

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

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**LARRY BROWN**

Appellant,

vs.

**THE STATE OF NEVADA**

Respondent.

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**Docket No. 81962**

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Direct Appeal From A Judgment of Conviction  
Eighth Judicial District Court  
The Honorable Valerie Adair, District Judge  
District Court No. C-17-326247-1

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**APPELLANT'S APPENDIX VOLUME 7 OF 18**

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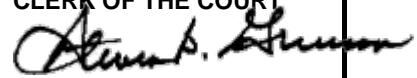
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TRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LARRY DECORLEON BROWN, )  
 )  
Defendant. )

CASE NO. C-17-326247-1  
DEPT NO. XXI

**TRANSCRIPT OF  
PROCEEDINGS**

BEFORE THE HONORABLE VALERIE ADAIR, DISTRICT COURT JUDGE

TUESDAY, DECEMBER 10, 2019

**JURY TRIAL - DAY 2**

APPEARANCES:

FOR THE STATE:

JOHN L. GIORDANI III, ESQ.  
Chief Deputy District Attorney  
MICHAEL DICKERSON, ESQ.  
Deputy District Attorney

FOR THE DEFENDANT:

MONICA R. TRUJILLO, ESQ.  
W. JEREMY STORMS, ESQ.  
Chief Deputy Special Public Defenders

RECORDED BY: ROBIN PAGE, COURT RECORDER  
TRANSCRIBED BY: JD REPORTING, INC.

1 LAS VEGAS, CLARK COUNTY, NEVADA, DECEMBER 10, 2019, 1:21 P.M.

2 \* \* \* \* \*

3 (Proceedings resumed 1:21 p.m.)

4 MR. GIORDANI: Can we do one quick thing on the  
5 record.

6 THE COURT: Sure.

7 MS. TRUJILLO: And let's do the Alexis thing on the  
8 record too that we -- I challenged for cause and --

9 THE COURT: Oh, right. I thought that was on the  
10 record already.

11 MR. STORMS: And we have a Native American. That  
12 wasn't on the record.

13 THE COURT: We do?

14 MR. STORMS: Yeah, third page, or the second page of  
15 the listing of names.

16 THE COURT: Well, maybe our committee outreach is  
17 paying off. All right.

18 So, Ms. Trujillo, you challenged the gal in Chair 32,  
19 Ms. --

20 MS. TRUJILLO: Alexis Gutierrez.

21 THE COURT: All right. The State opposed. I was  
22 concerned about her statements and the emotional nature of her  
23 responses, and I saw her tearing up, and given all of that I  
24 granted your for-cause challenge so when they all come in,  
25 she'll be excused. And then you --

1           The defendant isn't wearing a tie today.

2           MS. TRUJILLO: He's not.

3           THE COURT: That's fine. I just need to make sure  
4 he's ready.

5           MS. TRUJILLO: Yes.

6           THE COURT: So the other issue was what?

7           MR. GIORDANI: Two things. Based upon what happened  
8 with the scheduling, we're going to be dark Monday. Monday was  
9 the day that the State had set up all its out-of-state  
10 witnesses. Four of those witnesses were custodians of record  
11 for cell phone companies.

12          THE COURT: Okay.

13          MR. GIORDANI: That would be Sprint, Verizon,  
14 T-Mobile and AT&T. There are -- we spoke with Ms. Trujillo and  
15 Mr. Storms, and it's my understanding that we can eliminate,  
16 call off those four witnesses because the parties will be  
17 stipulating to the cell phone records --

18          THE COURT: Meaning the authenticity of the records?

19          MR. GIORDANI: Right.

20          THE COURT: Correct?

21          MR. GIORDANI: Right.

22          THE COURT: Not that they're relevant or anything  
23 like that just that they're authentic.

24          MR. STORMS: Yes.

25          MR. GIORDANI: Yes, and those --

1 MR. STORMS: Yes. And ask them if they established  
2 and authenticated them with the custodian of records.

3 MR. GIORDANI: Right. And those are for the cell  
4 phones of -- and I use this term loosely, I mean, some of them  
5 are prescribed to these particular people and some are not.  
6 But they're all -- Larry Brown, Anthony Carter, Kwame Banks and  
7 Carnell Cave. So the State still intends -- even though we're  
8 not bringing in these records custodians to just say, yeah,  
9 these are the records that were obtained via search warrant or  
10 subpoena. So the State still intends to call Genio Basilotta  
11 from the TAZ unit at Metro. He's the witness that was --

12 THE COURT: Right.

13 MR. GIORDANI: -- going to map these --

14 THE COURT: That's fine.

15 MR. GIORDANI: -- records and go through the  
16 locations of them.

17 MR. STORMS: Just so that we're clear, we're not, you  
18 know, these records -- they're associating these records with  
19 these people.

20 THE COURT: Right. That's what I'm saying you're  
21 just --

22 MR. STORMS: This is not to be presented as if this  
23 is Larry Brown's -- they need to establish those things.

24 THE COURT: Right. You're just stipulating that  
25 they're authentic records --

1 MR. STORMS: Yes.

2 THE COURT: -- and waiving the custodian of records.  
3 You can still object on relevancy grounds and anything else.

4 MS. TRUJILLO: Okay.

5 THE COURT: That you would have been able to --

6 MR. GIORDANI: Yeah. And if I misspoke I --

7 THE COURT: -- do anyway with a custodian of records.  
8 So you're just waiving the custodian of records; correct?

9 MR. STORMS: Right. That's right.

10 THE COURT: Correct, that they're authentic business  
11 records.

12 MS. TRUJILLO: Correct.

13 THE COURT: Correct? And then --

14 MR. GIORDANI: That would apply to Exhibits 2, which  
15 is Sprint for the phone Number 404-808-2233, Exhibit 3, which  
16 is T-Mobile with the phone Number 702-581-2072, Exhibit 4,  
17 which is T-Mobile for phone Number 702-517-3499, and Exhibit 5,  
18 which is Verizon for phone numbers 702-277-4856, 702-786-9811  
19 and 702-755-2805.

20 THE COURT: Okay. Can we get started?

21 MR. STORMS: Yes.

22 MR. GIORDANI: Oh, and the other thing is we  
23 mistakenly marked some exhibits. They haven't been admitted  
24 obviously.

25 THE COURT: All right. Can we do that at the next



1 break so we can start with the jury?

2 MR. GIORDANI: Sure. It's just 165 through 171 were  
3 withdrawn. That's it.

4 THE COURT: Okay. Those are withdrawn.

5 MR. GIORDANI: And if I could have those returned.

6 THE COURT: Bring them in.

7 MR. GIORDANI: Thank you.

8 THE COURT: And those will be returned to the State.

9 MR. GIORDANI: Okay. Thank you.

10 (Group B prospective jury panel entering 1:28 p.m.)

11 THE COURT: Court is now in session. This is the  
12 time for Case Number C326247, Plaintiff, State of Nevada versus  
13 Larry Decorleon Brown, Defendant. Let the record reflect the  
14 presence of the State through the deputy district attorneys,  
15 John Giordani and Michael Dickerson, the presence of the  
16 defendant Mr. Brown along with his counsel Jeremy Storms and  
17 Monica Trujillo, the officers of the court and the ladies and  
18 gentlemen of the prospective jury panel Group B.

19 Good afternoon, ladies and gentlemen. You are in  
20 Department 21 of the Eighth Judicial District Court for the  
21 State of Nevada. My name is Valerie Adair, and I am the  
22 presiding Judge.

23 You have been summoned here today to serve as jurors  
24 in a criminal jury trial. In a moment, counsel for the State  
25 will introduce themselves to you. They will tell you briefly

1 the nature of the State's case and give you the names of any  
2 witnesses who may be testifying in this matter. Please listen  
3 very carefully to the names of the witnesses as they are read  
4 to you.

5 Mr. Giordani.

6 MR. GIORDANI: Thank you, Your Honor.

7 Good afternoon, everyone. My name's John Giordani.  
8 I'm a chief deputy district attorney with the Clark County DAs  
9 office. This is Michael Dickerson. He's also a chief deputy  
10 DA with the Clark County DAs office. Morgan Thomas is in the  
11 back there. She's also a deputy with our office, and you'll  
12 see her come and go during the course of these proceedings.

13 I'm going to read a lengthy witness list to you.  
14 Rest assured that we are not calling all these people as  
15 witnesses so this isn't going to be a two month trial, but I do  
16 need to read them all to you. If you notice that you recognize  
17 a name or may know somebody on this list please let the Court  
18 know.

19 Several people are from the Las Vegas Metropolitan  
20 Police Department and I'll refer to them as Metro employees.  
21 Carla Allen, J. Abbott with Metro; Laquanda Banks, J. Barnett  
22 with Metro; D. Barringer with Metro; Eugenio or Gino Basilotta  
23 with Metro; J. Benjamin, Metro; L. Brown, Metro; Claire  
24 Browning, a crime scene analyst with Metro; A. Burnett, George  
25 Burns, G. Cahoon with Metro; Anthony Carter, Tiffany Carter,

1 Carnell Cave, Lora Cody of Metro; Detective Darin Cook formerly  
2 with Metro; Matthew Cook, Metro; D. Cowley, Metro.

3 The following several witnesses are custodians of  
4 records for the following companies or organizations.

5 Custodian of records 76 Gas Station, Clark County Detention  
6 Center, Cellebrite Advanced Services out of New Jersey, Findley  
7 Honda, Findley Volkswagen, Metro Communications, Metro records,  
8 Metro PCSD cell phone company, One-stop Auto, Sky Pointe  
9 Landing Apartments at 5850 Sky Pointe here in Las Vegas,  
10 Nevada, custodian of records for Sprint, Summerlin Hospital,  
11 T-Mobile, Town Center Lodge, Verizon.

12 And we also have Landen Davenport, Marjorie  
13 Davidovic, who is a DNA analyst with Metro; Dr. Christina  
14 Diloreto, she's a medical examiner with the Clark County  
15 Coroner's Office; Detective Mitch Dosch, Metro; M. English,  
16 Metro; Craig Fabert, an investigator with our office, the Clark  
17 County DAs office; Chad Fitzgerald, an FBI agent based out of  
18 the East Coast; R. Fletcher with Metro; Shawn Fletcher, a crime  
19 scene analyst Metro; Gabby Guerrero, Metro; R. Hall, Metro; K.  
20 Hoskins, Metro; Ryan Jaeger, Metro, Hoyt Jerrad an arson  
21 investigator with City Fire; K. Kim, Metro, Brandon Kohler and  
22 Kelly Kohler, Andrew Krnjeu with Metro; Ruth Leon with the DAs  
23 office; Ashley Lif, Metro, Jeffrey Lomas, formerly of Metro;  
24 Dan Long, formerly of Metro; Craig Lousignont, Metro; M.  
25 Madland and John Maholick, both Metro; Mike Mangione, a

1 forensic cellular phone analyst out of Metro; Linda Manigault a  
2 latent print or fingerprint examiner with Metro; Dan McGrath,  
3 Metro; Moretta McIntyre, crime scene analyst with Metro.

4           The following are all Metro employees. Fred Merrick,  
5 Larry Miller, T. Mogg, R. Moreno, B. Morgan, Jason Motl, Robert  
6 Ochsenhirt, C. O'Connell, T. O'Neill, J. Osborn, A. Quiles, C.  
7 Ralyea, E. Ravelo, M. Robinson.

