 PROSPECTIVE JUROR 058: I don't know. He still has to deal with
10 us -- I mean Nevada, so it's kind of annoying.

11 THE COURT: Okay. But I mean is there anything about that
12 annoying thing that you're going to hold against the District Attorney's Office
13 in this case?

14 PROSPECTIVE JUROR 058: No. No. I'll be okay.

15 THE COURT: I mean, either they prove a first degree murder
16 charge, or they don't.

17 PROSPECTIVE JUROR 058: Right.

18 THE COURT: And so, that's really important to them, and that's
19 really, really important to the Defendant, that they have jurors that aren't
20 annoyed --

21 PROSPECTIVE JUROR 058: Right.

22 THE COURT: -- holding it against them. Is that something that
23 you're going to be able to do?

24 PROSPECTIVE JUROR 058: I can't honestly say. I can't honestly
25 say if I would hold it against them.

1 THE COURT: Okay. So, if they prove their case, you couldn't
2 honestly --

3 PROSPECTIVE JUROR 058: Correct.

4 THE COURT: -- return a verdict because of the thing with your
5 husband?

6 PROSPECTIVE JUROR 058: Yes, because he keeps coming to court
7 to try and clear it.

8 THE COURT: Okay. Thank you very much. Anybody else in the
9 first row? How about over there? Nobody else? Okay. I'm going to see
10 counsel up at the bench about scheduling.

11 [Sidebar begins at 5:10 p.m.]

12 THE COURT: So, here's what I'm going to do. I'm going to release
13 the people I'm keeping, I'm going to let the excused stay and tell them that
14 they're excused. If you want to -- if you're going to make a motion, I don't
15 want to have them come back tomorrow, we'll do it tonight. And I'll just have
16 her stay, so you can ask questions.

17 MR. STANTON: I would ask that she stay --

18 THE COURT: Okay.

19 MR. STANTON: -- so we can ask some questions.

20 THE COURT: All right. Sure. No problem. So -- all right. Thank
21 you.

22 [Sidebar ends at 5:10 p.m.]

23 THE COURT: Okay. So, I'm going to kind of let you go in shifts,
24 because, you know, there's only so many elevators and a lot of you. So, I'm
25 going to call out a few names, you're going to be excused, and I need you to

1 return back to where Ramsey tells you to come. So, if I call your name, you're
2 returning back to where Ramsey tells you to come tomorrow at 10:45. So,
3 you're not coming to the courtroom. He'll tell you where to meet. Okay.
4 Clinton Barnes, Aziyel Madrigal, John Graber, Huntsman, Dwinell, Kime,
5 Pierce, Stettler, Harris, Stanek, Cardoza, Vinluan, Farfan, Perri, Mazzei, Morgan,
6 Harrell, Gevers, Renforth, Chiesi, Reyna, Hillstead, Blake, Fernandez, Tassy,
7 Godwin, Webster, Matthew Jones, Bethany Johnson, Paul Mejia, and Phyllis
8 Stewart. That's the first wave of people that's being excused, to come back
9 tomorrow morning at 10:45. Okay. So, if I called your name, you can go, and
10 you need to come back tomorrow at 10:45.

11 [Prospective jurors excused.]

12 THE COURT: Okay. I'm going to call the second wave of people.
13 Okay. I'm going to call the second wave of people that are going to need to
14 return back to court at 10:45 tomorrow morning. I'm just -- there's a lot of
15 people getting instructions from Ramsey, so I'm trying to let that happen, and
16 then this group will then have that chance, okay. Okay. If I call your name,
17 you're excused for the evening, and I need you to come back tomorrow
18 morning at 10:45 and then tomorrow we'll know who's going to be seated on
19 the jury. Nicole Williams, Manuel De Cespedes, Luzmaria Alarcon, Janice
20 Forbes, Bruce Gorham, Deirdre Parker, Michael Stroud, Lisa Villa-Real, Mark
21 Eli, Robert Patynik, Ivan Rodriguez, Ronda Mayfield, Johnathon Gludt, Mylo
22 Jenereaul, Damian Serrano, Lawrence Luna, Erik Thompson, Glenn Adams,
23 Socrisar Guese, Seth Wright. If I called your name, you're going to check in
24 with Ramsey tomorrow where he tells you to meet him at 10:45.

25 [Prospective jurors excused.]

1 THE COURT: Can I see counsel at the bench?

2 [Sidebar begins at 5:14 p.m.]

3 THE COURT: The Defense has indicated they changed their mind
4 about --

5 MR. BASHOR: Yeah.

6 THE COURT: -- the challenge for cause if they're going to make
7 one.

8 MR. STANTON: Okay. Then I formally make a motion to challenge
9 her for cause based upon her answers to the Court's questions that she cannot
10 be unequivocally fair and impartial, which I think is the standard set by the
11 Nevada Supreme Court.

12 MR. BASHOR: I have no objection.

13 THE COURT: Okay. Thank you.

14 [Sidebar ends at 5:15 p.m.]

15 THE COURT: Okay. The rest of you I held you for last for a couple
16 of reasons. One, if you are in this group of people, either you have a hardship,
17 financial or personal, or professional, illness, or a language issue that makes it
18 difficult for you to serve in this case. So, you're going to be excused from the
19 trial, and you don't have to come back.

20 The one thing that I ask, every once in a while, and you don't seem
21 like this group at all, but every once in a while, I have people at the end who
22 are excused that go soaring past the people that are here tomorrow, high-
23 fiving and whatevering. You know, you got out because you would have to
24 suffer, and we let you go because of that. Please show them the courtesy and
25 respect while they do their civil service, and you go home, not to do such a

1 thing. You're excused.

2 [Prospective jurors dismissed.]

3 THE COURT: Ms. Cortez.

4 PROSPECTIVE JUROR 058: Yes, ma'am.

5 THE COURT: So, you advised the attorneys and myself that you
6 would not be able to be fair and impartial because of what's happening. And
7 is that -- am I to take it that's unequivocally you cannot.

8 PROSPECTIVE JUROR 058: Yes.

9 THE COURT: Meaning no dispute, you can't do it.

10 PROSPECTIVE JUROR 058: I don't feel like -- that I could.

11 THE COURT: Okay. Wait one second. Can I have a microphone,
12 please, somebody. Sorry about this. I don't have a microphone.

13 PROSPECTIVE JUROR 058: No, you're okay.

14 THE COURT: So, I said -- let me state it. You told me you couldn't
15 be fair and impartial because of what your husband is going through. There's
16 no right or wrong answer. I just need to understand what you're telling me.
17 That you basically don't believe you can be fair, and you can't be fair. Is that
18 what you're saying?

19 PROSPECTIVE JUROR 058: Yes, I mean I don't want to lie and say I
20 can be fair, if I don't feel that I really could be fair.

21 THE COURT: Okay. State's made a motion to challenge for cause
22 and the Defense's position is what?

23 MR. BASHOR: No objection.

24 THE COURT: All right. Ma'am, you're excused from this case.
25 Thank you.

1 PROSPECTIVE JUROR 058: Okay. Thank you.

2 THE COURT: And please don't discuss that on the way out, okay.

3 PROSPECTIVE JUROR 058: No, I'm not going to say anything.

4 [Outside the presence of the prospective jurors.]

5 THE COURT: Okay. Okay. So, here's what's going to happen
6 tomorrow. You'll come back at 10:45. I'll start as soon as I can, you know,
7 somewhere between 10:45 and 11:00, no later. Sometimes it takes me that
8 long just to get everybody out. I'm going to cover -- I'm almost done. I
9 normally ask is there any other reason you couldn't be completely fair and
10 impartial. I'll ask a general follow-up on the -- follow the Court's instructions
11 on the law for everyone. I mostly asked it for law enforcement and lawyers,
12 but I'll ask it of everyone. Is there anything else -- I've gone through my
13 checklist. I don't see anything I left out. Is there something that I didn't cover
14 that you wanted me to? Are you going to be ready to go pretty quick
15 tomorrow?

16 I mean I have to catch somebody up to replace this person, which
17 will be. Let's do that now. Assuming that person shows up, I anticipate Nicole
18 Williams will go in the seat of Ms. Cortez, in juror seat number 21. So, it would
19 be, instead of Frances Cortez, you would white her out and you would put,
20 because she was excused, you would put Nicole Williams, Juror Number
21 163 --

22 MR. BASHOR: 163.

23 THE COURT: -- if she shows up. 163, Nicole Williams. And then I
24 would catch her up, meaning, you know, ask all those questions. God willing
25 and the creek don't rise, I've got maybe one more general question or two, and

1 then I'm handing them over.

2 MR. BASHOR: If the panel remains the same, Your Honor, we'll
3 finish up with jury selection, open, and then start with witnesses on
4 Wednesday.

5 THE COURT: Okay. You're going to come up with a -- okay. Okay,
6 anything else?

7 MR. STANTON: Counsel asked about if we finish up with the jury
8 selection and then we open, can we then start my witnesses on Wednesday,
9 because I'm sure -- at least for us, we'll need to contact everybody tonight. It
10 would, certainly, be more logistical -- logistically easier for the State, especially
11 since we're going to be --

12 THE COURT: Well, here's the deal. It's going to take -- if I get in
13 here at 11:00, okay, that's aspirational, let's face it. You've all done -- you've
14 been in -- once I get in, I get moving, but until I get in here, which I get, we're
15 going to go until like 1:00, because I have to take a break -- I have to -- you
16 know, I have to give the staff a break, labor laws and all. I'll go to 2:00 and
17 then -- you know, I really don't think we'll have enough time for more than
18 that.

19 MR. STANTON: Okay.

20 MR. BASHOR: Great.

21 MR. STANTON: I just needed confirmation that we're there and
22 we're good.

23 THE COURT: Even if we finish early, I won't -- I will not pull a
24 Bonaventure on you and scream at you because you don't have a witness.

25 MR. STANTON: Thank you, Your Honor.

1 THE COURT: Senior.

2 MR. STANTON: I figured you were talking senior.

3 THE COURT: Having been yelled at myself, by that man, for not
4 having a witness, I know these things. Okay. Anything else?

5 MR. STANTON: No.

6 MR. BASHOR: Not from the Defense.

7 THE COURT: All right. I'll see you tomorrow.

8 MR. BASHOR: Thank you, Your Honor.

9 MR. STANTON: Okay.

10 [Proceedings concluded at 5:21 p.m.]

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

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22
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25 Maukele Transcribers, LLC
Jessica B. Cahill, Transcriber, CER/CET-708

DISTRICT COURT
CLARK COUNTY, NEVADA

CASE NO. C-16-312448-1

DEPT. IX

SHAWN GLOVER, aka SHAWN LYNN
GLOVER, JR.,

Defendant.