8           We also have an Aireonte Reed, Joe Raspante, with  
9 Cellebrite Advanced Services Lab out of New Jersey, Victoria  
10 Nordstrom, Dereka Nelson and Rick Moon or Richard Moon, an  
11 investigator with our office, the DAs office; Matthew Ruiz,  
12 Metro; Angelisa Ryder, S. Saucedo, with Metro; Peter  
13 Schelleberg, crime scene analyst with Metro; Chaz Schoenbeck,  
14 Laquanda Selmon, Tiffany Seymour, Eric Smith, Jakhai Smith, E.  
15 Solano, officer with Metro; Bill Speas or Williams Speas, a  
16 retired crime scene analyst of Metro; Brian Stofik, a  
17 Cellebrite analyst out of the East Coast; Gregory Surrett, W.  
18 Sylva, Metro; Jamie Sypniewicz, arson investigator with City  
19 Fire; Kristina Thomas, a crime scene analyst with Metro; R.  
20 Tighe, Matt Trammell, a DA investigator, a Clark County  
21 District Attorney's Office investigator; Joseph Trawicki, Erik  
22 Tufteland, a crime scene analyst with Metro; J. Vance, Steve  
23 Wallace, R. Warren, J. Weghorst, both of Metro; Jamilah  
24 Wiggins, Roy Wilcox, he's a firearms examiner with Metro;  
25 Lushelle Williams, Matt Winn with the FBI; S. Witham, Metro;

1 Nicole Wright and Meghan Zingleman, crime scene analyst with  
2 Metro.

3 In this case we, the State, have alleged that on  
4 February 21st of 2017, the defendant, Larry Brown conspired  
5 with another individual by the name of Anthony Carter to rob  
6 the named victim Kwame Banks. That robbery did occur and  
7 during the course of that robbery we've alleged that Mr. Brown  
8 shot and killed Mr. Banks.

9 Those are the allegations that we have proceeded upon  
10 and what you'll hear throughout the course of this trial.

11 Thank you for your time and attention. I appreciate  
12 it.

13 THE COURT: All right. Thank you, Mr. Giordani.

14 Ladies and gentlemen, in a moment, counsel for the  
15 defense will introduce themselves to you along with their  
16 client. An accused in a criminal case is never required to  
17 present any evidence or to call any witnesses. However, if  
18 there are any witnesses who may be called those names will be  
19 given to you at this time.

20 Ms. Trujillo.

21 MS. TRUJILLO: Thank you.

22 Good afternoon, everyone. My name is Monica  
23 Trujillo, and I along with Mr. Jeremy Storms have the pleasure  
24 of representing Mr. Larry Brown. We also have a paralegal from  
25 my office Brittany Kangor McGiffin [phonetic], so you'll see

1 her helping us out in court.

2 Mr. Brown has entered a plea of not guilty to all of  
3 the charges set forth by the State. As the Judge just told  
4 you, the defense is never required to put on any evidence or  
5 any witnesses. However, we may call the following witness in  
6 addition to any of the witnesses noticed by the State that was  
7 just read to you.

8 The following witnesses are Rose Brown from Georgia;  
9 Loshalonda Ford from Georgia; Latoria Brown from Georgia; Adam  
10 Plumer from the Las Vegas area; George Schiro, lab director of  
11 Scales Biological Labs in Brandon, Mississippi; Larry Smith of  
12 Nevada Digital Forensics, here in Las Vegas; Alvaro Sotelo, an  
13 investigator; Juan Galiano, an investigator; and Jonathan  
14 Kendall, also an investigator.

15 Thank you.

16 THE COURT: All right. Thank you.

17 Ladies and gentlemen, the clerk is now going to call  
18 the roll of the panel of prospective jurors. When your name is  
19 called, please answer present or here.

20 Ms. Trujillo.

21 (Roll called of panel of prospective jurors.)

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

24 Ladies and gentlemen, the questioning of the jury at  
25 the beginning of the case is done under oath. If you would all

1 please rise, the clerk will administer the roll -- the oath,  
2 excuse me, to the panel of prospective jurors.

3 (Prospective jurors sworn.)

4 THE COURT: All right. Thank you. Please be seated.

5 Ladies and gentlemen, we're about to commence  
6 examination of prospective jurors in this case. During this  
7 process you will be asked questions bearing on your ability to  
8 sit as fair and impartial jurors. The Court, the lawyers and  
9 everyone involved in this case are all deeply interested in  
10 having this matter tried by a jury composed of 14 open-minded  
11 people who are completely neutral and who have no bias or  
12 prejudice toward or against either side.

13 In order for us to accomplish this, it is necessary  
14 for me to ask you some questions. The attorneys will also be  
15 given the opportunity to ask you some questions. Please  
16 understand that it is not our desire to pry unnecessarily into  
17 your personal lives although the questioning can at times  
18 become quite personal. Our only objective is to ascertain  
19 whether there is any reason why any of you cannot sit as  
20 completely fair and impartial jurors if you are selected to  
21 serve in this case.

22 It is important that you understand the significance  
23 of full, complete and honest answers to all of the questions we  
24 are about to ask you. I caution you not to try to hide or  
25 withhold anything touching upon your qualifications to serve as

1 a juror in this particular matter as that fact could  
2 contaminate your verdict.

3 I'm going to ask you a series of questions, and if  
4 you wish to respond to any of the questions in the affirmative,  
5 please raise your hand, and when I call on you please state  
6 your name and your badge number for the record.

7 Does anyone believe they may know any of the  
8 attorneys involved in this case? Does anyone think they may  
9 know or recognize any of the attorneys in this case?

10 All right. I see no hands.

11 Does anyone think they may know the defendant in this  
12 case, Mr. Anthony Brown? Does anyone think they may know --  
13 I'm sorry, Larry Brown, I misspoke.

14 Does anyone think they may know the defendant  
15 Mr. Larry Decorleon Brown? Does anyone?

16 All right. I see no hands.

17 Does anyone believe they may know or know of any of  
18 the witnesses whose names were read either by Mr. Giordani or  
19 Ms. Trujillo? Did anyone recognize any of the names of any of  
20 the possible witnesses in this case?

21 All right. I see no hands.

22 Is there anyone who thinks they may have read, seen  
23 or heard anything about this case prior to coming into the  
24 courtroom today?

25 All right. I see no hands.



1           Is there anyone who is not a United States citizen?  
2   Anyone who is not a United States citizen?

3           All right. I see no hands.

4           Is there anyone who has been previously convicted of  
5   a felony crime?

6           And I see no hands.

7           Ladies and gentlemen, this case is expected to last  
8   through the end of this week and up until at the very latest  
9   Friday, December 20th. We will be off for the weekend, and  
10   we will be dark on Monday. I know that's inconvenient for many  
11   people. Obviously people are going to have to miss work. We  
12   live in a community where many people work in the service  
13   industry or the construction industry or the casino industry  
14   and may not make their full wages or won't be making their tip  
15   income. I simply can't excuse people solely for the reason  
16   that they'll be missing work or won't be making their full  
17   income if they're serving.

18           Having said that, I will ask if it would be an  
19   extreme or undue hardship for any of you to serve as a juror  
20   through Friday, December 20th?

21           All right. I see no hands.

22           All right, ladies and gentlemen, you are in our  
23   second group, Group B of prospective jurors. We began jury  
24   selection with a larger group of jurors yesterday. In a moment  
25   our bailiff, Officer Hawkes will be bringing in the other group

1 of jurors, and we will resume the questioning of those jurors.  
2 At some point during the process some jurors will be excused  
3 and some of you may take their places, and you will be asked  
4 the more specific questions that you're about to hear me ask  
5 and the lawyers ask.

6 Listen to the questions as we're asking the questions  
7 because you may be called up to take one of these chairs, and  
8 we'll just be asking the same questions of you. So the process  
9 can be sped up if you know and anticipate the kind of  
10 information that we're looking for. And once again, the  
11 questions we're asking are all part of the process designed to  
12 make sure that we have a completely fair and impartial juror --  
13 jury and that our jurors have no bias or prejudice toward or  
14 against either side.

15 So in a moment Officer Hawkes will be bringing in  
16 those other jurors, and then we can resume the process.

17 (Pause in the proceedings.)

18 THE COURT: Maybe while we're waiting for them we'll  
19 just go down the rows and have everyone state their race or  
20 ethnicity.

21 Ladies and gentlemen we need to keep a record of race  
22 and ethnicity of the prospective jurors so perhaps we can start  
23 with Badge Number 183, and we'll just go in order. And if each  
24 juror could just state their name and badge number and whatever  
25 race or ethnicity you identify as, and it's perfectly fine,

1 many people are multiracial or multi-ethnicity so please feel  
2 free to state more than one -- I'm trying to get around  
3 Mr. Dickerson, more than one race or ethnicity if that's how  
4 you identify. Yes.

5 PROSPECTIVE JUROR 183: Maria, Badge Number 183, and  
6 I identify Latina.

7 THE COURT: As Latina? Okay. Thank you.

8 PROSPECTIVE JUROR 189: Do you need my full name,  
9 David Gunnell?

10 THE COURT: Yes.

11 PROSPECTIVE JUROR 189: Juror Number 189 and white.

12 THE COURT: All right. Thank you.

13 PROSPECTIVE JUROR 195: Allison Kheel, Juror  
14 Number 195 and white.

15 PROSPECTIVE JUROR 218: Rick Truesdell, Juror  
16 Number 218 --

17 THE MARSHAL: We're missing two still, Judge.

18 THE COURT: Yes. Go on.

19 PROSPECTIVE JUROR 218: Caucasian.

20 THE COURT: All right. Thank you.

21 PROSPECTIVE JUROR 222: Mariana Bernal, Juror  
22 Number 222, Latino.

23 PROSPECTIVE JUROR 224: Jorge Rodriguez, Hispanic,  
24 224.

25 THE COURT: Thank you.

1 PROSPECTIVE JUROR 227: Jeanette Sivon, 227, Hispanic.

2 PROSPECTIVE JUROR 230: Harvey McHugh, 230,

3 Caucasian.

4 PROSPECTIVE JUROR 258: Jason Oman, 258, Caucasian.

5 PROSPECTIVE JUROR 257: Richard Feuerstein, 257,

6 Caucasian.

7 PROSPECTIVE JUROR 246: Brennen O'Donnell, 246,

8 White.

9 PROSPECTIVE JUROR 244: Timothy Freeman, 244, White.

10 PROSPECTIVE JUROR 243: Ramon Daco, 243, Filipino.

11 PROSPECTIVE JUROR 240: Arthur Holub, 240, Caucasian.

12 PROSPECTIVE JUROR 238: Nora Forgey, 238, White.

13 THE COURT: All right. Thank you.

14 And, Kenny, if you'd get the microphone. Thank you.

15 Officer Hawkes.

16 (Pause in the proceedings.)

17 (Prospective jury panel Group A entering.)

18 THE COURT: All right. Court is now back in session.

19 The record should reflect the presence of the State through the

20 deputy district attorneys, the defendant and his counsel, the

21 officers of the court and the ladies and gentlemen of the

22 prospective jury panel Groups A and B.

23 At this time Badge Number 447, Ms. Gutierrez, thank

24 you very much for being here and your willingness to serve.

25 You are excused from these proceedings, and the bailiff will

1 direct you from the courtroom.

2 All right. If the court clerk would please call up  
3 the next two prospective jurors to take Chair 7 and 32.

4 THE CLERK: Badge Number 509, Feven Gebretensie in  
5 Seat Number 7. Badge Number 512, Juan Fuentes in Seat 32.

6 THE COURT: I'll see Officer Hawkes. Counsel,  
7 approach.

8 (Conference at the bench not recorded.)

9 THE COURT: All right. At this time, Mr. Cohuo, you  
10 are excused from jury service, and the bailiff will direct you  
11 from the courtroom.

12 And then if the court clerk would call up the next  
13 prospective juror to take that seat.

14 THE CLERK: Badge Number 515, Lorie Mazzearella in  
15 Seat 16.

16 THE COURT: Yes.

17 PROSPECTIVE JUROR NO. 386: I'm Chin Briski and the  
18 number is 386.

19 THE COURT: Yes.

20 PROSPECTIVE JUROR NO. 386: And I went home  
21 yesterday, my husband just reminded me that he had nuclear  
22 stress on his heart on 17, Tuesday.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 386: And this will take place  
25 in California.

1 THE COURT: Okay. Not -- I know, that's a pretty  
2 routine test. Is there a reason --

3 PROSPECTIVE JUROR NO. 386: Yes, but I have to -- I  
4 have to go with him.

5 THE COURT: Is there a reason he's doing the test in  
6 California? It's a pretty routine --

7 PROSPECTIVE JUROR NO. 386: Well -- yeah, his doctor  
8 is over there. The heart doctor specialist over there. He  
9 sees him -- he saw him December 1st.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 386: And he was supposed to  
12 get there for this week because [Indiscernible] so we come back  
13 here so the doctor scheduled for next week on Tuesday.

14 THE COURT: Okay. Where in California?

15 PROSPECTIVE JUROR NO. 386: The stress test in  
16 [indiscernible] valley.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 386: I have information here.

19 THE COURT: Okay. Well, you can give that to the  
20 bailiff in a moment.

21 PROSPECTIVE JUROR NO. 386: Okay.

22 THE COURT: All right. And the prospective juror can  
23 take his seat.

24 Yes.

25 PROSPECTIVE JUROR NO. 469: [Indiscernible].

1 THE COURT: Sure.  
2 Where's the mic?  
3 THE MARSHAL: They're handing it to him right now.  
4 PROSPECTIVE JUROR NO. 469: [indiscernible].  
5 THE MARSHAL: Can you use the microphone, please.  
6 THE COURT: What about your wife who doesn't work.  
7 PROSPECTIVE JUROR NO. 469: She doesn't have a  
8 driver's license and --  
9 THE COURT: Oh, she doesn't have a driver's license?  
10 PROSPECTIVE JUROR NO. 469: I wouldn't mind being  
11 here, but at the end of this I would have to file bankruptcy.  
12 THE COURT: Okay. What I -- okay. Your wife can't  
13 drive the children to school?  
14 PROSPECTIVE JUROR NO. 469: She doesn't have a  
15 driver's license, no.  
16 THE COURT: Okay. And so normally you drive them to  
17 school, but --  
18 PROSPECTIVE JUROR NO. 469: And I have three  
19 different schools.  
20 THE COURT: Okay. But yesterday you had Uber drive  
21 them to school?  
22 PROSPECTIVE JUROR NO. 469: Correct. Yesterday I  
23 thought maybe be a one day or so, but when I saw the deal at  
24 the end of the day ...  
25 THE COURT: Okay. And refresh my memory. Did you

1 have any other -- St. Jude's, he's not a child is he, your  
2 husband?

3 PROSPECTIVE JUROR NO. 386: No, he's not, but I,  
4 like, to go with him, drive to California. It's not, you know,  
5 next door. It's over here, it's over there.

6 THE COURT: So, sir, refresh my memory did you have  
7 family here?

8 PROSPECTIVE JUROR NO. 469: No, I don't. Not any  
9 immediate family.

10 THE COURT: Okay. And then did your children -- how  
11 did they get to school today?

12 PROSPECTIVE JUROR NO. 469: I took them in the  
13 morning.

14 THE COURT: Okay. And then --

15 PROSPECTIVE JUROR NO. 469: And probably my wife will  
16 have to pick them up with Uber.

17 THE COURT: Oh, with Uber.

18 PROSPECTIVE JUROR NO. 469: Right.

19 THE COURT: Okay. In the afternoon.

20 PROSPECTIVE JUROR NO. 469: Correct.

21 THE COURT: So in the morning --

22 PROSPECTIVE JUROR NO. 469: I was trying to have my  
23 ex-wife pay half for the kids, but --

24 THE COURT: Is she the mother of the kids or no?

25 PROSPECTIVE JUROR NO. 469: She's the mother of



1 three, and I'm going to show you the email --

2 THE COURT: Well, then she ought to pick them up.

3 PROSPECTIVE JUROR NO. 469: She's only liable for  
4 half.

5 THE COURT: Okay. Let me ask you this. We talked  
6 about the 8:00 o'clock issue yesterday; correct? That you  
7 needed to drop them off at school by 8:00 a.m.; didn't we  
8 discuss that yesterday?

9 PROSPECTIVE JUROR NO. 469: [Indiscernible].

10 THE COURT: Okay. You know what. We're not going to  
11 rego through everyone. If anyone has new issues, when we take  
12 our break bring them to the bailiff's attention in the hallway.  
13 All right. And then we'll revisit some of this.

14 But in terms of dropping them off at school, that's  
15 not an issue as long as we start after 8:00 a.m.; correct?

16 PROSPECTIVE JUROR NO. 469: Actually, elementary  
17 school starts at 9:05.

18 THE COURT: Okay. What time do you drop them off  
19 then?

20 PROSPECTIVE JUROR NO. 469: Ten minutes to 9:00.

21 THE COURT: Okay. All right. And where is the  
22 elementary school?

23 PROSPECTIVE JUROR NO. 469: West side. Half are  
24 going to the east side, and half are going to the west side.

25 THE COURT: Okay. And refresh my memory. These were

1 charter schools?

2 PROSPECTIVE JUROR NO. 469: Three are charters, three  
3 are public.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 469: Three that are my  
6 stepchildren, their father is actually paying for them to go to  
7 charter schools.

8 THE COURT: Okay. I thought charters -- okay. So  
9 three go to the charter schools, but those are your  
10 stepchildren.

11 PROSPECTIVE JUROR NO. 469: Correct.

12 THE COURT: And than three go to public schools and  
13 those are your biological children --

14 PROSPECTIVE JUROR NO. 469: Correct.

15 THE COURT: -- and the stepchildren of your current  
16 wife; correct?

17 PROSPECTIVE JUROR NO. 469: Correct.

18 THE COURT: And the mother of the children, your  
19 former wife does not want to pick up her biological children;  
20 is that where we are?

21 PROSPECTIVE JUROR NO. 469: She's working grave at  
22 the Bellagio.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 469: And she's sleeping during  
25 the day because she's going to work at 5:00 o'clock in the

1 afternoon.

2 THE COURT: Okay. And then the biological father of  
3 the charter school children he just --

4 PROSPECTIVE JUROR NO. 469: He does not. He got  
5 deported.

6 THE COURT: He what?

7 PROSPECTIVE JUROR NO. 469: He got deported.

8 THE COURT: Oh, he got deported.

9 PROSPECTIVE JUROR NO. 469: Correct.

10 THE COURT: Oh, I'm sorry, I thought you said he was  
11 paying for their school.

12 PROSPECTIVE JUROR NO. 469: He's paying for the  
13 school, but he got deported.

14 THE COURT: Okay. So he's not -- no longer in the  
15 country. Okay. All right. Thank you, sir. If you'd please  
16 hand the microphone to the lady next to you.

17 Good afternoon, ma'am. What do you do for a living?

18 PROSPECTIVE JUROR NO. 509: I work at Sunrise  
19 Hospital.

20 THE COURT: And what do you do there?

21 PROSPECTIVE JUROR NO. 509: Registration.

22 THE COURT: Are you married, domestic partner,  
23 significant other?

24 PROSPECTIVE JUROR NO. 509: Single.

25 THE COURT: And do you have any children?

1 PROSPECTIVE JUROR NO. 509: No.

2 THE COURT: Have you ever been a juror before?

3 PROSPECTIVE JUROR NO. 509: No.

4 THE COURT: Have you or anyone close to you ever been  
5 arrested, charged or accused of a crime?

6 PROSPECTIVE JUROR NO. 509: No.

7 THE COURT: Nothing at all?

8 PROSPECTIVE JUROR NO. 509: Nothing.

9 THE COURT: Have you ever been the victim of a crime,  
10 or has anyone close to you been the victim of a serious crime?

11 PROSPECTIVE JUROR NO. 509: No.

12 THE COURT: Okay. And do you have any friends or  
13 family who either work in the legal field or in law  
14 enforcement?

15 PROSPECTIVE JUROR NO. 509: Kind of my family friend.

16 THE COURT: Okay. Tell me about that.

17 PROSPECTIVE JUROR NO. 509: Well, he's part of the  
18 community, but he's a police officer.

19 THE COURT: Okay. And who does he work for?

20 PROSPECTIVE JUROR NO. 509: I believe Metro.

21 THE COURT: All right. Does he talk about his work  
22 much at all?

23 PROSPECTIVE JUROR NO. 509: No.

24 THE COURT: I'm sorry?

25 PROSPECTIVE JUROR NO. 509: No.

1 THE COURT: Okay. All right. Thank you.  
2 PROSPECTIVE JUROR NO. 509: Uh-huh.  
3 THE COURT: And we'll go to one of our other new  
4 prospective jurors, the lady behind you.  
5 Good afternoon, ma'am. What do you do for a living?  
6 PROSPECTIVE JUROR NO. 515: I'm currently unemployed  
7 right now.  
8 THE COURT: All right. What type of work did you do?  
9 PROSPECTIVE JUROR NO. 515: Retail warehouse.  
10 THE COURT: Okay. Is that what you're looking to do  
11 now?  
12 PROSPECTIVE JUROR NO. 515: Not the warehouse,  
13 retail.  
14 THE COURT: Just retail? Okay.  
15 PROSPECTIVE JUROR NO. 515: Yeah.  
16 THE COURT: And are you married, domestic partner,  
17 significant other?  
18 PROSPECTIVE JUROR NO. 515: Single. No children.  
19 THE COURT: Any children? Have you ever been a Juror  
20 before?  
21 PROSPECTIVE JUROR NO. 515: No.  
22 THE COURT: Okay. Have you or anyone close to you  
23 ever been arrested, charged or accused of a crime or the victim  
24 of a crime?  
25 PROSPECTIVE JUROR NO. 515: I -- I had a grandfather

1 that -- my father's father was in jail, but they didn't really  
2 talk about it.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 515: It wasn't really talked  
5 about.

6 THE COURT: Was that even before you were around or  
7 when you were like a little child or?

8 PROSPECTIVE JUROR NO. 515: I was -- no, before I was  
9 born.

10 THE COURT: Okay. All right. So family history, but  
11 they don't really bring it up?

12 PROSPECTIVE JUROR NO. 515: No.

13 THE COURT: Okay. All right. Thank you. And if you  
14 would pass that down the row to the gentleman in the middle.

15 And you, sir, your name and badge number.

16 PROSPECTIVE JUROR NO. 368: I was here yesterday so.

17 THE COURT: I know. What was your concern?

18 PROSPECTIVE JUROR NO. 368: No, no. You were saying  
19 the 8:00 o'clock pickup, that was me.

20 THE COURT: Oh, I'm sorry.

21 PROSPECTIVE JUROR NO. 368: I was just letting you  
22 know that.

23 THE COURT: Oh, okay. So that's working out okay for  
24 you?

25 PROSPECTIVE JUROR NO. 368: Yeah, yeah. I'm fine.

1 THE COURT: All right. Thank you. I'm sorry I  
2 confused the two. All right. Thank you, sir.

3 And then who else did we have? Good afternoon.

4 PROSPECTIVE JUROR NO. 512: Good afternoon. My name  
5 is Juan Fuentes.

6 THE COURT: I'm sorry?

7 PROSPECTIVE JUROR NO. 512: I'm Juan Fuentes and my  
8 badge number is 512.

9 THE COURT: All right. Thank you. And what do you  
10 do for a living, sir?

11 PROSPECTIVE JUROR NO. 512: I'm a baker at Bally's  
12 Casino.

13 THE COURT: Okay. And are you married, domestic  
14 partner or significant other?

15 PROSPECTIVE JUROR NO. 512: I'm single. I have a  
16 daughter and granddaughter.

17 THE COURT: Okay. So have you ever been a juror  
18 before?

19 PROSPECTIVE JUROR NO. 512: Yes, once.

20 THE COURT: Okay. Was that here in Clark County?

21 PROSPECTIVE JUROR NO. 512: Yes, here.

22 THE COURT: How long ago was that?

23 PROSPECTIVE JUROR NO. 512: About 10 years ago.

24 THE COURT: Okay. Was it a civil case or a criminal  
25 case?

1 PROSPECTIVE JUROR NO. 512: Criminal.

2 THE COURT: Okay. Don't tell me what the verdict  
3 was, but did the jury in that case reach a verdict?

4 PROSPECTIVE JUROR NO. 512: Yes.

5 THE COURT: Okay. Were you the foreperson of the  
6 jury?

7 PROSPECTIVE JUROR NO. 512: Yes, I was.

8 THE COURT: Okay. And have you or anyone close to  
9 you ever been arrested, charged or accused of a crime or the  
10 victim of a crime?