BEFORE THE HONORABLE JENNIFER P. TOGLIATTI, DISTRICT COURT JUDGE
TUESDAY, JULY 31, 2018

RECORDER'S TRANSCRIPT OF JURY TRIAL - DAY 2

APPEARANCES:

DAVID STANTON, ESQ.
WILLIAM FLINN, ESQ.

ROBERT E. O'BRIEN, ESQ.
RYAN J. BASHOR, ESQ.

RECORDED BY YVETTE G. SISON, COURT RECORDER

1 Las Vegas, Nevada, Monday, July 30, 2018

2
3 [Case called at 11:22 a.m.]

4 [Outside the presence of the jury.]

5 THE COURT: All right. This is the time set for the continuation of
6 the trial in State v. Glover. The record should reflect the Defendant is present
7 and dressed for trial. We're outside the presence of the jury. We've changed
8 the schedule slightly, because the parties have arguments to make about a
9 legal issue or evidentiary issues, associated with the case that you want me to
10 -- want me to consider before openings. And so, we'll do that at the end of the
11 day. Is there anything that we need to do before I bring in the jury?

12 MR. STANTON: Not on behalf of the State, Your Honor.

13 MR. BASHOR: Judge, did you address that there was an amended
14 filed?

15 THE COURT: I did not. The District Attorney filed an amended
16 indictment. Is it an indictment?

17 MR. STANTON: Yes.

18 MR. BASHOR: Yes, Your Honor.

19 THE COURT: An amended indictment. And for the record, the
20 changes are what?

21 MR. STANTON: The prohibitive person count is now Count 4
22 instead of Count 3. That way your clerk can comply with the Supreme Court's
23 mandate of not reading that count for consideration on Counts 1, 2, and 3.

24 THE COURT: Okay. And I was thinking last night that before --
25 weren't there two -- are there two people still left on the panel that heard about

1 this in the media?

2 MR. O'BRIEN: Yes.

3 THE COURT: Before you pursue any questions, I thought maybe
4 we should pull those two people in.

5 MR. O'BRIEN: Your Honor, I believe we're down to one. One of
6 the two was the woman who was excused at the very end of yesterday.

7 THE COURT: Okay. We pull the one lady in. And my thought
8 was, I just don't know what she's going to say as far as, you know, you never
9 know. And then everybody saw what she saw, once we asked her what she
10 saw. So, I thought we could have her come in real quick. I'll literally have you
11 ask any questions you would ask in front of everybody, so we can find out
12 what she saw. You know, it's like the cat's out of the bag before we know
13 what --

14 MR. STANTON: The State has no objection.

15 THE COURT: -- whether it's a lion, leopard or --

16 MR. BASHOR: Yeah, it didn't sound very accurate, but sure, Your
17 Honor, I understand your concern.

18 THE COURT: Okay. So, which one was that? That was --

19 MR. BASHOR: It's Diane Morgan, Your Honor. That's panel
20 number 16 currently, originally panel number 23. Badge number 025.

21 THE COURT: Okay. So, you want to get Diane Morgan

22 THE MARSHAL: Diane Morgan.

23 THE COURT: -- in here for me?

24 THE MARSHAL: Yes, ma'am.

25 MR. O'BRIEN: And Your Honor, we did want to ask for one

1 courtesy from the Court as well. With a crowded elevator this morning, we --
2 Mr. Bashor and I took an elevator up with members of the jury. One juror
3 asked us what floor we were on. I said tenth floor, and then stared at the
4 ground to discourage any other conversation, but if you could tell the jurors
5 we're not permitted to talk to them, we would appreciate it.

6 THE COURT: Sure. I haven't gotten there yet, but yes.

7 MR. O'BRIEN: Gotcha.

8 THE COURT: Hi, Ms. Morgan. How are you?

9 PROSPECTIVE JUROR 025: Good morning, Your Honor.

10 THE COURT: Go ahead and have a seat. Okay, so we just have
11 some questions to ask you, related to you specifically. And I didn't want to
12 bring everybody in when it's just about you specifically. You understand
13 you're still under oath?

14 PROSPECTIVE JUROR 025: Yes.

15 THE COURT: Okay. So, I was just going to ask you -- well, I'm
16 going to actually let the attorneys ask you first, anything that they want to ask
17 you related to the statement to me that you made regarding believing that you
18 saw -- you read about this in the newspaper, I think was your phrase, correct?

19 PROSPECTIVE JUROR 025: Correct.

20 THE COURT: Okay. So, State, did you have any questions about
21 that?

22 MR. STANTON: I'm going to defer to Mr. Bashor, initially, Your
23 Honor.

24 THE COURT: Okay.

25 MR. BASHOR: Good morning, Ms. Morgan.

1 PROSPECTIVE JUROR 025: Good morning.

2 MR. BASHOR: Do you recall whether or not -- so is it you read it?

3 PROSPECTIVE JUROR 025: I do -- I don't recall the details. I only

4 recognized his hair.

5 MR. BASHOR: Okay. And by read it, I mean did you see it in a

6 newspaper or --

7 PROSPECTIVE JUROR 025: Yes.

8 MR. BASHOR: Okay. And about how long ago was that?

9 PROSPECTIVE JUROR 025: Over a year.

10 MR. BASHOR: Okay. And do you remember any details?

11 PROSPECTIVE JUROR 025: I do not.

12 MR. BASHOR: Is there anything at all about thinking that you read

13 something about this case, that would be a problem with you?

14 PROSPECTIVE JUROR 025: Not at all.

15 MR. BASHOR: I have no further questions, Your Honor.

16 MR. STANTON: Nothing from the State, Your Honor.

17 THE COURT: Okay. If you could step outside, I'd appreciate it.

18 PROSPECTIVE JUROR 025: Sure.

19 [Outside the presence of the prospective jurors]

20 THE COURT: So, we're outside the presence of the jury, of all --

21 outside the presence of all prospective jurors. A couple of questions I have.

22 Number one, was there a picture of your client in the paper?

23 MR. BASHOR: Yes.

24 THE COURT: And number two --

25 MR. BASHOR: But it was over two -- about two-and-a-half years

1 ago and --

2 THE COURT: Was there something special about his hair?

3 MR. BASHOR: When it's not tied back, I guess it could be
4 recognizable.

5 THE COURT: And so, was it not tied back in the picture?

6 MR. BASHOR: I don't have an independent recollection, Judge. I
7 just -- there's -- the only reason I believe, other than the fact that this was a
8 murder case that the article had any significance it was the 1st of 2016, so it
9 got a little extra press than your average murder would get.

10 THE COURT: Okay. All right. I was just curious about the hair
11 comment. Okay. So, is there anything else related to Ms. Morgan, before we
12 call everybody else in?

13 MR. STANTON: Not on behalf of the State.

14 MR. BASHOR: Not on behalf of the Defense.

15 THE COURT: All right. Then we're going to call everybody else in.

16 THE MARSHAL: All rise. The jury is entering. The jury is all
17 present, ma'am.

18 [In the presence of the jury.]

19 THE COURT: All right. Counsel, will you stipulate to the presence
20 of the prospective jury panel?

21 MR. STANTON: Yes, Your Honor.

22 MR. BASHOR: Yes, Your Honor.

23 THE COURT: Okay. Ladies and gentlemen, before we continue,
24 we're -- I need you all to acknowledge -- everybody in the room to
25 acknowledge that you are still under oath. Do you understand that?

1 THE PROSPECTIVE JURORS: Yes.

2 THE COURT: Okay. I'm going to be directing my questions to this
3 group here and that group over there, in the first row, just like yesterday.
4 However, I have Ms. Nicole Williams. Raise your hand. Ms. Williams, I am
5 going to -- excuse me -- catch you up, for lack of a better term, to the place
6 where these folks are, as far as background and history, and that kind of thing.

7 PROSPECTIVE JUROR 163: Okay.

8 THE COURT: And so, at any time, if any -- any of our subject
9 matter that we spoke about yesterday, stands out in your mind as something
10 you think we should know, please bring it to my attention.

11 PROSPECTIVE JUROR 163: Okay.

12 THE COURT: First of all, how long have you lived in Clark County?

13 PROSPECTIVE JUROR 163: Two years.

14 THE COURT: And before that, where did you live?

15 PROSPECTIVE JUROR 163: Oakland, California.

16 THE COURT: And how long did you live in Oakland?

17 PROSPECTIVE JUROR 163: Two years.

18 THE COURT: And before that, where did you live?

19 PROSPECTIVE JUROR 163: In L.A.

20 THE COURT: And how long did you live in L.A.?

21 PROSPECTIVE JUROR 163: Most of my life.

22 THE COURT: Okay. And can you give me your educational
23 background?

24 PROSPECTIVE JUROR 163: AA degree.

25 THE COURT: And are you working?

1 PROSPECTIVE JUROR 163: Yes.
2 THE COURT: What do you do?
3 PROSPECTIVE JUROR 163: Fulfillment Center.
4 THE COURT: And what's your official title?
5 PROSPECTIVE JUROR 163: Just fulfillment person. I work at
6 Amazon.
7 THE COURT: Okay. And you've done that how long?
8 PROSPECTIVE JUROR 163: Going on a year in August.
9 THE COURT: Okay. Can you give me a checklist of any other job
10 titles that you've held?
11 PROSPECTIVE JUROR 163: Yes. Administration, customer service,
12 management, sales, I think that's about it.
13 THE COURT: So, always in retail, those --
14 PROSPECTIVE JUROR 163: Mostly in retail. I did work in business
15 administration, dealing with Enterprise, at their corporate office.
16 THE COURT: Okay. Are you married?
17 PROSPECTIVE JUROR 163: No.
18 THE COURT: Have you previously been married?
19 PROSPECTIVE JUROR 163: Yes.
20 THE COURT: And your previous spouse's occupation, when you
21 were married?
22 PROSPECTIVE JUROR 163: He dealt with computers and dealt with
23 computers and the mail room, from what I remember?
24 THE COURT: And the what, mailroom?
25 PROSPECTIVE JUROR 163: Mailroom and started working with

1 computers. He started doing their website.

2 THE COURT: Okay. And do you have a significant other,
3 currently?

4 PROSPECTIVE JUROR 163: Yes.

5 THE COURT: And your significant other's occupation?

6 PROSPECTIVE JUROR 163: He's not working currently.

7 THE COURT: What does he do when he's working?

8 PROSPECTIVE JUROR 163: He did plumbing work and
9 construction.

10 THE COURT: Okay. And --

11 PROSPECTIVE JUROR 163: Private business.

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

13 PROSPECTIVE JUROR 163: Yes.

14 THE COURT: How many and how old?

15 PROSPECTIVE JUROR 163: One, she's 21 years old.

16 THE COURT: And what is she doing?

17 PROSPECTIVE JUROR 163: She works at Amazon, as well.

18 THE COURT: So, I'm not hearing any specialized law enforcement
19 training, education, or legal, for you, or any of your immediate family.

20 PROSPECTIVE JUROR 163: Correct.

21 THE COURT: Do you have any close friends, or other relatives that
22 you're close to, that have law enforcement background?