11 PROSPECTIVE JUROR NO. 512: I was the victim of a  
12 crime in California.

13 THE COURT: All right. Would you tell me about that,  
14 please.

15 PROSPECTIVE JUROR NO. 512: There was an armed  
16 robbery at my house.

17 THE COURT: Okay. So were you there?

18 PROSPECTIVE JUROR NO. 512: They -- they got me.

19 THE COURT: Okay. Was anybody else there with you?

20 PROSPECTIVE JUROR NO. 512: Yeah, my [indiscernible].

21 THE COURT: Okay. And so was it one person or more  
22 than one person?

23 PROSPECTIVE JUROR NO. 512: Two persons.

24 THE COURT: Two. And when you say armed, they had  
25 firearms?



1 PROSPECTIVE JUROR NO. 512: Yes.

2 THE COURT: Okay. And property was taken I'm  
3 assuming?

4 PROSPECTIVE JUROR NO. 512: Yes. Yeah, a few things,  
5 my wallet, my watch a few things [Indiscernible] for the house.

6 THE COURT: Okay. Did they restrain you in any way  
7 like you or your family members, you know, tie you up, put you  
8 in a closet?

9 PROSPECTIVE JUROR NO. 512: No, we were just held at  
10 gunpoint. They -- one of the guys was choking me.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 512: They got a gun on my head  
13 and the other guy was looking for things to steal.

14 THE COURT: Okay. And did you report that to the  
15 police?

16 PROSPECTIVE JUROR NO. 512: Yes. When I was -- I was  
17 in the living room when it was happening. My ex-wife called  
18 the cops, and they were on there way when all this thing was  
19 happening, and it take a little bit of time because she say to  
20 the cops they have guns. So the cops didn't get, like, really  
21 fast. They were looking for, for the house.

22 THE COURT: Okay. And was it Las Vegas Metro you  
23 reported it --

24 PROSPECTIVE JUROR NO. 512: No, no. This happened in  
25 California.

1 THE COURT: Oh, in California. Okay. Do you know  
2 did the police respond to your residence? Did they come out to  
3 the location right then?

4 PROSPECTIVE JUROR NO. 512: Yeah, yeah, yeah.

5 THE COURT: Okay. Did they do any kind of, like,  
6 forensic testing, you know, looking for fingerprints or  
7 photographing or any kind of --

8 PROSPECTIVE JUROR NO. 512: Well, the guys got the  
9 chance to run away so the police and detectives showed me  
10 pictures of the guys see if I recognize them, and I couldn't do  
11 it.

12 THE COURT: Okay. So to your knowledge was anyone  
13 ever arrested or apprehended in connection?

14 PROSPECTIVE JUROR NO. 512: No, not to my knowledge.

15 THE COURT: Okay. And what are your feelings as to  
16 how the police handled that situation?

17 PROSPECTIVE JUROR NO. 512: It was all right.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 512: They do everything they  
20 can.

21 THE COURT: Okay. And do you have any friends or  
22 family that work in either the legal field or law enforcement?

23 PROSPECTIVE JUROR NO. 512: My daughter is a  
24 secretary for a lawyer.

25 THE COURT: And where is that?

1 PROSPECTIVE JUROR NO. 512: Here, downtown.  
2 THE COURT: Okay. Do you know what kind of a lawyer  
3 it is?  
4 PROSPECTIVE JUROR NO. 512: No.  
5 THE COURT: Okay. Do you know if the lawyer does  
6 criminal work or some kind of civil work?  
7 PROSPECTIVE JUROR NO. 512: I have no idea. My  
8 daughter don't talk about it.  
9 THE COURT: Okay. So nothing about that that would  
10 impact your --  
11 PROSPECTIVE JUROR NO. 512: No. Not at all.  
12 THE COURT: Okay. And where are you from originally?  
13 PROSPECTIVE JUROR NO. 512: From Mexico.  
14 THE COURT: Okay. How long have you lived in the  
15 United States?  
16 PROSPECTIVE JUROR NO. 512: I'd say over 30 years.  
17 THE COURT: Okay. So you came -- did you come  
18 directly to Clark County from -- oh, no, you lived in  
19 California.  
20 PROSPECTIVE JUROR NO. 512: No, I lived in  
21 California, San Diego first.  
22 THE COURT: Okay. So you moved from Mexico to  
23 California?  
24 PROSPECTIVE JUROR NO. 512: To San Diego, yes.  
25 THE COURT: Okay. What were you doing in Mexico;

1 were you working?

2 PROSPECTIVE JUROR NO. 512: I was working at a  
3 machine shop.

4 THE COURT: Okay. How did you learn to be a baker?

5 PROSPECTIVE JUROR NO. 512: Since I moved to United  
6 States I start working in a restaurant.

7 THE COURT: Uh-huh.

8 PROSPECTIVE JUROR NO. 512: So I'm familiar with the  
9 equipment, and I got a chance to be a baker at Bally's and they  
10 teach me how to do it. So I been there for 15 years.

11 THE COURT: Okay. Thank you, sir.

12 I'll see counsel at the bench.

13 (Conference at the bench not recorded.)

14 THE COURT: All right. At this time Badge  
15 Number 386, Ms. Briski you are excused from these proceedings,  
16 and Badge Number 330 Mr. Tan -- Natanel, you are excused.

17 MS. TRUJILLO: 469.

18 THE COURT: Oh, I'm sorry. 460.

19 MS. TRUJILLO: 9.

20 THE COURT: Yes. Thank you. All right.

21 And, sir, for our recordkeeping purposes we are  
22 required to keep track of people's race and ethnicity.

23 PROSPECTIVE JUROR NO. 512: Yes.

24 THE COURT: How do you identify by race or ethnicity,  
25 and you can say more than one thing.

1 PROSPECTIVE JUROR NO. 512: Hispanic.

2 THE COURT: All right. Thank you.

3 And then if we turn to our other new prospective  
4 juror in Chair Number 16, you, ma'am, how do you identify?

5 PROSPECTIVE JUROR NO. 515: Caucasian.

6 THE COURT: And then to our other new prospective  
7 juror, ma'am, how do you identify?

8 UNIDENTIFIED SPEAKER: Eritrea.

9 THE COURT: All right. Thank you. And then if the  
10 court clerk would call up the next two prospective jurors.

11 THE CLERK: Badge Number 524, Stephanie Blankenship  
12 is going to be in Seat 14 and Badge Number 522, Adam Thurgood  
13 in seat Number 6.

14 MR. GIORDANI: For the record I think Blankenship is  
15 521.

16 THE COURT: Yeah, 521.

17 THE CLERK: Thank you, Your Honor, I apologize.

18 THE COURT: That's okay.

19 Sir, we'll start with you. Good afternoon, what do  
20 you do for a living?

21 PROSPECTIVE JUROR NO. 522: I'm in the wealth  
22 management business.

23 THE COURT: All right. Do you have your own firm or  
24 do you work for --

25 PROSPECTIVE JUROR NO. 522: I'm a partner in my own

1 firm with some other people.

2 THE COURT: Okay. So is that investment advice or?

3 PROSPECTIVE JUROR NO. 522: Yes.

4 THE COURT: That's what you do. All right. Do you  
5 have any, like, formal training or degrees in business or CPA  
6 or anything like that?

7 PROSPECTIVE JUROR NO. 522: Yes. I have an  
8 undergraduate and a master's degree in finance and then a  
9 three-year certification called the CFA designation.

10 THE COURT: Okay. And are you married, domestic  
11 partner, significant other?

12 PROSPECTIVE JUROR NO. 522: Married.

13 THE COURT: What does your spouse do?

14 PROSPECTIVE JUROR NO. 522: She's in marketing at the  
15 Wynn.

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

17 PROSPECTIVE JUROR NO. 522: No children.

18 THE COURT: Have you ever been a juror before?

19 PROSPECTIVE JUROR NO. 522: No.

20 THE COURT: Have you or anyone close to you ever been  
21 arrested, charged or accused of a crime?

22 PROSPECTIVE JUROR NO. 522: No.

23 THE COURT: Have you ever been the victim of a crime?

24 PROSPECTIVE JUROR NO. 522: Yes.

25 THE COURT: Tell me about that.

1 PROSPECTIVE JUROR NO. 522: When I was a small kid,  
2 7, 8, 9 attempted kidnapping.

3 THE COURT: Okay. And where were you living at the  
4 time?

5 PROSPECTIVE JUROR NO. 522: Salt Lake City.

6 THE COURT: Okay. Is that where that occurred?

7 PROSPECTIVE JUROR NO. 522: Yes.

8 THE COURT: Did you know the people who tried to  
9 kidnap you?

10 PROSPECTIVE JUROR NO. 522: No.

11 THE COURT: Okay. And was that reported to the  
12 police?

13 PROSPECTIVE JUROR NO. 522: Yeah.

14 THE COURT: I'm assuming, being a kid, you first  
15 what, told your parents or teachers or something like that?

16 PROSPECTIVE JUROR NO. 522: Well, I ran in the house  
17 and called the guy across the street, my mom was gone. He came  
18 outside and scared the guy away, and then he re-called the  
19 police so the police came from his call.

20 THE COURT: Was it the kind of thing you were walking  
21 down the street and somebody was in a car and you were riding  
22 your bike?

23 PROSPECTIVE JUROR NO. 522: I was riding my bike in  
24 my front driveway, and the guy randomly was walking, looking at  
25 different houses, and then he came up to our house and said he

1 needed to inspect our bricks and was looking at the bricks, and  
2 staring at us and then he made a bolt for me, and my friend  
3 took off, and I managed to get inside and lock the door.

4 THE COURT: Okay. Do you know if anybody was ever  
5 apprehended in connection with that?

6 PROSPECTIVE JUROR NO. 522: I don't. My parents kind  
7 of kept me out of the loop.

8 THE COURT: Okay. And has anyone close to you ever  
9 been the victim of a serious crime?

10 PROSPECTIVE JUROR NO. 522: No.

11 THE COURT: All right. Do you have any friends or  
12 family that either work in the legal field or in law  
13 enforcement?

14 PROSPECTIVE JUROR NO. 522: Several friends.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 522: A couple of attorneys and  
17 one Judge.

18 THE COURT: Okay. And is the Judge here?

19 PROSPECTIVE JUROR NO. 522: Yeah.

20 THE COURT: Who is the Judge?

21 PROSPECTIVE JUROR NO. 522: He's two doors down,  
22 Mr. Villani.

23 THE COURT: Oh, okay. And law enforcement, Metro or?

24 PROSPECTIVE JUROR NO. 522: No. But I have a friend  
25 on the DA in one on -- it's a public defender.



1 THE COURT: Okay. And who do you know at the DAs  
2 office?

3 PROSPECTIVE JUROR NO. 522: Alex Chen.

4 THE COURT: Okay. And you know somebody that works  
5 at the public defender's office; is that right?

6 PROSPECTIVE JUROR NO. 522: Yeah.

7 THE COURT: And that person is a lawyer as well?

8 PROSPECTIVE JUROR NO. 522: Correct.

9 THE COURT: Okay. Does Mr. Chen talk to you about  
10 his work much or anything like that?

11 PROSPECTIVE JUROR NO. 522: Not really. No.

12 THE COURT: Okay. Anything about any of those  
13 relationships that would affect your ability to be fair and  
14 impartial in this case?

15 PROSPECTIVE JUROR NO. 522: No.

16 THE COURT: Okay. And any close friends like with  
17 Metro or any of the local law enforcement?

18 PROSPECTIVE JUROR NO. 522: No.

19 THE COURT: Okay. Thank you. And what race or  
20 ethnicity do you identify?

21 PROSPECTIVE JUROR NO. 522: Caucasian.

22 THE COURT: All right. Thank you. And then we'll  
23 turn --

24 Good afternoon. What do you do for a living?

25 PROSPECTIVE JUROR NO. 521: Good afternoon. My name

1 is Stephanie, Badge 521. I am a developmental specialist with  
2 the State of Nevada for early intervention. I work with  
3 families with children with special needs and provide support  
4 services in the home and family support services and access to  
5 community services.

6 THE COURT: Okay. And what kind of education or  
7 training do you have that enables you to work in that field?

8 PROSPECTIVE JUROR NO. 521: I just obtained my master  
9 in early childhood special education --

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 521: -- and I'm working on  
12 getting my endorsement with the Department of Education to be a  
13 licensed special education teacher.

14 THE COURT: Okay. And then are you married, domestic  
15 partner, significant other?

16 PROSPECTIVE JUROR NO. 521: I'm married.

17 THE COURT: What does your spouse do?

18 PROSPECTIVE JUROR NO. 521: He is a security officer  
19 with Boyd Gaming.

20 THE COURT: Okay. How long has he done that?

21 PROSPECTIVE JUROR NO. 521: About six years now.

22 THE COURT: Okay. And is he uniformed security?

23 PROSPECTIVE JUROR NO. 521: Yes.

24 THE COURT: Do you know if he carries a firearm?

25 PROSPECTIVE JUROR NO. 521: He's unarmed.

1 THE COURT: Unarmed.

2 PROSPECTIVE JUROR NO. 521: He does -- he mostly does

3 dispatch.

4 THE COURT: Okay. And did he ever work in law

5 enforcement or military police or anything like that?

6 PROSPECTIVE JUROR NO. 521: No.

7 THE COURT: Okay. And any children?

8 PROSPECTIVE JUROR NO. 521: Yes, we have two. A 3

9 year old and an 8 year old.

10 THE COURT: Okay. And have you ever been a juror

11 before?

12 PROSPECTIVE JUROR NO. 521: No.

13 THE COURT: You or anyone close to you ever been

14 arrested, charged or accused of a crime or the victim of a

15 crime?

16 PROSPECTIVE JUROR NO. 521: My sister, about 25 years

17 ago, a DUI.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 521: There was no case or, you

20 know, she just had to do community service and stuff.

21 THE COURT: Okay. Was that here in town?

22 PROSPECTIVE JUROR NO. 521: No, that was in San

23 Diego.

24 THE COURT: Okay. Just a misdemeanor?

25 PROSPECTIVE JUROR NO. 521: Yes.

1 THE COURT: No serious accident.

2 PROSPECTIVE JUROR NO. 521: Yes. Yeah, first time  
3 offense.

4 THE COURT: Okay. Any feelings as to how your sister  
5 was treated in the justice system?

6 PROSPECTIVE JUROR NO. 521: I know she was my sister.  
7 I love her, but no, I mean, she did the crime so she had, you  
8 know, face -- pay the price for it.

9 THE COURT: Okay. Do you have any friends or family  
10 that either work in law enforcement or the legal field?

11 PROSPECTIVE JUROR NO. 521: No.

12 THE COURT: All right. Mr. Giordani, Mr. Dickerson,  
13 you may follow up with all of the people --

14 I'm sorry, what race or ethnicity do you identify?

15 PROSPECTIVE JUROR NO. 521: Caucasian.

16 THE COURT: All right. Now, you may follow up.

17 MR. GIORDANI: Thank you. All right. Good afternoon  
18 everybody. As you probably gathered so far, the goal of this  
19 whole thing is to get a group of individuals on our jury that  
20 can be fair and impartial and can follow the law. That's all  
21 we want out of this. Both sides can agree. It might be the  
22 first thing and the only thing we agree on in this case, but we  
23 certainly will agree that we just want people that can be fair  
24 and impartial to both sides and follow the law as it's given by  
25 the Judge.

1           Many of the questions that the Judge asked you go to  
2 kind of who you are and your background as individuals, and I'm  
3 going to ask you some kind of broader questions, but they have  
4 to deal with your insights and your feelings about not only the  
5 criminal justice system, but also law enforcement and kind of  
6 crime in general.

7           There are some basic tenets of our justice system  
8 here in the United States, and you're going to hear a whole lot  
9 about them if you get selected as a juror, and I'm just going  
10 to go through a couple of them briefly and make sure we're all  
11 on the same page.

12           So everyone here, me, you, Judge, the defendant  
13 Mr. Brown, everyone in this room is entitled to a trial by  
14 jury; right? If you're accused of something by the State,  
15 which is Mr. Dickerson and myself in this case, then you're  
16 entitled to a trial by juror -- jury, and you're entitled to a  
17 jury that will not prejudge the case in any way.

18           Obviously, you guys all have unique experiences in  
19 your lives. Over the course of your lives you've been involved  
20 maybe as a victim or accused of something or you know people  
21 who have.

22           In this particular case, can everyone here, at least  
23 you first 32 and we may get to you folks later, but the first  
24 32, can everyone agree with me that Mr. Brown should be  
25 entitled to the presumption of innocence? Everyone agrees with

1 that?

2 Does anyone have an issue with that or think, well  
3 now because he's sitting there he's probably guilty or there's  
4 something, there's something there? Can everyone agree that he  
5 like everyone else is entitled to the presumption of innocence?

6 It looks like everyone's nodding.

7 We have a burden of proof. We the State,  
8 Mr. Dickerson and I have this -- the burden of proof in this  
9 case like we do in every criminal case, and that burden is  
10 beyond a reasonable doubt. That is the same standard that  
11 applies to all criminal cases whether it's a traffic citation  
12 or domestic violence or DUI or a murder. I can't define that  
13 for you right now. We're not permitted to because at the end  
14 of this trial the Judge is going to instruct you on the law.

15 So without me being able to define it, I just have to  
16 ask kind of a vague question. Is there anyone on this first 32  
17 that thinks that they will not hold us to our burden of proof?  
18 Okay.

19 It doesn't look like anyone's responding.

20 Is there anyone kind of to the contrary that because  
21 these are such serious crimes and you know it's a crime; right,  
22 that may hold us to a higher standard than what the Judge  
23 instructs you that standard is?

24 Basically, I can ask it this way. Can everyone here  
25 agree to follow the law as the Judge gives it to you at the end

1 of the case? Whether -- okay. Everyone's nodding yes.  
2 Whether you agree with it or not, maybe you think God could  
3 have written this law a little bit better or whatever it may  
4 be, can you all promise me and promised the Court right now  
5 that you will follow the law as it is given to you? And  
6 everyone's nodding.

7 Am I in your space too much, ma'am?

8 UNIDENTIFIED SPEAKER: No.

9 MR. GIORDANI: There are a couple of questions that  
10 the Judge asked, and I'm just going to briefly follow up on  
11 them, and then I'm going to individually talk to each of you  
12 and hopefully very quickly.

13 The Judge asked about law enforcement and several of  
14 you replied, yeah, I know a friend or I have a close family  
15 member who's in law enforcement. The idea behind that line of  
16 questioning is, and you heard my witness list, there's about 60  
17 or so law enforcement officers, is we want folks on this jury  
18 who are not predisposed to make some kind of judgment about law  
19 enforcement. From Mr. Brown and the defense's side I would  
20 presume they don't want people who are just going to accept  
21 carte blanche anything a law enforcement says. And from our  
22 side we don't want people who have maybe a negative interaction  
23 with a law enforcement officer.

24 One individual said the police didn't respond fast  
25 enough to their incident. We don't want people who are going

1 to hold whatever happened to them personally against any  
2 officers we may call in this case.

3 So first let me ask, is there anyone on the jury who  
4 has a predisposition or a bias against law enforcement? Anyone  
5 here who thinks that they're going to judge law enforcement  
6 differently than they would a normal person off the street?

7 Okay.

8 Is there anyone who is so predisposed in favor of law  
9 enforcement that they may, say, adopt anything an officer says,  
10 you know, a unicorn came in and took the items from the scene.  
11 Okay. Looks like no one is responding to that.

12 Just to be clear, does everyone here think that they  
13 can be fair when they judge law enforcement officers just like  
14 they would a layperson off the street?

15 Looks like everyone's nodding their heads yes. No  
16 one's disagreed with me; right? Okay.

17 Is there anyone here in the first 32 who watches any  
18 shows that have to do with the criminal justice system?  
19 Documentaries? Okay. That's usually the question that gets a  
20 lot of responses. Anyone here who watches those CSI-type  
21 shows? Okay. Is there anyone who just raised their hand that  
22 thinks those are reality, like the truth?

23 There's a couple people saying sometimes. I'd agree  
24 with you there. For those of you who just raised your hands to  
25 the first question, does anyone watch criminal-justice-type



1 shows, can someone brave just put your hand up and let me ask  
2 you a few more questions? Anybody? I'm going to call on  
3 somebody if not. All right.

4 Santa Claus.

5 PROSPECTIVE JUROR NO. 394: Yes.

6 THE MARSHAL: I allowed him to wear the hat too, by  
7 the way.

8 MR. GIORDANI: What's your badge number, sir?

9 PROSPECTIVE JUROR NO. 394: 394. Name's David  
10 Marshall. We watch Bull and then Bluff City.

11 MR. GIORDANI: Okay. Bull is the one that deals with  
12 jury selection?

13 PROSPECTIVE JUROR NO. 394: Yeah.

14 MR. GIORDANI: Okay. Why do you watch that?

15 PROSPECTIVE JUROR NO. 394: Just for fun.

16 MR. GIORDANI: Do you like it?

17 PROSPECTIVE JUROR NO. 394: I don't -- we don't watch  
18 a lot of reality shows so --

19 MR. GIORDANI: Okay.

20 PROSPECTIVE JUROR NO. 394: -- it's just something  
21 that comes on.

22 MR. GIORDANI: Are you interested in the jury  
23 selection process?

24 PROSPECTIVE JUROR NO. 394: Yeah, I think it's a neat  
25 process, yeah.

1 MR. GIORDANI: Are -- that other show I don't know  
2 it.

3 PROSPECTIVE JUROR NO. 394: Bluff City. It's a new  
4 one this year, and it's, you know, they just deal with  
5 different criminal or civil things.