23 PROSPECTIVE JUROR 163: Nobody close.

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

25 PROSPECTIVE JUROR 163: No.

1 THE COURT: Have you, or anyone close to you, very close to you,
2 ever been a victim of a crime?

3 PROSPECTIVE JUROR 163: No. Not a crime, no.

4 THE COURT: Okay. Have you, or anyone close to you, ever been
5 arrested or charged with, accused of, or cited for a crime more serious than
6 like a traffic violation?

7 PROSPECTIVE JUROR 163: No.

8 THE COURT: So, do you have any interaction or experience with,
9 the justice system?

10 PROSPECTIVE JUROR 163: No.

11 THE COURT: Yesterday, I asked other jurors, there's a basic
12 precept of American justice. And that is, that a Defendant is presumed
13 innocent. And I talked about how the burden is on the State to prove each and
14 every material element of the charge beyond a reasonable doubt. And that the
15 Defendant has no burden at all. None whatsoever. No obligation to say or do
16 a thing. Do you have a problem with that basic precept of American Justice?

17 PROSPECTIVE JUROR 163: No, I do not.

18 THE COURT: Do you understand it?

19 PROSPECTIVE JUROR 163: Yes, I do.

20 THE COURT: And do you realize why we have that, and it's very
21 important?

22 PROSPECTIVE JUROR 163: Yes, I do.

23 THE COURT: Okay. Yesterday we were talking about persons
24 being able to wait in forming an opinion on the appropriate result, until all of
25 the evidence had been heard, and then only once they knew what the law was.

1 Are you a person that could do that, even if it's hard to do, wait in forming an
2 opinion on the appropriate result, until you hear everything and know, you
3 know, the entire case?

4 PROSPECTIVE JUROR 163: Yes.

5 THE COURT: And you heard me asking questions yesterday of
6 different jurors. You know, sometimes related to responses they gave,
7 sometimes just because I was picking their brain. It all related to an ability to
8 be fair and impartial to both sides. Is there anything in your mind, that you
9 can think of, any reason whatsoever, why you might not be able to be a fair
10 and impartial juror to both sides in this case?

11 PROSPECTIVE JUROR 163: No.

12 THE COURT: Okay. So, ladies and gentlemen as a follow-up to
13 yesterday, and I'm talking about this group and that group over there, in a
14 criminal trial, the members of the jury are the questions of fact, and I am the
15 Judge of the questions of law. It's my job to give instructions on the law, as
16 they apply in a particular case. And it's your job to apply those instructions to
17 the facts, as you find them, from the evidence.

18 So, that's the job of the jury, to be fact-finders and follow the
19 Court's instructions on the law. I asked several of you individually yesterday, I
20 believe, especially the ones with the law enforcement background or legal
21 background, would any of you have any difficulty in following the Court's
22 instructions on the law, and being a fact-finder in the case. If so, please raise
23 your hand. No one indicates in the affirmative.

24 Is there -- are there any of you who have any personal or
25 professional hardships related to jury duty, or jury service in this case, that you

1 didn't bring to my attention yesterday? Yes, sir, hold on one second. Okay,
2 well, we'll stick with you then, Ms. Williams. Go ahead. What's the hardship?

3 PROSPECTIVE JUROR 163: I'm not sure that it's actually a
4 hardship. I just wanted to bring it to your attention. My job does allow me to
5 serve ten days. So -- and I generally start --

6 THE COURT: You mean with pay?

7 PROSPECTIVE JUROR 163: With pay, yes.

8 THE COURT: Okay. We're not going to go longer than that.

9 PROSPECTIVE JUROR 163: Okay. I just want to, you
10 know --

11 THE COURT: No way.

12 PROSPECTIVE JUROR 163: -- make sure I covered everything, you
13 know, if it comes up later on.

14 THE COURT: Let me tell you, I have another trial right after this.

15 PROSPECTIVE JUROR 163: Okay.

16 THE COURT: And they've got 55 witnesses, it's going to go three
17 weeks, like I can't start late.

18 PROSPECTIVE JUROR 163: Okay.

19 THE COURT: We're going to be fine.

20 PROSPECTIVE JUROR 163: Okay.

21 THE COURT: Yes, sir, last three digits on your badge, please.

22 PROSPECTIVE JUROR 086: 086.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR 086: We had a water pipe burst at our
25 home, so right now we have a plumber who is fixing the water heater that has

1 leaked into the house. And we, also, have construction crew at the house right
2 now.

3 THE COURT: He's running late for the record.

4 PROSPECTIVE JUROR 086: Yes.

5 THE COURT: Go ahead, I'm sorry to interrupt. Go ahead.

6 PROSPECTIVE JUROR 086: So, we have a crew at the house who
7 are peeling off drywall off the walls and applying water mitigation stuff to our
8 home at the moment.

9 THE COURT: Okay. And who's at the home?

10 PROSPECTIVE JUROR 086: My wife is at the home currently with
11 the kids.

12 THE COURT: Okay. And did you -- when did they start their, I
13 don't know, visit, remediation, whatever we're going to call it?

14 PROSPECTIVE JUROR 086: Last evening we had a plumber over
15 late to fix the water heater. This morning we have a construction crew there.
16 And we'll have another plumber back today. The construction crew is working
17 on the water damage in the walls and the plumber has to remove the water
18 heater he installed last night and put it back this morning, because he wasn't
19 supposed to put it in yet.

20 THE COURT: Okay. So, as we go through this process, I anticipate
21 we're only going to be here for a couple of hours. And then what's going to
22 happen is the jury is going to go home. The lawyers and the Court are going
23 to do some lawyering. And the Court's going to do some ruling. And then
24 tomorrow openings and everything else in the case.

25 Knowing that, does that help your concerns, because you aren't

1 going to be here that long. We're going to go through until we get a jury, and
2 then the jury is going home.

3 PROSPECTIVE JUROR 086: Yeah.

4 THE COURT: And then we start rocking and rolling tomorrow.

5 PROSPECTIVE JUROR 086: For today that's fine. I don't know how
6 long the process is going to take. Right now, there's drywall on the walls in
7 both bedrooms and the garage. So, I don't know a timeline, exactly for when
8 the job's going to be --

9 THE COURT: So, you want to be there every second of all the
10 repairs and not go to work?

11 PROSPECTIVE JUROR 086: I guess I would like to be available.
12 Insurance has yet to come out to kind of assess everything, and it would be
13 convenient for myself if I could be available for that.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR 086: To answer questions and stuff.

16 THE COURT: Okay. So, if you weren't doing this trial, would you
17 be going to work?

18 PROSPECTIVE JUROR 086: I have the option to work from home,
19 so I'd be working from home.

20 THE COURT: Okay. Anybody else? Okay. Over there.

21 PROSPECTIVE JUROR 131: 131.

22 THE COURT: Mr. Jones.

23 PROSPECTIVE JUROR 131: Yes.

24 THE COURT: What's going on?

25 PROSPECTIVE JUROR 131: I was diagnosed with Asperger's in

1 2015.

2 THE COURT: Okay. And so, how do you think that's going to
3 affect your jury duty?

4 PROSPECTIVE JUROR 131: It gives me a lot of anxiety and issues
5 of focusing and social interactions.

6 THE COURT: Okay. Yesterday you seemed perfectly able to
7 socially interact, and joke around, and be fine. What's --

8 PROSPECTIVE JUROR 131: I've gotten good at hiding.

9 THE COURT: Okay. That's not my issue.

10 PROSPECTIVE JUROR 131: All the --

11 THE COURT: What I'm asking you is why are you bringing that up
12 today and didn't mention it yesterday?

13 PROSPECTIVE JUROR 131: Because I didn't -- when you were
14 asking all of the questions, I didn't know when the appropriate time was to --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR 131: -- bring it up.

17 THE COURT: All right. And is that it?

18 PROSPECTIVE JUROR 131: Yes.

19 THE COURT: Okay. Thank you. Who else had their hand up?
20 Anybody else? All right. Nobody else indicates in the affirmative. Can I see
21 counsel at the bench?

22 [Sidebar begins at 11:41 a.m.]

23 THE COURT: I want to discuss this at sidebar or do you want me to
24 get rid of anybody? I'm not inclined to --

25 MR. STANTON: I'm not making a motion.

1 MR. BASHOR: I'm not making a motion.

2 THE COURT: All right. So, you're up.

3 MR. STANTON: All right.

4 [Sidebar ends at 11:41 a.m.]

5 THE COURT: Okay. At this time, the State is going to ask
6 questions, and they are, again, sticking with this group here, and the first row
7 over there. So, if he asks a question and he says, hey, group, question, that
8 includes you, first row.

9 MR. STANTON: Thank you, Your Honor.

10 THE COURT: Thank you.

11 MR. STANTON: Ladies and gentlemen outside of that group, if you
12 can follow along as you did yesterday. If for some reason you get sent up here
13 to replace a person on what we refer to as the panel, if you hear those
14 questions, and keep in your mind, hey, that question about employment, I
15 need to follow-up and advise either myself, Defense Counsel, or Court, that
16 would be helpful as well.

17 Ladies and gentlemen, I want to begin by asking, as I look out into
18 the crowd of what we refer to as the panel, you all seem to be very reasonable
19 folks. One of the things that sitting as a juror, besides what you've learned
20 yesterday and today, is that you cannot do a number of different things.

21 You've heard Judge Togliatti talk to a couple of jurors individually,
22 about not being able to speak to a father, about any facts of the case, or any
23 aspects of the trial at all. And that can be a difficult thing. My question to you
24 is looking into yourself, as the type of person that you are, can you abide by
25 this?

1 In every single break that you get, Judge Togliatti, once you're
2 seated as a juror in this case, will read you what we call is an admonition. It's
3 a warning. It's an instruction that you cannot not only discuss the case, but
4 you can't do any investigation in the case.

5 Now, I've been around for a little bit, where the internet wasn't as
6 prevalent when I started doing jury trials, but it is now. And that includes
7 doing any type of research or investigation on the internet. And let me just
8 give you some examples that might crop up, or you might think would be
9 innocuous and, therefore, doesn't really qualify as investigation. You can't
10 look up terms. Legal terms, specific terms, medical terms, that you will hear
11 during this trial. Everything that you're going to hear for you to render a fair
12 and just verdict, you're going to hear from that witness stand, and from the
13 exhibits admitted at trial.

14 So, you can't look up that. You can't go to the scene. You can't go
15 on Google maps to review street corners, locations, buildings. Anything that's
16 described by witnesses in this case.

17 So, my question to all of you, number one, I'm assuming you all
18 understand that. But the more important thing that I'd ask in a yes or no, is do
19 you all believe that you can abide by that?

20 PROSPECTIVE JURORS: Yes.

21 MR. STANTON: Is there anybody that says, look, there's just no
22 way I can do that. If I hear that, I got to do my own research for my own state
23 of mind? Okay. Great.