6 MR. GIORDANI: Okay. Fiction show?

7 PROSPECTIVE JUROR NO. 394: Yeah, kind of.

8 MR. GIORDANI: Does it have, the filming, does it  
9 happen inside a courtroom? It's like court cases?

10 PROSPECTIVE JUROR NO. 394: Yeah, yeah.

11 MR. GIORDANI: Oh, okay. So as a person who watches  
12 those types of shows in your, you know, when you make your  
13 personal choice to watch those, is this something sitting on a  
14 jury that you want to?

15 PROSPECTIVE JUROR NO. 394: Yeah, I think it would be  
16 interesting.

17 MR. GIORDANI: Okay. Do you think that you can be  
18 fair and not prejudge either side in this case?

19 PROSPECTIVE JUROR NO. 394: Yep.

20 MR. GIORDANI: Give both sides a fair shake?

21 PROSPECTIVE JUROR NO. 394: Yes.

22 MR. GIORDANI: Okay. Anyone in that first group that  
23 I asked the question of that watches documentaries that deal  
24 with criminal justice? Okay. So can you raise your hands,  
25 please, whoever does. All right.

1 Can you pass that down -- ma'am, you're in Seat  
2 Number 1 and now that we've shoveled everyone I don't have your  
3 badge number.

4 PROSPECTIVE JUROR NO. 452: I'm Juror Number 440 --  
5 I'm sorry, for 452.

6 MR. GIORDANI: Ms. Armstrong.

7 PROSPECTIVE JUROR NO. 452: Roben Armstrong, and I  
8 don't know, well, I guess this is a documentary. For your  
9 question I like to watch the First 48.

10 MR. GIORDANI: Oh, okay. So that's reality based.

11 PROSPECTIVE JUROR NO. 452: Yes.

12 MR. GIORDANI: That is reality; right?

13 PROSPECTIVE JUROR NO. 452: Uh-huh.

14 MR. GIORDANI: What do you find interesting if  
15 anything about that?

16 PROSPECTIVE JUROR NO. 452: For me I'm always  
17 interested in not only the crime that's committed, but whether  
18 or not there's a true motivation to commit the crime. Whether  
19 they knew the person, whether it was revenge based, whether it  
20 was just an active opportunity or not.

21 MR. GIORDANI: Interesting. Okay. I'm not permitted  
22 to go into jury instructions or what I think the jury  
23 instructions will be even though I kind of know, but I can tell  
24 you this: We as the State are required to prove the elements  
25 of the crimes we charged, but not necessary -- not necessarily

1 the reason why a crime was committed; does that make sense to  
2 you?

3 PROSPECTIVE JUROR NO. 452: Yes.

4 MR. GIORDANI: Would you agree with me in watching  
5 the First 48 that there is sometimes where you're like this is  
6 senseless; I don't get why someone would do something like  
7 that?

8 PROSPECTIVE JUROR NO. 452: Absolutely.

9 MR. GIORDANI: Okay. What we want out of our jurors  
10 is people who are thoughtful and who are interested in this  
11 type of thing, but we don't want someone who's going to say,  
12 well, the State didn't tell us why so I'm not going to, you  
13 know, convict somebody or whatever it may be. Do you think  
14 that you can set aside kind of your personal interest and your  
15 personal want for that type of information and just judge  
16 whatever evidence we present from the witness stand?

17 PROSPECTIVE JUROR NO. 452: Yes.

18 MR. GIORDANI: So long as we meet our -- the elements  
19 of the events beyond reasonable doubt; that would be sufficient  
20 for you?

21 PROSPECTIVE JUROR NO. 452: Correct. Yes.

22 MR. GIORDANI: Okay. Any other shows that you watch?

23 PROSPECTIVE JUROR NO. 452: Most of them are just  
24 crime shows. Sometimes I do watch documentaries. I can't  
25 think of the name of one where they really talk about, you

1 know, some of the murder -- previous murders that have  
2 happened. I think recently there was a documentary on like  
3 there had been a child's murder. So those types of things that  
4 I'm very interested in what happened during that time or some  
5 of that -- the historical basis of what happened and where they  
6 are now, and definitely sometimes they have documentaries on  
7 cold cases are, you know, that I'm interested to find out if in  
8 all of this time of new technology they have been able to come  
9 to some resolution or be able to solve the crime.

10 MR. GIORDANI: Okay. You seem like you might be a  
11 pretty good fit for this case.

12 PROSPECTIVE JUROR NO. 452: Uh-huh.

13 MR. GIORDANI: Unfortunately, is that what you --

14 PROSPECTIVE JUROR NO. 452: I just said, uh-huh.  
15 That's all.

16 MR. GIORDANI: Do you -- do you think that you can  
17 give both sides a fair shake and wait to hear all the evidence  
18 before rendering any opinion on either side?

19 PROSPECTIVE JUROR NO. 452: I do.

20 MR. GIORDANI: Okay. There -- the little form that  
21 we get gives a little bit of information so I'm going to go off  
22 that. You indicated to the Judge, I believe, that your work  
23 was strategic planning a portion of the department of aviation?

24 PROSPECTIVE JUROR NO. 452: Correct.

25 MR. GIORDANI: Okay. So you're a County employee?

1 PROSPECTIVE JUROR NO. 452: Correct.

2 MR. GIORDANI: So are we, at least Mr. Dickerson and  
3 I.

4 PROSPECTIVE JUROR NO. 452: Uh-huh.

5 MR. GIORDANI: Do you interact with law enforcement  
6 in the course of your duties at work?

7 PROSPECTIVE JUROR NO. 452: Not really. I mean,  
8 there's a Metro police, I don't really want to say station,  
9 but, you know, they are stationed at the airport, but I don't  
10 necessarily interact with them on a daily basis.

11 MR. GIORDANI: Okay. Do you -- well, in your  
12 personal life have you ever had positive or negative  
13 interactions with law enforcement?

14 PROSPECTIVE JUROR NO. 452: I've had both.

15 MR. GIORDANI: Both?

16 PROSPECTIVE JUROR NO. 452: Uh-huh.

17 MR. GIORDANI: Okay. Can you give us an example.

18 PROSPECTIVE JUROR NO. 452: Most of them have been  
19 positive. None of them were negative to the extreme that I  
20 felt as though -- let me say this, I wasn't physically harassed  
21 or touched in any way.

22 MR. GIORDANI: Okay.

23 PROSPECTIVE JUROR NO. 452: But I have had  
24 experiences where I felt as though the officer had a negative  
25 demeanor.

1 MR. GIORDANI: Okay.

2 PROSPECTIVE JUROR NO. 452: And I felt like maybe, I  
3 mean, the only thing I've ever been pulled over, you know, I've  
4 only been involved in like traffic --

5 MR. GIORDANI: Sure.

6 PROSPECTIVE JUROR NO. 452: -- citations, but I just  
7 felt like, you know, some officers are really nice about it.  
8 They just come up, can I see your license and registration and  
9 kind of go through the routine. But then there are some that I  
10 feel like definitely approach you with a little bit of a  
11 negative disposition or at least in my opinion.

12 MR. GIORDANI: Right. Fair enough.

13 PROSPECTIVE JUROR NO. 452: I've been approached, you  
14 know, but not necessarily all the time. So I chalk it up to  
15 there are good and bad people no matter what they do.

16 MR. GIORDANI: Perfect. Yeah. I'm -- you would  
17 agree with me that law enforcement officers are people just  
18 like you and I?

19 PROSPECTIVE JUROR NO. 452: Correct.

20 MR. GIORDANI: There's good ones, there's bad ones,  
21 there's kind of neutral in between ones. Do you think that you  
22 can judge the law enforcement officers you will hear from in  
23 this case neutrally?

24 PROSPECTIVE JUROR NO. 452: Yes.

25 MR. GIORDANI: Not -- not bring in any prior good or

1 bad experience and just judge them based on what they have to  
2 say?

3 PROSPECTIVE JUROR NO. 452: Yes.

4 MR. GIORDANI: Would you agree with me that law  
5 enforcement officers have more training -- or training in the  
6 area of, you know, documenting crimes and observing things a  
7 little more than the normal person?

8 PROSPECTIVE JUROR NO. 452: Yes.

9 MR. GIORDANI: Okay. Could you still, even  
10 considering that, judge them fairly and not be predisposed one  
11 way or the other?

12 PROSPECTIVE JUROR NO. 452: Yes.

13 MR. GIORDANI: You indicated you were the victim of a  
14 residential burglary and the cops took too long, an hour to get  
15 there?

16 PROSPECTIVE JUROR NO. 452: Yes. That is correct.

17 MR. GIORDANI: And they didn't do much about it?

18 PROSPECTIVE JUROR NO. 452: Correct.

19 MR. GIORDANI: What -- what more -- what do you think  
20 they did not do?

21 PROSPECTIVE JUROR NO. 452: I felt like there were  
22 things they could have done like maybe take some fingerprints  
23 or see if they could have at least looked around and located  
24 any information that they could have used. They just kind of  
25 in my opinion just dismissed it as though this is happening in



1 the area. This is happening, I mean, this happens when new  
2 development goes up, and it's just kind of what happens.

3 MR. GIORDANI: Right.

4 PROSPECTIVE JUROR NO. 452: So the best you can do,  
5 you know, is make sure you have a security system, make sure  
6 maybe you have some video to maybe catch a license plate or  
7 something like that if they back into your driveway.

8 MR. GIORDANI: Sure.

9 PROSPECTIVE JUROR NO. 452: But it was just kind of  
10 dismissed as kind of -- kind of this is what happens. This is  
11 just the hazard of purchasing in a new development.

12 MR. GIORDANI: Right. Did -- did you interact with  
13 patrol officers, you know, just normal black and white police  
14 cars?

15 PROSPECTIVE JUROR NO. 452: We did I think once. The  
16 neighborhood got hit so much, then they started patrolling  
17 more. So than we did have, like, community events, national  
18 night out, you know, pulling an officer over and saying hey, I  
19 live in this house right here. I just want to introduce  
20 myself. That did happen eventually. I felt like probably it  
21 should have happened prior to going through a string of  
22 robberies since they already know that this is happening or  
23 they knew at that time this happens when you had to meet with  
24 all of them.

25 MR. GIORDANI: All right. Okay. Overall, what is

1 your impression of the criminal justice system?

2 PROSPECTIVE JUROR NO. 452: I honestly -- I think  
3 there are things that could be refined. I don't know that  
4 people always fairly get innocent until proven guilty. I think  
5 a lot of times there's guilty until proven innocent, and then  
6 even sometimes whether they've done it or not because they've  
7 gone through the process they've already been -- basically,  
8 they've been accused of it and so people still are very  
9 skeptical about, you know, if they're innocent or not.

10 MR. GIORDANI: Sure.

11 PROSPECTIVE JUROR NO. 452: So I think the criminal  
12 justice system does need some -- could use some review and some  
13 tweaking in my opinion.

14 MR. GIORDANI: Fair enough. Just overall do you  
15 think that, and you have to answer truthfully --

16 PROSPECTIVE JUROR NO. 452: Okay.

17 MR. GIORDANI: -- do you think that you'll be a good  
18 fit for this jury?

19 PROSPECTIVE JUROR NO. 452: I will say at this time  
20 yes.

21 MR. GIORDANI: Okay. At this time --

22 PROSPECTIVE JUROR NO. 452: At this time.

23 MR. GIORDANI: -- reserving --

24 PROSPECTIVE JUROR NO. 452: Well, I didn't bring up  
25 any hardships yesterday.

1 MR. GIORDANI: Ah oh.

2 PROSPECTIVE JUROR NO. 452: So there may be one so I  
3 will say at this time, yes, I chose to respect the Judge and  
4 wait until the break to talk to the bailiff.