24 The second phenomena is -- and I used to ask how many people by
25 a show of hands, I've given up on that -- eight of the top 30 shows in the

1 United States deal with CSI, crime scene, forensic evidence, or the criminal
2 justice system. Law and Order, types of shows like that. And there's probably
3 a reason why they're so popular. People find it interesting.

4 My question to you, number one is, do you all understand and
5 agree with, that what you see on television is not necessarily what happens in
6 real life? And that seems like a simple concept, and I'm sure you probably all
7 generally agree with it. In some of the shows, some of the facts are dead on.
8 They've nailed the criminal justice system accurately. I'm not sure it's
9 complete, but certainly cases don't begin and end in an hour. They're
10 obviously very truncated.

11 Crime scene analysts in the CSI shows don't do interviews.
12 That's what homicide detectives are for. But you can't, at an autopsy, take a
13 laser and slice the cornea of one's eye and put it under a microscope or some
14 sort of Laser 2000, and determine what the last thing the decedent saw before
15 they died.

16 So, there are a lot of things that are in those shows that mean well,
17 but have no reality in the actual criminal justice system. And so, you all
18 understand that, and it's not a problem for anybody that what you see on TV,
19 you won't bring that into the courtroom? Okay.

20 The next question I have is -- has to do with kind of the building
21 blocks, the fundamental rights that kind of serve as the foundation of the
22 criminal justice system. Yesterday, Judge Togliatti mentioned two of them.
23 And I'll just briefly go over them. And you all indicated that you agree with
24 them and believe in them. Number one is that the Defendant, Mr. Glover, as
25 he sits in this courtroom right now, is presumed innocent. That is critical and

1 fundamental to the criminal justice system.

2 Second is, is that the duty in the criminal justice system, the
3 burden is on the State. Mr. Flinn and myself have the burden of proving
4 beyond a reasonable doubt that Mr. Glover is guilty of the crimes that he's
5 charged with. That's fundamental. And everybody indicated that they agreed
6 with it. The other right that is equally as fundamental as those is the right that
7 sits at the table with Mr. Flinn and myself. And that's the right of the State, in
8 a criminal case, that if it meets its burden of proving Mr. Glover, beyond a
9 reasonable doubt of his guilt, their right is that the verdict be guilty. Does
10 everybody agree with that?

11 Now, I'm going to take kind of -- because this question has such a
12 varied response, and such a frequent affirmation that they have knowledge, it
13 deals with firearms. So, what I'm going to do is I'm going to start at the very
14 back row. And as the Judge did, I'll start by whoever raises their hands in the
15 very back row. Raise your hands if you have an excellent, good, or marginal
16 familiarities with firearms, long guns or handguns. Okay. The three of you.

17 Could I get you to pass the microphone all the way down to Mr.
18 Barnes. Mr. Barnes, since you have the unfortunate spin of the wheel to be on
19 the first seat near the end, Mr. Barnes, do you own firearms?

20 PROSPECTIVE JUROR 912: I do not.

21 MR. STANTON: Have you trained or shot with them in the past?

22 PROSPECTIVE JUROR 912: I have.

23 MR. STANTON: Hand guns or long guns?

24 PROSPECTIVE JUROR 912: Both.

25 MR. STANTON: Do you know the difference between a semi-

1 automatic and a revolver?

2 PROSPECTIVE JUROR 912: Yes.

3 MR. STANTON: Knows how it works, kind of the mechanics that
4 goes along with it?

5 PROSPECTIVE JUROR 912: I do.

6 MR. STANTON: Okay. Is that because of your training, something
7 with your family, or you and your growing up or something?

8 PROSPECTIVE JUROR 912: Yeah, I guess you can say so.

9 MR. STANTON: Okay.

10 PROSPECTIVE JUROR 912: I was involved in an ROTC program,
11 and my girlfriend's family, they're big into firearms.

12 MR. STANTON: Okay. And you're familiar then with kind of
13 calibers and the sort of both long guns and hand guns.

14 PROSPECTIVE JUROR 912: I am.

15 MR. STANTON: Okay. Thank you very much. If you could pass it
16 down to seat number three. It's Mr. -- is it Graber?

17 PROSPECTIVE JUROR 916: Yes, sir.

18 MR. STANTON: Mr. Graber, I'm assuming, but I don't want to, that
19 in part, your training came from your occupations in the past?

20 PROSPECTIVE JUROR 916: Correct. Marine Corps.

21 MR. STANTON: Marine Corps, in particular. In the Marine Corps,
22 did you qualify in both long guns and hand guns?

23 PROSPECTIVE JUROR 916: Yes, sir.

24 MR. STANTON: And I'm assuming that you clearly know the
25 difference between a semi-automatic and a revolver?

1 PROSPECTIVE JUROR 916: Yes, sir.

2 MR. STANTON: All types of calibers, and did you go beyond

3 firearms in your training?

4 PROSPECTIVE JUROR 916: Yes.

5 MR. STANTON: Some exotics?

6 PROSPECTIVE JUROR 916: Yeah.

7 MR. STANTON: Okay. Thank you very much. And Mr. Huntsman.

8 PROSPECTIVE JUROR 923: Yes.

9 MR. STANTON: Same thing to you. Number one, do you own

10 weapons?

11 PROSPECTIVE JUROR 923: Yes, I do.

12 MR. STANTON: And are they hand guns, long guns or both?

13 PROSPECTIVE JUROR 923: All long guns.

14 MR. STANTON: And do you know the difference in the hand gun

15 category between a semi-automatic and revolver?

16 PROSPECTIVE JUROR 923: Yes, I do.

17 MR. STANTON: Are you familiar with the different calibers of kind

18 of what I'll refer to as normal calibers, or common calibers, here in the United

19 States?

20 PROSPECTIVE JUROR 923: For the most part, yes.

21 MR. STANTON: Okay. Thank you very much. Now, in the second

22 row. By a show of hands, once again, the question to you is do you have

23 outstanding familiarity, kind of a passing knowledge of firearms? Raise your

24 hand. Okay. Could we pass it down to -- is it Mr. Harris?

25 PROSPECTIVE JUROR 947: Yes.

1 MR. STANTON: And I'm assuming, but don't want to, about your
2 employment; is that correct?

3 PROSPECTIVE JUROR 947: Yes.

4 MR. STANTON: Okay. Did that require some hand gun training
5 and certain qualifications on a regular basis?

6 PROSPECTIVE JUROR 947: Monthly.

7 MR. STANTON: Monthly. Is that for both MP as well the DOV, or
8 the --

9 PROSPECTIVE JUROR 947: Absolutely.

10 MR. STANTON: Okay. Hand guns?

11 PROSPECTIVE JUROR 947: Both.

12 MR. STANTON: Long guns and hand guns. Any exotics?

13 PROSPECTIVE JUROR 947: A lot.

14 MR. STANTON: A lot. Okay. You know the difference between a
15 revolver and a semi-automatic?

16 PROSPECTIVE JUROR 947: Yes.

17 MR. STANTON: And the calibers?

18 PROSPECTIVE JUROR 947: Yes.

19 MR. STANTON: Thank you, sir. Third row. Raise your hand if you
20 have knowledge of firearms. Okay. Let me go first with, is that Mr. Perri?

21 PROSPECTIVE JUROR 000: Yes.

22 MR. STANTON: Can you tell me how you're familiar with firearms,
23 Mr. Perry?

24 PROSPECTIVE JUROR 000: It's a hobby.

25 MR. STANTON: Okay. Do you own them?

1 PROSPECTIVE JUROR 000: Yes.
2 MR. STANTON: What kind of guns do you own?
3 PROSPECTIVE JUROR 000: Hand guns and rifles.
4 MR. STANTON: And is that a hobby that you've had for a long
5 time, short time?
6 PROSPECTIVE JUROR 000: Yes.
7 MR. STANTON: Do you know the difference between a semi-
8 automatic and a revolver?
9 PROSPECTIVE JUROR 000: Yes.
10 MR. STANTON: Do you own both?
11 PROSPECTIVE JUROR 000: Yes.
12 MR. STANTON: You know the difference between the general
13 calibers?
14 PROSPECTIVE JUROR 000: Yes.
15 MR. STANTON: Thank you very much, sir. Are you a good shot?
16 PROSPECTIVE JUROR 000: Yes.
17 MR. STANTON: Okay. Next? And that's Ms. Morgan?
18 PROSPECTIVE JUROR 025: Morgan, yes.
19 MR. STANTON: How do you have familiarity with firearms?
20 PROSPECTIVE JUROR 025: My dad's a big hunter, and it was just
21 always growing up.
22 MR. STANTON: Around the family --
23 PROSPECTIVE JUROR 025: Yeah.
24 MR. STANTON: -- and firearms.
25 PROSPECTIVE JUROR 025: Yeah.

1 MR. STANTON: Dad did a pretty good job of telling you about to
2 handle them safely?

3 PROSPECTIVE JUROR 025: Oh, absolutely.

4 MR. STANTON: Okay. Did you ever shoot guns?

5 PROSPECTIVE JUROR 025: Yes.

6 MR. STANTON: Hand guns, firearms - long guns?

7 PROSPECTIVE JUROR 025: I got a rifle for my 12th birthday.

8 MR. STANTON: Okay. And did you know the difference between a
9 semi-automatic and a revolver?

10 PROSPECTIVE JUROR 025: Yes.

11 MR. STANTON: Okay. Thank you very much, ma'am. If you could
12 pass it immediately to your right. And that would be, I believe Mr. Harrell.

13 PROSPECTIVE JUROR 030: Yes, sir.

14 MR. STANTON: Am I pronouncing that name, correct?

15 PROSPECTIVE JUROR 030: Yeah, you are.

16 MR. STANTON: I'm assuming because of your employment, at
17 least a portion of it --

18 PROSPECTIVE JUROR 030: Yes, sir.

19 MR. STANTON: -- is that required?

20 PROSPECTIVE JUROR 030: Yes, sir.

21 MR. STANTON: Do you carry?

22 PROSPECTIVE JUROR 030: Yes, sir.

23 MR. STANTON: On occasion or --

24 PROSPECTIVE JUROR 030: -- on occasion, yeah.

25 MR. STANTON: Okay. Did you have any knowledge of firearms,

1 prior to that employment?

2 PROSPECTIVE JUROR 030: I did.

3 MR. STANTON: Hand guns?

4 PROSPECTIVE JUROR 030: Both.

5 MR. STANTON: Long guns?

6 PROSPECTIVE JUROR 030: Yes.

7 MR. STANTON: You know the difference between a semi-
8 automatic and a revolver?

9 PROSPECTIVE JUROR 030: Yes.

10 MR. STANTON: Common calibers?

11 PROSPECTIVE JUROR 030: Yes, sir.

12 MR. STANTON: The mechanics and operations of how a semi-
13 automatic works?

14 PROSPECTIVE JUROR 030: Yes, sir.

15 MR. STANTON: Okay. Thank you. Anybody else? Yes, Ms.
16 Gevers?

17 PROSPECTIVE JUROR 035: Uh-huh.

18 MR. STANTON: Is it Geevers (phonetic pronunciation) or Gevers?

19 PROSPECTIVE JUROR 035: Gevers.

20 MR. STANTON: Gevers. How do you know about firearms?

21 PROSPECTIVE JUROR 035: I have had a CCW, but I have let it
22 lapse since my husband's passed.

23 MR. STANTON: Okay. Was that here in Clark County?

24 PROSPECTIVE JUROR 035: Yes.

25 MR. STANTON: And what you carried was, I'm assuming a

1 firearm?

2 PROSPECTIVE JUROR 035: Yes.

3 MR. STANTON: Was it a revolver or semi-automatic?

4 PROSPECTIVE JUROR 035: Revolver.

5 MR. STANTON: Did you shoot on a regular basis?

6 PROSPECTIVE JUROR 035: Used to.

7 MR. STANTON: Okay. And because you don't, you wisely
8 decided not to still carry if --

9 PROSPECTIVE JUROR 035: Correct.

10 MR. STANTON: -- if you don't actively shoot?

11 PROSPECTIVE JUROR 035: Correct. Correct.

12 MR. STANTON: Thank you very much. Front row, by show of
13 hands, active familiarity with firearms. If you could pass it up, I think this is all
14 the way to --

15 PROSPECTIVE JUROR 093: 093. Arian Tassy.

16 MR. STANTON: Is it Tassy?

17 PROSPECTIVE JUROR 093: Tashy (phonetic pronunciation).

18 MR. STANTON: Tassy. Now, I want to pronounce it correct. Is it
19 Tassy?

20 PROSPECTIVE JUROR 093: Tashi (phonetic pronunciation).

21 MR. STANTON: No, I want to pronounce it correctly.

22 PROSPECTIVE JUROR 093: Tassy.

23 MR. STANTON: Tassy.

24 PROSPECTIVE JUROR 093: Tassy.

25 MR. STANTON: Tassy. How do you know about firearms, Mr.

1 Tassy?

2 PROSPECTIVE JUROR 093: My father had a nine millimeter when
3 I was a child, and he showed me gun safety. And then later as a late teen in
4 Hawaii, in a rural area, rifles and handguns were there.

5 MR. STANTON: Okay.

6 PROSPECTIVE JUROR 093: Little target practice there.

7 MR. STANTON: You knew your father was a -- or he had a semi-
8 automatic, do you know the difference mechanically, how a revolver is
9 different from a semi-automatic handgun?

10 PROSPECTIVE JUROR 093: Yes.

11 MR. STANTON: Okay. Thank you, sir. If you could pass it down to
12 next, that would be Ms. Hillstead.

13 PROSPECTIVE JUROR 083: Yes.

14 MR. STANTON: Ms. Hillstead, how do you know about firearms?

15 PROSPECTIVE JUROR 083: I keep one for my protection in my
16 house.

17 MR. STANTON: And have you done that for a long period of time?

18 PROSPECTIVE JUROR 083: Yes.

19 MR. STANTON: Hand gun?

20 PROSPECTIVE JUROR 083: Yes.

21 MR. STANTON: Is it a revolver or a semi-automatic?

22 PROSPECTIVE JUROR 083: It's a .357.

23 MR. STANTON: Okay. And that's normally a revolver, although
24 there is, oddly enough, 357 semi, but most people don't have them.

25 PROSPECTIVE JUROR 083: Right.

1 MR. STANTON: It's a revolver, I'm assuming.
2 PROSPECTIVE JUROR 083: Yes.
3 MR. STANTON: Did you take a revolver, or choose a revolver by
4 choice?
5 PROSPECTIVE JUROR 083: My ex-husband gave it to me.
6 MR. STANTON: Okay. Have you ever shot a semi-automatic?
7 PROSPECTIVE JUROR 083: No.
8 MR. STANTON: Do you know the difference between the two?
9 PROSPECTIVE JUROR 083? Yes.
10 MR. STANTON: Okay. Anybody else on the front row?
11 PROSPECTIVE JUROR 087: Yes.
12 MR. STANTON: Okay.
13 PROSPECTIVE JUROR 087: Just basic knowledge of, you know,
14 going out shooting with my ex-husband and my boys.
15 MR. STANTON: Okay. And just for --
16 PROSPECTIVE JUROR 087: Recreational.
17 MR. STANTON: -- and that's Ms. Fernandez, and you're 087.
18 PROSPECTIVE JUROR 087: Yes.
19 MR. STANTON: Okay. So, do you know the difference between a
20 semi-automatic and a revolver?
21 PROSPECTIVE JUROR 087: Yes, but I don't know about calibers.
22 MR. STANTON: Okay. That was actually going to be my very next
23 question. Thank you very much. How about in the front row, I think that starts
24 with Ms. Godwin on the far right. Ms. Godwin, is your number 099?
25 PROSPECTIVE JUROR 099: Correct.

1 MR. STANTON: How are you familiar with firearms?
2 PROSPECTIVE JUROR 099: My significant other owns a hand gun.
3 MR. STANTON: And do you shoot weapons, or have you ever shot
4 them?
5 PROSPECTIVE JUROR 099: Once.
6 MR. STANTON: Okay. The weapon that your significant other has,
7 is it a revolver or semi-automatic, if you know?
8 PROSPECTIVE JUROR 099: I don't know.
9 MR. STANTON: Okay. Well, do you know the difference between
10 the two?
11 PROSPECTIVE JUROR 099: Somewhat.
12 MR. STANTON: Okay. So here is the -- what I refer to as the idiot's
13 guide to knowing the difference between a semi-automatic and a revolver. At
14 least I thought it was interesting how it's described. It was described to a
15 young child who was in a case of mine, and that was a revolver is a cowboy
16 gun. It's got a wheel that goes around. And a semi-automatic has a slide that
17 goes back and forth. And ejects empty cartridge cases. Do you know which
18 one your significant other has?
19 PROSPECTIVE JUROR 099: It slides.
20 MR. STANTON: It slides, okay. Semi-automatic. Fired one. Other
21 than that, no firearms experience beyond that?
22 PROSPECTIVE JUROR 099: No.
23 MR. STANTON: Thank you very much. Anybody next in that row?
24 That would be, Mr. Jones?
25 PROSPECTIVE JUROR 131: Yes.

1 MR. STANTON: Mr. Jones, how do you know about firearms?
2 PROSPECTIVE JUROR 131: My uncle took me shooting.
3 MR. STANTON: Okay. So, kind of a family thing.
4 PROSPECTIVE JUROR 131: Yeah.
5 MR. STANTON: Firearms safety.
6 PROSPECTIVE JUROR 131: Yeah.
7 MR. STANTON: What kind of guns did he teach you firearm safety
8 with?
9 PROSPECTIVE JUROR 131: Long arms and handguns
10 MR. STANTON: Do you know the difference between a semi-
11 automatic and a revolver?
12 PROSPECTIVE JUROR 131: Yes.
13 MR. STANTON: Have you fired both?
14 PROSPECTIVE JUROR 131: No, I haven't shot a revolver.
15 MR. STANTON: You've never shot a revolver?
16 PROSPECTIVE JUROR 131: No.
17 MR. STANTON: But you've shot a semi-automatic?
18 PROSPECTIVE JUROR 131: Yes.
19 MR. STANTON: Are you familiar with the general common
20 calibers that exist here in the United States?
21 PROSPECTIVE JUROR 131: Yes.
22 MR. STANTON: Okay. Thank you very much. Anybody else in
23 that first row? All the way down, I think that's Ms. Stewart?
24 PROSPECTIVE JUROR 158: Yes.
25 MR. STANTON: Can you tell me how you know about firearms?

1 PROSPECTIVE JUROR 158: Well, I grew up with firearms, and in
2 the last 20 years, until my son graduated from high school, I was in scouting,
3 and was a firearm safety instructor for them.

4 MR. STANTON: Okay. And is the firearms safety with the scouts
5 involve both long guns and hand guns?

6 PROSPECTIVE JUROR 158: We didn't do hand guns. And they had
7 shotguns and rifles.

8 MR. STANTON: Okay. Are you familiar at all with handguns?

9 PROSPECTIVE JUROR 158: Yes.

10 MR. STANTON: Do you know the difference between a --

11 PROSPECTIVE JUROR 158: Yes.

12 MR. STANTON: Okay. And the general calibers?

13 PROSPECTIVE JUROR 158: Yes.

14 MR. STANTON: Have you fired both?

15 PROSPECTIVE JUROR 158: Yes.

16 MR. STANTON: Thank you, ma'am. Anybody else that I missed?

17 PROSPECTIVE JUROR 940: Only because I didn't really understand
18 the question, but after listening to everyone, I have also had --

19 THE COURT: Hold on.

20 MR. STANTON: What's your badge number?

21 PROSPECTIVE JUROR 940: Oh, I'm sorry.

22 MR. STANTON: It's --

23 PROSPECTIVE JUROR 940: 940.

24 MR. STANTON: And how did -- is it Kime?

25 PROSPECTIVE JUROR 940: Kime, yes.

1 MR. STANTON: Ms. Kime, how do you know about firearms?

2 PROSPECTIVE JUROR 940: Well, my husband owns a gun, and we
3 used to go shooting, and skeet shooting, that kind of thing.

4 MR. STANTON: Did you ever -- skeet shooting is obviously a long
5 gun.

6 PROSPECTIVE JUROR 940: Right.

7 MR. STANTON: Did you ever shoot hand guns?

8 PROSPECTIVE JUROR 940: Yes.

9 MR. STANTON: Did you ever shoot a revolver?

10 PROSPECTIVE JUROR 940: No.

11 MR. STANTON: Did you ever shoot a semi-automatic?

12 PROSPECTIVE JUROR 940: Yes.

13 MR. STANTON: Okay.

14 PROSPECTIVE JUROR 940: Do I know the difference of the
15 calibers? No, I don't.

16 MR. STANTON: Okay. Thank you very much. Anybody else I
17 missed? Okay, thank you. Besides, Mr. Graber, has anybody else here served
18 in the military? By a show of hands? Oh, Mr. Harris. From what you
19 described earlier, correct?

20 PROSPECTIVE JUROR 947: Yes.

21 MR. STANTON: The military police?

22 PROSPECTIVE JUROR 947: Correct.

23 MR. STANTON: Did you do any other job inside the military,
24 besides military police?

25 PROSPECTIVE JUROR 947: Yes, military police is multi-purpose. I

1 trained tactics, I trained infantry, I trained them how to clear houses. At the
2 same time, I would do law enforcement, patrols. But we went anywhere from
3 KP duty to combat medic.

4 MR. STANTON: Okay. And as, Mr. Harris, were you assigned to an
5 American military base while you were in the army, in Germany?