5 MR. GIORDANI: Okay.

6 PROSPECTIVE JUROR NO. 452: So at this time I will  
7 say yes.

8 MR. GIORDANI: All right. Judge, should I --

9 THE COURT: Yes. What is the issue that came up?

10 PROSPECTIVE JUROR NO. 452: Well, I didn't really  
11 want to get into that yesterday because I felt it was more of a  
12 private medical matter.

13 MR. GIORDANI: Oh.

14 THE COURT: Oh, okay.

15 PROSPECTIVE JUROR NO. 452: So that's why I wanted to  
16 wait.

17 THE COURT: Okay. All right. And if you -- did you  
18 bring anything --

19 PROSPECTIVE JUROR NO. 452: I did. Yes.

20 THE COURT: Okay. So you can give that to the  
21 bailiff. Okay.

22 PROSPECTIVE JUROR NO. 452: Yeah. Uh-huh.

23 MR. GIORDANI: All right. All right. Thank you very  
24 much, ma'am. I appreciate it.

25 PROSPECTIVE JUROR NO. 452: You're welcome.

1 MR. GIORDANI: Will you pass the microphone down to  
2 Ms. Allen, 454.

3 How are you doing, ma'am?

4 PROSPECTIVE JUROR NO. 454: I'm good. How about  
5 yourself?

6 MR. GIORDANI: I'm good. You had raised your hand  
7 earlier about the documentaries and the TV shows; right?

8 PROSPECTIVE JUROR NO. 454: Correct.

9 MR. GIORDANI: Which ones do you watch?

10 PROSPECTIVE JUROR NO. 454: First 48. My interest is  
11 similar to hers.

12 MR. GIORDANI: Okay. And do you have a feeling one  
13 way or the other about the criminal justice system?

14 PROSPECTIVE JUROR NO. 454: No.

15 MR. GIORDANI: Okay. Do you think it's fair?

16 PROSPECTIVE JUROR NO. 454: Yeah.

17 MR. GIORDANI: You have a --

18 PROSPECTIVE JUROR NO. 454: For the most part.

19 MR. GIORDANI: For the most part? Okay. You talked  
20 about your two brothers and what happened with them yesterday  
21 briefly. I want you to get into it a little bit further.

22 PROSPECTIVE JUROR NO. 454: All right.

23 MR. GIORDANI: That was -- that was here in Clark  
24 County; right?

25 PROSPECTIVE JUROR NO. 454: Yes.

1 MR. GIORDANI: And it was 2008?

2 PROSPECTIVE JUROR NO. 454: Yes.

3 MR. GIORDANI: Was it 2008 that the crimes occurred  
4 or that they went to prison?

5 PROSPECTIVE JUROR NO. 454: The crimes occurred.

6 MR. GIORDANI: Okay. And then I believe you said it  
7 was -- they knew the guy, but it was a drug dealer that they  
8 robbed?

9 PROSPECTIVE JUROR NO. 454: Yes.

10 MR. GIORDANI: Do you -- do you think that -- that  
11 your brothers were treated fairly in the criminal justice  
12 system?

13 PROSPECTIVE JUROR NO. 454: Yes.

14 MR. GIORDANI: Like, I don't know how to say it other  
15 than you think they did it and that they were held accountable  
16 for what they did?

17 PROSPECTIVE JUROR NO. 454: Yes.

18 MR. GIORDANI: Okay. In 2008 you said that you went  
19 to a couple of the court hearings --

20 PROSPECTIVE JUROR NO. 454: Yes.

21 MR. GIORDANI: -- right? Do you recognize anyone now  
22 that's it's been a day or so that may have been involved in  
23 that?

24 PROSPECTIVE JUROR NO. 454: No.

25 MR. GIORDANI: I'm not saying anyone was, I don't

1 know, but --

2 PROSPECTIVE JUROR NO. 454: No.

3 MR. GIORDANI: You don't think any of us were  
4 involved in the case; right? But it was in this building?

5 PROSPECTIVE JUROR NO. 454: Yes.

6 MR. GIORDANI: Okay. And was it in this courtroom,  
7 Department 21?

8 PROSPECTIVE JUROR NO. 454: I can't remember.

9 MR. GIORDANI: All right. Do your brothers have the  
10 same last name as you?

11 PROSPECTIVE JUROR NO. 454: No.

12 MR. GIORDANI: What's their last name?

13 PROSPECTIVE JUROR NO. 454: Farmer and Chilton.

14 MR. GIORDANI: Farmer and Chilton?

15 PROSPECTIVE JUROR NO. 454: Uh-huh.

16 MR. GIORDANI: Okay. And since -- since that  
17 happened they went off to prison and then they -- they're out  
18 now; right?

19 PROSPECTIVE JUROR NO. 454: Yes.

20 MR. GIORDANI: I think you kind of indicated like  
21 they're doing -- they're doing okay now; right?

22 PROSPECTIVE JUROR NO. 454: Uh-huh. They're not in  
23 trouble. They're good.

24 MR. GIORDANI: Staying out of trouble, and were they  
25 able to get employment afterwards?

1 PROSPECTIVE JUROR NO. 454: Yes. Both of them.

2 MR. GIORDANI: Okay. Okay. The concern you can  
3 probably imagine from our side is what we're accusing of  
4 Mr. Brown of conspiracy to robbery, robbery and murder with a  
5 deadly weapon. And two of those charges have applied to  
6 some -- two people very close to you. What we don't want is  
7 for you to kind of juxtapose or kind of look at the defense  
8 table and think about your brothers and make it kind of leaning  
9 one way before you hear anything. Is that a concern?

10 PROSPECTIVE JUROR NO. 454: No.

11 MR. GIORDANI: Do you think you can judge this case  
12 fairly even though the charges are the same --

13 PROSPECTIVE JUROR NO. 454: Yes.

14 MR. GIORDANI: -- as applied? Okay. Your -- you  
15 reference your sister too, you were kind of laughing about it,  
16 like, yeah, multiple batteries.

17 PROSPECTIVE JUROR NO. 454: Yes.

18 MR. GIORDANI: Was she prosecuted by our office as  
19 well?

20 PROSPECTIVE JUROR NO. 454: She -- I wasn't really  
21 there for her court proceedings.

22 MR. GIORDANI: Oh, okay. It seems like it was all  
23 real minor stuff.

24 PROSPECTIVE JUROR NO. 454: Yes.

25 MR. GIORDANI: One's DV, domestic violence and then

1 once was like a normal battery.

2 PROSPECTIVE JUROR NO. 454: Yes.

3 MR. GIORDANI: Well, let me just ask the blanket  
4 question. Having had siblings that were prosecuted, do you  
5 think that Mr. Dickerson and I might start off not on a level  
6 playing field with you?

7 PROSPECTIVE JUROR NO. 454: No.

8 MR. GIORDANI: Okay. And I'm not saying I get that  
9 vibe from you in anyway, I just, we have to ask. Do you think  
10 that you can wait in this case before rendering any  
11 determination until you hear everything?

12 PROSPECTIVE JUROR NO. 454: Yes.

13 MR. GIORDANI: Wait until we rest our case and we  
14 argue in front of you and make your judgment when you go back  
15 with your fellow jurors?

16 PROSPECTIVE JUROR NO. 454: Yes.

17 MR. GIORDANI: Okay. And you -- I don't know if you  
18 said this, but the little sheet says you're employed with the  
19 Postal Service?

20 PROSPECTIVE JUROR NO. 454: Yes.

21 MR. GIORDANI: Is that right? What do you do there?

22 PROSPECTIVE JUROR NO. 454: I'm a clerk.

23 MR. GIORDANI: Okay.

24 PROSPECTIVE JUROR NO. 454: A processing clerk.

25 MR. GIORDANI: Okay. So you deal with people off the



1 street. Like they come up to the --

2 PROSPECTIVE JUROR NO. 454: Looking for mail.

3 Uh-huh.

4 MR. GIORDANI: Okay. Looking for mail and then you  
5 just interact with them and get whatever they need?

6 PROSPECTIVE JUROR NO. 454: Yes.

7 MR. GIORDANI: Do you think that you are the type of  
8 person who can voice your opinion if you don't agree with your  
9 fellow jurors?

10 PROSPECTIVE JUROR NO. 454: Yes.

11 MR. GIORDANI: Anything about any of the questions  
12 that I asked your fellow juror or any of the questions that  
13 were asked of the panel that you'd like to chime in on or add  
14 to?

15 PROSPECTIVE JUROR NO. 454: No.

16 MR. GIORDANI: Okay. Do you think you can be fair?

17 PROSPECTIVE JUROR NO. 454: Yes.

18 MR. GIORDANI: All right. Thank you, ma'am. You can  
19 pass that.

20 And I think you're out of order as well. Can you  
21 give me your badge number.

22 PROSPECTIVE JUROR NO. 318: Badge 0318. It's where I  
23 sat yesterday.

24 MR. GIORDANI: Was it?

25 PROSPECTIVE JUROR NO. 318: Yes.

1 MR. GIORDANI: I'm sorry.

2 PROSPECTIVE JUROR NO. 318: That's all right. It's  
3 Calderon-Arkenburg.

4 MR. GIORDANI: Gotcha. You have a boot camp  
5 business; right?

6 PROSPECTIVE JUROR NO. 318: Yes. Uh-huh.

7 MR. GIORDANI: And is that on the west side or is  
8 that Henderson?

9 PROSPECTIVE JUROR NO. 318: Southwest Henderson.

10 MR. GIORDANI: Southwest? Okay. And are you -- do  
11 you work there on a daily basis or do you --

12 PROSPECTIVE JUROR NO. 318: I do. I'm the head  
13 coach, but I have staff and coaches so they take care of  
14 things, and I have a director of operation that kind of  
15 overseas it if I need her.

16 MR. GIORDANI: Okay.

17 PROSPECTIVE JUROR NO. 318: It's -- it's Christmas  
18 time so it's kind of slow. Nobody wants to come work out.

19 MR. GIORDANI: Right.

20 THE COURT: It's January 2nd.

21 PROSPECTIVE JUROR NO. 318: January we might talk  
22 again it's too busy. But I'm pretty sure nothing's going on.

23 MR. GIORDANI: Okay. You talked about what happened  
24 to your sister.

25 PROSPECTIVE JUROR NO. 318: Yes, in '98.

1 MR. GIORDANI: Yeah. And when you were talking with  
2 the Judge about that I got the vibe, and correct me if I'm  
3 wrong, that you had forgiven the guy that killed her.

4 PROSPECTIVE JUROR NO. 318: Yes.

5 MR. GIORDANI: Okay. How is it that you've come to  
6 that place emotionally?

7 PROSPECTIVE JUROR NO. 318: Well, when it first  
8 happened, you know, the emotions and then having to speak after  
9 from '98 till 2000 I really needed to really evaluate myself  
10 and realize that I can't allow it to affect my life, and I  
11 needed to release it and allow that, and so therefore while he  
12 was in prison I just hope that he got the help that he needed.  
13 My family thinks that's crazy, but I think that everybody has  
14 an opportunity to have a second chance, and so I kind of just  
15 was very open and to where ever I'm at in any kind of situation  
16 I'm open.

17 MR. GIORDANI: Yeah. And, I mean, forgiveness is  
18 right. You're carrying that bag not him.

19 PROSPECTIVE JUROR NO. 318: Exactly.

20 MR. GIORDANI: It's your choice and --

21 PROSPECTIVE JUROR NO. 318: Right.

22 MR. GIORDANI: -- it will affect you if you want to  
23 forgive or not, not him; right? In -- in this case, again, I  
24 can't talk about jury instructions, but I can tell you, you as  
25 the jury you are not making a determination on any punishment.

1 Okay. You're making a determination on did we the State prove  
2 our case. So whether you're an empathetic person or a  
3 forgiving person, whatever that may be, you -- can you judge  
4 this case based upon the evidence, not, like, personal feelings  
5 you have?