6 PROSPECTIVE JUROR 947: Yes.

7 MR. STANTON: What was the name of the base?

8 PROSPECTIVE JUROR 947: Kaiserslautern, Taylor Barracks,
9 Mannheim. All of Germany, Heidelberg, Mannheim, Kaiserslautern.

10 MR. STANTON: So, you moved all around?

11 PROSPECTIVE JUROR 947: Ramstein has been gone, and I'm
12 older.

13 MR. STANTON: Oh, so you moved all around.

14 PROSPECTIVE JUROR 947: You jump around. Twenty years
15 overseas is a long time.

16 MR. STANTON: Okay. Anybody else serve in the military? Okay.
17 Ladies and gentlemen, this is once again, a question I'm going to pose to all of
18 you. In this case, I think any reasonable person will say that there will be
19 testimony and documents that would be deemed graphic or gruesome in
20 nature.

21 And my question to you is there any member of the prospective
22 panel that does not believe that they could perform that function of jury
23 service? Judge Togliatti talked about the jury is determinative of the facts of
24 any criminal case. And in this case, facts from a particular witness, a doctor,
25 and some photographs are going to be evidence in this case.

1 My question is, can each and every one of you put aside the
2 emotional aspect of what you will hear and see, and focus on the evidentiary
3 value. What it will tell you about how the victim, Mr. Fleming was killed, and
4 by whom. Can you do that?

5 PROSPECTIVE JURORS: Yes.

6 MR. STANTON: Everybody? Finally, Judge Togliatti mentioned
7 about she will give the instructions of law to the jury. Those instructions come
8 in a packet. They're fascinating, really entertaining instructions of law. They
9 will tell you all you need to know about what to apply to the facts in this case,
10 but one thing that they won't do is we won't tell you who to select as a
11 foreperson. That's up to the 12 members of the jury, collectively, to pick one
12 person as the foreperson. There is no additional authority that goes along
13 with that role. They are one of 12, but they perform one function that no one
14 else in the jury does. And that is, they sign the verdict form.

15 So, my question to all of you, when you look into who you are in
16 your character, sitting in this case, the case where Mr. Glover is charged with
17 first degree murder, with the use of a deadly weapon, if you find that the State
18 has proven its case beyond a reasonable doubt, and the verdict should be
19 guilty, and you're selected foreperson, could each and every one of you sign
20 the verdict form to that effect?

21 PROSPECTIVE JURORS: Yes.

22 MR. STANTON: Does anybody have any concerns that they could
23 not? Those are all my general questions. I just have a couple brief questions
24 for a few of you that were individually based upon your questions yesterday.
25 So, if you could just bear with me, I think I can cover these in fairly short order.

1 Mr. Barnes, you indicated that you had prior federal grand jury service.

2 PROSPECTIVE JUROR 912: Correct.

3 MR. STANTON: What day of the week did you serve?

4 PROSPECTIVE JUROR 912: Tuesdays.

5 MR. STANTON: Did you know that there's another federal grand
6 jury that sits for a year, that handles smaller cases, or less complex cases?
7 Were you aware of that? So, you were on the what was referred to as the
8 special grand jury?

9 PROSPECTIVE JUROR 912: Correct.

10 MR. STANTON: Okay. Is there anything about any cases where
11 might have been -- received instructions of law, that you would have any
12 problem putting that aside?

13 PROSPECTIVE JUROR 912: No, sir.

14 MR. STANTON: For sure, what happens by your service in the
15 federal grand jury, is that you reviewed and indicted cases under federal law,
16 which are unique. Most of them here, are unique from what you will hear in
17 this courthouse. You understand that, right?

18 PROSPECTIVE JUROR 912: I do.

19 MR. STANTON: Okay. And no problem in keeping them separate
20 if selected on this jury?

21 PROSPECTIVE JUROR 912: No, sir.

22 MR. STANTON: Great. Thank you very much. If you could pass it
23 down to Ms. Madrigal. Ms. Madrigal, your prior service and occupation as a
24 nurse, you still are, correct?

25 PROSPECTIVE JUROR 913: Yes.

1 MR. STANTON: Med-Surge?

2 PROSPECTIVE JUROR 913: Yes.

3 MR. STANTON: What other assignments, if any, in the nursing
4 field, did you have?

5 PROSPECTIVE JUROR 913: Home health before this job. That's it.

6 MR. STANTON: Did you ever work in an ER?

7 PROSPECTIVE JUROR 913: I precepted there, when I was in
8 nursing school.

9 MR. STANTON: And is that kind of like residency for nurses?

10 PROSPECTIVE JUROR 913: Yes.

11 MR. STANTON: Okay. And how long did you do that, and where
12 did you do it?

13 PROSPECTIVE JUROR 913: I did that for one year at Desert
14 Springs Hospital.

15 MR. STANTON: Did you ever work on any patients with gunshot
16 wounds?

17 PROSPECTIVE JUROR 913: No.

18 MR. STANTON: Thank you. Would you pass it down to Mr.
19 Graber? Mr. Graber. I'm going to ask you a couple of questions about your
20 marine service. How long were you in the marine corps?

21 PROSPECTIVE JUROR 916: Four years.

22 MR. STANTON: And did you receive a dishonorable discharge -- or
23 an honorable discharge? Sorry.

24 PROSPECTIVE JUROR 916: I was an honorable.

25 MR. STANTON: Okay. And did you ever serve on any juries or any

1 court martial proceedings while you were in the military?

2 PROSPECTIVE JUROR 916: No.

3 MR. STANTON: Okay. Was that a positive experience?

4 PROSPECTIVE JUROR 916: Yes.

5 MR. STANTON: Thank you, sir. If you could pass it down to Juror
6 -- badge number is 933. I want to pronounce your name correctly. Is it
7 Dwinell?

8 PROSPECTIVE JUROR 933: Yes.

9 MR. STANTON: Ms. Dwinell, you indicated your employment is
10 with Jeffery Burr, Limited.

11 PROSPECTIVE JUROR 933: Yes

12 MR. STANTON: And that is primarily estate, wills, trusts, kind of
13 thing?

14 PROSPECTIVE JUROR 933: Yes.

15 MR. STANTON: If someone comes in, as I'm sure they do, to the
16 office, possibly seeking representation in a criminal case, is there a referral
17 process within that law firm that you're familiar with?

18 PROSPECTIVE JUROR 933: Not that I'm familiar with, no.

19 MR. STANTON: Okay. That's my only question. Thank you. If you
20 could pass it to Ms. Kime?

21 PROSPECTIVE JUROR 940: Yes.

22 MR. STANTON: Ms. Kime, you mentioned about a relative that
23 was involved in criminal prosecution in another state, in Indiana. Do you
24 remember that yesterday?

25 PROSPECTIVE JUROR 940: My dad.

1 MR. STANTON: The Judge asked you a question about whether or
2 not there was anything as the result of that, that would cause you a problem
3 sitting in this case. Do you recall that?

4 PROSPECTIVE JUROR 940: Yes.

5 MR. STANTON: My recollection and notes indicate that you didn't
6 have any problem from that.

7 PROSPECTIVE JUROR 940: I do not.

8 MR. STANTON: Is it something that you knew a lot about, either at
9 the time or since the event took place?

10 PROSPECTIVE JUROR 940: I did not know about it at all. He had
11 called me -- actually he came to Vegas to tell us personally. Like I said, he had
12 divorced my mother many years beforehand, and we were not close to him
13 until he decided to come to Vegas to visit, to tell me. And I did not go to the
14 trial. I did not see the accuser. I didn't -- I didn't have any knowledge. I was
15 very upset, of course, because he is my dad. But he was convicted for 27
16 years. He got out in September, around 13 years -- you know, after 13 years,
17 they let him out on probation. And we have a relationship now, but I can't -- I
18 mean because he's my dad. I don't know the facts. So, I can't say whether or
19 not he had a just trial or not. I can't answer that.

20 MR. STANTON: But he did go to trial?

21 PROSPECTIVE JUROR 940: Yes, he did.

22 MR. STANTON: Clearly, it's another state.

23 PROSPECTIVE JUROR 940: Yeah.

24 MR. STANTON: It's another law enforcement --

25 PROSPECTIVE JUROR 940: Right.

1 MR. STANTON: -- organization, than what's dealing with here. In
2 fact, the charges are not even remotely similar to that here. So, it would see
3 for most people that at least haven't experienced it, that one could easily say I
4 can put that aside and judge this case fairly to both sides by listening to the
5 facts in this courtroom. I'm not sure that it's that easy for people that are very
6 close to those in that situation, but you seem to have indicated that you think
7 that you can. Is that accurate?

8 PROSPECTIVE JUROR 940: That is very accurate, because I still
9 have doubts. I don't know. The only -- the only reason why I still have doubts
10 because I wasn't there.

11 MR. STANTON: Right.

12 PROSPECTIVE JUROR 940: And so, I don't know whether or not he
13 was -- the only who can judge him, to me, is -- is God. So, if he did it, then
14 he's going to be judged by God. I can't judge him. I wasn't there. I didn't see.
15 I didn't go to the trial. I don't know anything. All I know is he's my dad, and I
16 still love him.

17 MR. STANTON: Okay. And I understand that. But as it relates to
18 the question of sitting in this case --

19 PROSPECTIVE JUROR 940: Right.

20 MR. STANTON: -- it's not going to interfere with your ability to
21 either side the State or --

22 PROSPECTIVE JUROR 940: Absolutely not. One thing -- it has
23 nothing to do with this -- with this case.

24 MR. STANTON: Okay.

25 PROSPECTIVE JUROR 940: That's separate. That is -- that was a

1 different case, and I didn't even -- I don't know anything about it, so I don't
2 know how to -- there's -- it's different. It's totally different, so I don't
3 understand how I could judge this case, you know, compared to what my dad
4 has gone through --

5 MR. STANTON: Okay.

6 PROSPECTIVE JUROR 940: -- when I wasn't even there.

7 MR. STANTON: You've answered my question. Thank you very
8 much.

9 PROSPECTIVE JUROR 940: You're welcome.

10 MR. STANTON: If you could pass it down one row, over to Mr.
11 Harris, badge number 947. Mr. Harris, you mentioned in your past two
12 employments, I'm not -- based upon your previous answer about the military
13 police in Germany, my follow-up question is to your job after that. You
14 indicated that there were on occasions that, not only did you testify, but you
15 would come back to the United States to testify. Was that predominantly in
16 federal court?

17 PROSPECTIVE JUROR 940: Yes.

18 MR. STANTON: Did you ever testify in anything that we refer to as
19 state charges such as this?

20 PROSPECTIVE JUROR 940: No.

21 MR. STANTON: And you worked there for ten years?

22 PROSPECTIVE JUROR 940: Nine.

23 MR. STANTON: Okay. Thank you, sir. If you could pass it to Ms.
24 Cardoza, badge number 952. Ms. Cardoza, you said your work as -- you have
25 a bachelor's degree in accounting, and you're an auditor.

1 PROSPECTIVE JUROR 940: Yes.

2 MR. STANTON: What type of work do you do specifically for the
3 city? What do you audit?

4 PROSPECTIVE JUROR 940: Operational audits. So, basically, like
5 the Department of, you know, Parks and Rec, or parking. All those
6 departments.

7 MR. STANTON: And is that something that's done of those
8 departments on a regular basis?

9 PROSPECTIVE JUROR 940: It goes on a cycle.

10 MR. STANTON: Okay. So, it cycles back at a certain time period?

11 PROSPECTIVE JUROR 940: Uh-huh.

12 MR. STANTON: Okay. Do you supervise other employees for the
13 city?

14 PROSPECTIVE JUROR 940: No, it's usually just me.

15 MR. STANTON: Okay. Thank you. If you could pass it to Ms.
16 Farfan, badge number 978. Ma'am, could you tell me a little bit more about
17 what type of medical services you're involved in, currently?

18 PROSPECTIVE JUROR 978: So, currently, I'm a nurse's assistant at
19 a nursing home.

20 MR. STANTON: Okay. And have you, in any of your prior
21 employments in the nursing field, worked in a hospital?

22 PROSPECTIVE JUROR 978: No.

23 MR. STANTON: Have you ever cared for anybody that has suffered
24 a gunshot wound?

25 PROSPECTIVE JUROR 978: No.

1 MR. STANTON: Thank you. If you could pass it to Mr. Perri. Mr.
2 Perri, you mentioned something about three friends of yours getting into some
3 trouble, and it sounds like potentially a pretty serious case.

4 PROSPECTIVE JUROR 000: Yeah.

5 MR. STANTON: Was it?

6 PROSPECTIVE JUROR 000: Yes.

7 MR. STANTON: How long ago was that?

8 PROSPECTIVE JUROR 000: Maybe four years.

9 MR. STANTON: And was -- that was, if I understand your
10 comments yesterday, here in Las Vegas?

11 PROSPECTIVE JUROR 000: Yeah.

12 MR. STANTON: Based upon the nature of the charges that were
13 involved, those are serious felony offenses, and they would have, based upon
14 the structure of our criminal justice system, been prosecuted by the Clark
15 County District Attorney's Office, the employers of Mr. Flinn and myself. Do
16 you understand that?

17 PROSPECTIVE JUROR 000: Yes.

18 MR. STANTON: Does that cause you any concern or problems that
19 the people that prosecuted your friends are from the same law firm, if you will,
20 that are sitting in front of you, and possibly sitting in a jury in this case?

21 PROSPECTIVE JUROR 000: Kind of.

22 MR. STANTON: Okay. Tell me about that.

23 PROSPECTIVE JUROR 000: I don't know, it's just kind of weird to
24 think about it.

25 MR. STANTON: Yeah, I imagine it probably would.

1 PROSPECTIVE JUROR 000: Yeah.

2 MR. STANTON: You're a -- in my world, a fairly young person.
3 Does it cause you any concern to sit on a case of such severity as this?

4 PROSPECTIVE JUROR 000: Not really.

5 MR. STANTON: Besides the weirdness that the same people that
6 prosecuted your friends are prosecuting a case here, does it cause you any
7 concern about being fair to the State?

8 PROSPECTIVE JUROR 000: No.

9 MR. STANTON: You paused for a minute.

10 PROSPECTIVE JUROR 000: Yeah, I had to think about it.

11 MR. STANTON: Okay. Is there anything that's causing you some
12 concern that would make you think long and hard about that?

13 PROSPECTIVE JUROR 000: No.

14 MR. STANTON: You mentioned to Judge Togliatti yesterday, that,
15 in the whole, as the dust settles, maybe over the past couple of years, you
16 believe that they were treated fairly?

17 PROSPECTIVE JUROR 000: Yeah.

18 MR. STANTON: That's accurate?

19 PROSPECTIVE JUROR 000: Yeah.

20 MR. STANTON: They did -- kind of the old adage, they did the
21 crime, they do the time.

22 PROSPECTIVE JUROR 000: Yeah.

23 MR. STANTON: Sounds like they did it, and hopefully moved on in
24 their life?

25 PROSPECTIVE JUROR 000: Yeah.

1 MR. STANTON: Do you harbor any resentment about law
2 enforcement, police, the system, if you will, because of that?

3 PROSPECTIVE JUROR 000: Not really.

4 MR. STANTON: Okay. And you would agree with me, that the
5 crimes that your friends apparently committed, are indeed crimes?

6 PROSPECTIVE JUROR 000: Yes.

7 MR. STANTON: And the crimes that you've heard what this case is
8 about are, indeed -- you would consider to be crimes too?

9 PROSPECTIVE JUROR 000: Yes.

10 MR. STANTON: So, there's nothing about the subject matter of the
11 -- of the crimes that --

12 PROSPECTIVE JUROR 000: No.

13 MR. STANTON: -- caused you any concern? Okay. Thank you, sir.
14 If you could pass it down to Ms. Mazzei.

15 PROSPECTIVE JUROR 004: Mazzei.

16 MR. STANTON: Mazzei. I apologize.

17 PROSPECTIVE JUROR 004: No problem.

18 MR. STANTON: Ms. Mazzei, it's weird having an attorney on a
19 prospective panel, but as you could imagine, it's kind of, for both of us
20 probably, you know -- you know, it could be a disaster or could be great, who
21 knows, right? So, let me ask you this. First, as just kind of a logistical within
22 your firm. Is there a referral process, if someone comes to your firm and
23 wants representation for a DUI, or some criminal matter for a family friend?

24 PROSPECTIVE JUROR 004: I'm not aware of any that has occurred,
25 so I haven't been part of any of it.

1 MR. STANTON: Okay. Judge Togliatti asked you some questions
2 about ruling on an evidentiary thing during a trial. I want to focus more about
3 jury instructions. I'm sure you are well familiar with a lot in your field. They're
4 going to be probably be different to you in our world. But do you have any
5 problem applying them as instructions of law ? It's weird asking an attorney
6 can you follow the law.

7 PROSPECTIVE JUROR 004: Yeah, I don't think there will be any
8 problem.

9 MR. STANTON: Okay. Great. Again, there are some people that
10 sit there and say, you know, look if I was king or queen of the state of Nevada,
11 I would change this law, or think that this law is archaic, something like that.
12 But no problems as far as you go?

13 PROSPECTIVE JUROR 004: No.

14 MR. STANTON: Okay. Thank you. If you could pass it to Mr.
15 Harrell.

16 PROSPECTIVE JUROR 030: Harrell.

17 MR. STANTON: Harrell. Badge number 030.

18 PROSPECTIVE JUROR 030: It's Harrell.

19 MR. STANTON: Harrell?

20 PROSPECTIVE JUROR 030: Yes, sir.

21 MR. STANTON: Okay. Sorry. First question, is you kind of have
22 two jobs, as I understand it?

23 PROSPECTIVE JUROR 030: I have one job. It's a primary job. The
24 other is just a -- it's an add-on.

25 MR. STANTON: Okay. Okay.

1 PROSPECTIVE JUROR 030: And it's by choice.

2 MR. STANTON: Okay. So, then you -- and it makes logistical
3 sense and probably any number of different senses to have that. Can you tell
4 me where you got your training to become a pilot?

5 PROSPECTIVE JUROR 030: I got that through an accredited flight
6 school.

7 MR. STANTON: Okay. And was it a number of hours that you then
8 obtained and then got your commercial pilot's license?

9 PROSPECTIVE JUROR 030: Yes, it's a progression.

10 MR. STANTON: Okay. And how long have you held your
11 commercial pilot's license?

12 PROSPECTIVE JUROR 030: Over 30 years.

13 MR. STANTON: And do you fly for a recognized commercial
14 airlines?

15 PROSPECTIVE JUROR 030: Yes, I do. I fly for a major airline.

16 MR. STANTON: And do you then -- because we have probably, I
17 think at the last count, 500 Southwest Airline pilots here have the ability to
18 kind of adjust your schedule for purposes of attending this trial?

19 PROSPECTIVE JUROR 030: I do.

20 MR. STANTON: Okay.

21 PROSPECTIVE JUROR 030: It's in adjustment phase right now.

22 MR. STANTON: Okay. The second component, the add-on
23 component, did you get specialized training for that?

24 PROSPECTIVE JUROR 030: I did.

25 MR. STANTON: And was that both here locally and some other --

1 PROSPECTIVE JUROR 030: It's not local, it's federal.
2 MR. STANTON: Okay. And was that back in Virginia or --
3 PROSPECTIVE JUROR 030: It was in Artesia.
4 MR. STANTON: Okay. As a result of that, you mentioned some
5 aspect of your firearms. That's the current aspect of your use and familiarity
6 with firearms: is that correct?
7 PROSPECTIVE JUROR 030: I still, recreationally.
8 MR. STANTON: Okay. So, both?
9 PROSPECTIVE JUROR 030: Yes, sir.
10 MR. STANTON: Do you carry on a regular basis, both when you fly
11 and when you add-on?
12 PROSPECTIVE JUROR 030: It's selective, and it's also limitations --
13 MR. STANTON: Okay.
14 PROSPECTIVE JUROR 030: -- to the carry.
15 MR. STANTON: Okay. If you could pass it to Ms. Gevers. Badge
16 number 035. Now, you mentioned that you had, I think two stepchildren?
17 PROSPECTIVE JUROR 035: Yes.
18 MR. STANTON: What -- the judge asked you the age. What do
19 they do?
20 PROSPECTIVE JUROR 035: Nichole's 39, and she's a -- I don't
21 know what exactly her title. She works for Freeman. She puts together
22 conventions.
23 MR. STANTON: Okay. And is that -- is there two children or just
24 one?
25 PROSPECTIVE JUROR 035: Two children.

1 MR. STANTON: Okay.

2 PROSPECTIVE JUROR 035: The second one is 28. My son,
3 Brandon, and he is a grower in the state of Colorado. Licensed grower.

4 MR. STANTON: Okay. Well, it seems to be a burgeoning business
5 because now that's three people here that have had direct involvement in
6 employment. Is there anything besides the nature of it that is a concern of
7 yours?

8 PROSPECTIVE JUROR 035: Concern of mine?

9 MR. STANTON: Yeah.

10 PROSPECTIVE JUROR 035: No, I don't know anything about it.

11 MR. STANTON: Okay. Okay. And that's for medicinal and the
12 lawful purposes --

13 PROSPECTIVE JUROR 035: Yes. Uh-huh.

14 MR. STANTON: Okay. Thank you very much. If you could pass
15 the microphone up to one row, if I could go down to Mr. -- is it Chiesi?

16 PROSPECTIVE JUROR 048: Chiesi.

17 MR. STANTON: Chiesi. Mr. Chiesi is badge number 048. Mr.
18 Chiesi, you said you were a civil engineer. Can you tell me what type of
19 projects you worked on as a civil engineer?

20 PROSPECTIVE JUROR 048: My degree was in civil engineering.
21 And then I was project engineer for eight years in West Virginia. We
22 developed underground coal mining tunneling work. And then for the next 20
23 years, I was involved in oil refinery and chemical plant construction.

24 MR. STANTON: And was that in Minnesota?

25 PROSPECTIVE JUROR 048: It was in West Virginia, Pennsylvania,

1 Ohio, Tennessee, Texas, and Minnesota.

2 MR. STANTON: Okay.

3 PROSPECTIVE JUROR 048: My last -- my last assignment was in
4 Minnesota, is where I --

5 MR. STANTON: Oh, I see. So, you kind of bounced around?

6 PROSPECTIVE JUROR 048: Yeah, I lived in Ohio for 20 years, but I
7 traveled the last probably five years, to travel for work. Mainly it was Ohio, the
8 last --

9 MR. STANTON: So, in any of those occupations, were you a
10 supervisor?

11 PROSPECTIVE JUROR 048: Yes.

12 MR. STANTON: How many people did you supervise, say most --
13 the most people at any given time?

14 PROSPECTIVE JUROR 048: Usually six.

15 MR. STANTON: Was that also in performance evaluation?

16 PROSPECTIVE JUROR 048: Yes.

17 MR. STANTON: Also include hiring and firing?

18 PROSPECTIVE JUROR 048: No.

19 MR. STANTON: Not even --

20 PROSPECTIVE JUROR 048: Well, the firing, I -- I --

21 MR. STANTON: Okay. Thank you, sir. Jump to Ms. Williams. Can
22 you explain to me, if you could, what precisely you do at Amazon?

23 PROSPECTIVE JUROR 163: Oh, I'm a picker. So, I drive a pick --

24 MR. STANTON: Okay.

25 PROSPECTIVE JUROR 163: -- and, basically, we get an order on

1 our guns, and we have to drive to the actual item on the shelf, and we'll go up
2 or down. Pick the item, and then drop the orders off.

3 MR. STANTON: Okay. So, you just used the term that I'm
4 interested in. You said something comes in on your gun.

5 PROSPECTIVE JUROR 163: Oh, I'm sorry.

6 MR. STANTON: No, that's okay. I love these terms in different
7 jobs. So --

8 PROSPECTIVE JUROR 163: It's basically a scan gun.

9 MR. STANTON: Gotcha. That's kind of what I was thinking.

10 PROSPECTIVE JUROR 163: Yes.

11 MR. STANTON: And so, that's how the order first comes to you
12 then is on a gun.

13 PROSPECTIVE JUROR 163: Right.

14 MR. STANTON: And then you go into a massive warehouse and
15 try to find that needle in the haystack?

16 PROSPECTIVE JUROR 163: Right. Well, it's not that hard, but, yes.

17 MR. STANTON: Because you've got it all organized, with the
18 system.

19 PROSPECTIVE JUROR 163: Right.

20 MR. STANTON: Okay. Thank you, very much. Your Honor, I have
21 no further questions, and pass the panel for cause.

22 THE COURT: Mr. Bashor?

23 MR. BASHOR: Good afternoon, everyone. I think I can speak for
24 Mr. Stanton and myself that we appreciate your patience. I know that this
25 process seems to go on and on and on. And it's -- you know, it's just the order

1 that I get to go last. I also can't button my coat, so I probably should switch to
2 Lite beer. I mean you no disrespect by not buttoning my coat.

3 So, you heard that this a murder case. And it's a murder case with
4 a deadly weapon. And we've learned that that deadly weapon is a handgun.
5 And by a show of hands, did anyone say awesome this is a murder case?
6 Anyone here hoping this would be a murder case when you walked in the
7 door? Anybody shocked that this was a murder case? Ms. -- I'm sorry --

8 PROSPECTIVE JUROR 163: Williams.

9 MR. BASHOR: Williams, thank you.

10 PROSPECTIVE JUROR 163: New to the seat.

11 MR. BASHOR: New to the seat. How were you shocked?

12 PROSPECTIVE JUROR 163: Just to hear that that -- that it was. I'm
13 just shocked.

14 MR. BASHOR: And --

15 PROSPECTIVE JUROR 163: I thought it was something -- going to
16 be something small, that's all.

17 MR. BASHOR: So, by something small, you would agree that as
18 criminal cases go, murder cases are pretty darn serious?

19 PROSPECTIVE JUROR 163: Yes. Yes, sir.

20 MR. BASHOR: And has that shock kind of waned over time, since
21 you've been here for, I guess, almost a day now?

22 PROSPECTIVE JUROR 163: Yes.

23 MR. BASHOR: Are you feeling more comfortable?

24 PROSPECTIVE JUROR 163: Yes.

25 MR. BASHOR: Anybody else have a similar experience? Show of

1 hands?

2 THE COURT: Ms. Kime? Can you hand the mic back to Ms. Kime?

3 MR. BASHOR: Thank you, Your Honor.

4 THE COURT: I don't know if you saw her.

5 MR. BASHOR: I didn't. You had a similar experience?

6 PROSPECTIVE JUROR 940: Yeah, I was shocked.

7 MR. BASHOR: And as I asked Ms. Williams, has that shock kind of
8 waned?

9 PROSPECTIVE JUROR 940: Absolutely, yes. It's more serious -- it's
10 a serious, you know, allegation, so, yes.

11 MR. BASHOR: Okay. As Judge Togliatti has indicated, these are
12 just accusations. And the reason we're here is that because Mr. Glover denies
13 doing anything. And he's done that by pleading not guilty, right? That's why
14 we're having a trial. Has anyone personally heard of a case, whether in the
15 news or on the television, or the media, where someone was accused of a
16 crime they did not commit? And I'm not going to belabor ten of you, but how
17 about Mr. Chiesi?

18 PROSPECTIVE JUROR 048: Chiesi.

19 MR. BASHOR: Yeah, if we could pass the microphone forward.

20 PROSPECTIVE JUROR 048: I -- I don't remember the details on the
21 case. I just remember that over some years ago, I remember reading or
22 hearing about the case.

23 MR. BASHOR: So, you would agree it happens?

24 PROSPECTIVE JUROR 048: Yes.

25 MR. BASHOR: And as I'm sure that every -- the people that are

1 barred in this room, and the Judge, and everyone have a great affinity for the
2 system working, but we -- it's not perfect, right?

3 PROSPECTIVE JUROR 048: Correct.

4 MR. BASHOR: Anybody else have any specific case they can think
5 of off the top of their heads? You know, because I read the paper like Mr.
6 Chiesi, and I'm not going to be able to memorize the details either, but
7 anybody have any more specific case? Okay.

8 What about -- forget about crime for a second. Forget about --
9 anyone here accused of something they didn't do? Something like, I don't
10 know, eating the last cookie. Right? And we can agree that being accused of
11 something you didn't do, even if it's something as simple as taking the last
12 cookie could be fairly uncomfortable, right? Especially if it's false. So, and so
13 ate the last cookie.

14 I'm not going to belabor this too much because the Judge has
15 talked to you a little bit about it, and so has Mr. Stanton. But we've talked
16 about the presumption of innocence, right? We all understand that if we all
17 got up and went to the deliberation room right now, you've heard no evidence
18 whatsoever and, therefore, if you had to fill out that verdict form right now,
19 you would have to mark the not guilty box, right? Anyone disagree with that?
20 Anybody -- and you got to be honest here, you took that oath, remember.
21 Anybody walk in and say, whooh, he must have done something? Anybody
22 have that reaction? Show no hands. Good. Good.

23 Mr. Stanton and the Judge also talked about the burden of proof in
24 this case, and it rests with these two gentlemen here because they are the
25 State of Nevada and that the accuser is the prover. Everybody agree with

1 that? Anybody disagree with that? Does everybody -- anybody disagree with
2 the fact that Mr. Glover doesn't have to prove his innocence. That is Mr.
3 O'Brien and I could go play Go Fish, ignore everything, but if the State hasn't
4 met their burden, what would you have to do, Mr. Harris?

5 PROSPECTIVE JUROR 947: Not guilty verdict.

6 MR. BASHOR: Thank you. Everyone agree with that?

7 PROSPECTIVE JURORS: Yes.

8 MR. BASHOR: Anybody drive here today? Let's try Ms. Dwinell.
9 If we could pass the microphone back. Did you run any red lights?

10 PROSPECTIVE JUROR 933: No.

11 MR. BASHOR: Prove it?

12 PROSPECTIVE JUROR 933: Cameras.

13 MR. BASHOR: Okay. And cameras at some of the red lights, right.
14 What about stop signs? Did you run any stop signs?

15 PROSPECTIVE JUROR 933: No.

16 MR. BASHOR: No cameras there, right?

17 PROSPECTIVE JUROR 933: Right.

18 MR. BASHOR: I use that as an example to show that the reason
19 why they have the burden of proof, and the reason that there's a presumption
20 of innocence here is because it's very hard to prove a negative. Does
21 everybody agree?

22 PROSPECTIVE JURORS: Yes.

23 MR. BASHOR: It wouldn't be very fair to put Ms. Dwinell on trial
24 for running red lights or stop signs she didn't run, right? Anybody disagree or
25 not understand that? No hands.

1 We've heard a lot about Constitutional Rights and the State's right
2 to a fair trial, and a guilty verdict if they meet their burden. There's a right that
3 hasn't been discussed yet, and that is that Shawn does not have to testify. He
4 could sit there throughout the entire trial and not testify. Does anyone believe
5 that he should have to testify? No hands. Does anybody believe it sure would
6 be nice if he testified? No hands. Mr. Graber.

7 PROSPECTIVE JUROR 916: Yes.

8 MR. BASHOR: There's a microphone nearby. Can you think of
9 some reasons why a lawyer might ask his client not to testify?

10 MR. STANTON: Your Honor, I'm going to object to the form of the
11 question.

12 THE COURT: Can I see counsel at the bench?

13 [Sidebar begins at 12:28]

14 MR. STANTON: Actually, my objection is two-fold. It's both to the
15 form and to the substance. The question counsel asked was can you think of
16 some reasons why an attorney would advise their client not to testify. I think
17 that's a completely irrelevant question in voir dire at any time. The only
18 inquiry is what he's --

19 THE COURT: Why a defendant might not --

20 MR. STANTON: Right.

21 THE COURT: -- do that.

22 MR. STANTON: The reasons why --

23 THE COURT: It's not your decision, you're implying it is,
24 so --

25 MR. BASHOR: Okay.

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SHAWN GLOVER,) No. 77425
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 Appellant,)
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 v.)
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 THE STATE OF NEVADA,)
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 Respondent.)
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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 17 day of April 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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BY /s/Rachel Howard
Employee, Clark County Public Defender's Office