6 PROSPECTIVE JUROR NO. 318: By the evidence, yes.

7 MR. GIORDANI: Okay. All right. Any positive or  
8 negative interactions with law enforcement?

9 PROSPECTIVE JUROR NO. 318: No.

10 MR. GIORDANI: And what's your feeling generally  
11 about the criminal justice system?

12 PROSPECTIVE JUROR NO. 318: Every -- I personally  
13 with the criminal when I was in court with my sisters I felt  
14 like it went smoothly on both ends. It was exactly what I  
15 expected.

16 MR. GIORDANI: Okay.

17 PROSPECTIVE JUROR NO. 318: Pretty neutral what I  
18 found and it -- neutral on both sides.

19 MR. GIORDANI: Okay. And when you were going through  
20 that, did you meet with people from our office, the DA's  
21 office?

22 PROSPECTIVE JUROR NO. 318: It's been so long --

23 MR. GIORDANI: Okay.

24 PROSPECTIVE JUROR NO. 318: I believe so, yeah. I  
25 just know that a Judge was [indiscernible]. That's all I -- I

1 don't remember anybody else's names.

2 MR. GIORDANI: Okay. Then fair to assume that you're  
3 not going to lean our way or lean against us; it's not  
4 something that's going to --

5 PROSPECTIVE JUROR NO. 318: No, I'm open to both  
6 sides. Yes.

7 MR. GIORDANI: Okay. Thank you, ma'am. You can pass  
8 that down.

9 And I think I'm caught up. Is it Mr. Peries?

10 PROSPECTIVE JUROR NO. 465: Peries, yes.

11 MR. GIORDANI: Peries?

12 PROSPECTIVE JUROR NO. 465: Uh-huh.

13 MR. GIORDANI: And that's 465?

14 PROSPECTIVE JUROR NO. 465: Yes, 465.

15 MR. GIORDANI: Thank you, sir. You had referenced  
16 going to trial in the Henderson thing, the little misdemeanor  
17 trial?

18 PROSPECTIVE JUROR NO. 465: Yes.

19 MR. GIORDANI: But later you kind of said, yeah, I  
20 was treated fairly.

21 PROSPECTIVE JUROR NO. 465: Yeah.

22 MR. GIORDANI: I did it. I got classes and --

23 PROSPECTIVE JUROR NO. 465: Yes. Yeah, I was treated  
24 fairly.

25 MR. GIORDANI: Can I ask you why -- why go to trial

1 on that case?

2 PROSPECTIVE JUROR NO. 465: I have no idea. I  
3 thought that was part of what happened when you get a DUI.

4 MR. GIORDANI: Okay.

5 PROSPECTIVE JUROR NO. 465: I don't recall, like, I  
6 mean it was 2012 and, yeah, I got the DUI. I got arrested.  
7 Did like a day or two.

8 MR. GIORDANI: Yeah.

9 PROSPECTIVE JUROR NO. 465: I think it was like one  
10 night in Henderson.

11 MR. GIORDANI: Okay.

12 PROSPECTIVE JUROR NO. 465: And then my brother  
13 picked me up, and then I decided to get a lawyer and then went  
14 to trial.

15 MR. GIORDANI: Yeah. Did you say or do you remember  
16 who your lawyer was?

17 PROSPECTIVE JUROR NO. 465: No. I don't remember his  
18 name, no.

19 MR. GIORDANI: Okay. Did -- did your lawyer ever  
20 approach you and say, you have an option to not go to trial  
21 or --

22 MS. TRUJILLO: Judge, may we approach?

23 THE COURT: Sure.

24 (Conference at the bench not recorded.)

25 THE COURT: We're going to take a quick break, ladies

1 and gentlemen.

2 UNIDENTIFIED SPEAKER: I was just going to say I  
3 needed to use the rest room.

4 THE COURT: Okay. Yeah, there are a few I think.  
5 All right. Before I excuse you for the break, ladies and  
6 gentlemen, I am required to remind you that you are not to  
7 discuss the case or anything relating to the case with each  
8 other or with anyone else. You are not to read, watch, listen  
9 to any reports of or commentaries on the case, person or  
10 subject matter relating to the case.

11 Do not do any independent research by way of the  
12 Internet or any other medium. Do not engage in any form of  
13 social networking like Facebook, Twitter, Instagram on any  
14 subject matter concerning these proceedings until after you've  
15 been discharged by me, and do not form or express an opinion on  
16 the case.

17 Any questions or concerns, please address Officer  
18 Hawkes in the hallway. And, sir, you can just leave the  
19 microphone in your chair. And if everyone would please follow  
20 Officer Hawkes through the double doors.

21 I'm sorry. Ten minutes. We'll come back at 2:55.  
22 2:55.

23 (Panel of prospective jurors recessed 2:43 p.m.)

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

25 THE COURT: Just briefly before we take our break.

1 Ms. Trujillo objected at the bench. My concern may have been  
2 the same as hers that maybe it's suggesting, oh, why wasn't  
3 there a plea negotiation, and we don't want them speculating  
4 about that. So I sustained the objection and Mr. Giordani said  
5 he would move on.

6 MR. GIORDANI: Yeah, and that's not where I was going  
7 either.

8 THE COURT: Yeah, and your follow-up question that  
9 you were going to ask was what?

10 MR. GIORDANI: You would agree with me that everyone  
11 deserves a fair trial; the evidence doesn't matter.

12 THE COURT: And I --

13 MR. GIORDANI: Which was tied into what I was just  
14 talking about 10 minutes prior that everyone's entitled to the  
15 presumption of innocence at trial, et cetera.

16 THE COURT: And then --

17 MS. TRUJILLO: To complete my record was that my  
18 problem with it was the question first he said and you actually  
19 did it right. So you were fine with the fines, and then he  
20 moved on to say, well, can I just ask you why didn't -- why did  
21 you go to trial in that case, to me implying you go to trial  
22 even though you know you're guilty, which is suggestive here  
23 that they could potentially take away, okay, maybe he's guilty,  
24 but he's going to trial anyways. That was my concern and then  
25 obviously what the Court already said about the plea



1 negotiations.

2 THE COURT: Right. I just don't want them  
3 speculating. Like, oh, was it -- they do anyway because they  
4 always ask me when I go talk to them. Oh, was there an offer.  
5 But we don't want to encourage any kind of speculation. So I  
6 think the follow-up question was appropriate, but Ms. Trujillo  
7 you asked them not to do the follow-up question although I do  
8 believe it was appropriate, the follow-up.

9 One other thing, Mr. Carmona is next up. He is the  
10 one that was driving to Baja, and I was going to pass him and  
11 get right to this new group if we have to fill any empty seats;  
12 is that okay?

13 MR. GIORDANI: Sure.

14 THE COURT: This new group seems better.

15 MR. STORMS: Yeah. Yeah.

16 THE COURT: And he's already angling for a way to get  
17 out of it. So let's just bypass him and get right to the  
18 new -- the B group.

19 MS. TRUJILLO: We're fine with that.

20 THE COURT: Okay. All right. Fine with that, State?

21 MR. GIORDANI: Yes.

22 THE COURT: That's only if we have to fill a chair.

23 MR. GIORDANI: Yes. You also moved Manuela  
24 Rodriguez-Sosa to the end?

25 MS. TRUJILLO: Uh-huh.

1 THE COURT: Uh-huh.

2 MS. TRUJILLO: The co-owner of the restaurant?

3 MR. GIORDANI: Yeah, are we skipping her?

4 THE COURT: We're skipping her. Since we have all  
5 these new people --

6 MS. TRUJILLO: Do you want to just release them? I  
7 mean, do you think -- are you worried?

8 THE COURT: You never know. I mean we're only on  
9 person four and now person one has a new problem.

10 MS. TRUJILLO: Right.

11 THE COURT: And I thought she seemed really good.

12 MS. TRUJILLO: Yeah.

13 THE COURT: So -- right?

14 MS. TRUJILLO: I forgot about that.

15 THE COURT: All right. Let me -- I may not make them  
16 come back tomorrow, the ones at the end because I want to see  
17 how we do today. If we have, like, three or four people now  
18 that are coming up with new things then I'm, you know, a little  
19 concerned.

20 MR. GIORDANI: All I'm asking is the ones that you  
21 moved to the end as of yesterday, are the new 15 going to go  
22 before all of them?

23 THE COURT: Yeah, they're going to go before all of  
24 them, the new 15.

25 MR. GIORDANI: Okay.

1 THE COURT: Who are too confused to raise their hand  
2 and come up with excuses. But now as they've been sitting  
3 here --

4 MR. STORMS: They were dazed from waiting downstairs  
5 for too long.

6 THE COURT: They've been -- they're coached by the  
7 other people so now they'll start saying oh, gee. All right.

8 All take your break.

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

10 THE COURT: All right. We're on the record out of  
11 the presence of the jury with the bailiff.

12 THE MARSHAL: Badge Number 419, she has an issue with  
13 childcare. She has to pick up two elementary-aged children  
14 after school.

15 MR. GIORDANI: Oh, we already moved her to the end.

16 THE COURT: She's already at the end.

17 THE MARSHAL: Okay.

18 MR. STORMS: She just wants to get out early today or  
19 something like that?

20 THE MARSHAL: Yeah, her husband, her ex-husband's  
21 only off on Sunday and Monday so he's only available to pick up  
22 the children on Mondays because nobody else can pick them up.

23 THE COURT: Who picked them up yesterday?

24 THE MARSHAL: Yesterday was Monday.

25 THE COURT: Okay. So you can let her go. Everybody

1 stipulate?

2 MR. GIORDANI: Yes.

3 MS. TRUJILLO: Which one is Number --

4 MR. GIORDANI: 419 she's --

5 THE COURT: She's already at the end.

6 MR. GIORDANI: Is that the lady on the restaurant?

7 MR. STORMS: Yeah.

8 MR. GIORDANI: Yeah.

9 THE COURT: Okay, you guys were fine with excusing

10 her?

11 MR. GIORDANI: Yeah.

12 MS. TRUJILLO: Yeah.

13 THE COURT: Okay. So you can pull her aside.

14 THE MARSHAL: Badge Number 452, Ms. Armstrong. She's

15 that African-American lady.

16 THE COURT: Uh-huh.

17 THE MARSHAL: She has lymphedema --

18 THE COURT: Oh, lymphedema.

19 THE MARSHAL: -- affects her heart. She has several

20 tests scheduled. One on the 11th, one on the 17th, one on the

21 18th -- actually two on the 17th, one on the 18th --

22 THE COURT: Which one -- is she in Chair 1?

23 THE MARSHAL: I believe so.

24 MS. TRUJILLO: Yes.

25 MR. STORMS: Yeah.

1 THE COURT: Okay.

2 THE MARSHAL: And she -- they're at various times  
3 throughout the day. Some are in the morning, some are in the  
4 afternoon.

5 THE COURT: Did she give you anything more than that?

6 THE MARSHAL: She has, like, a whole folder full of  
7 all of her appointments --

8 MR. GIORDANI: I kind of liked her, but we'll stip.

9 MS. TRUJILLO: I like her too. But, I mean, she has  
10 medical issues.

11 THE COURT: And she has appointments?

12 THE MARSHAL: Yes, she has four. First one's  
13 tomorrow, two on the 17th and one on the 18th.

14 MS. TRUJILLO: Yeah, that's just too much.

15 THE COURT: Okay. So that number was what?

16 THE MARSHAL: 452.

17 THE COURT: Okay. And then who's next?

18 THE MARSHAL: Badge Number 521. She's a  
19 developmental services person for the State.

20 THE COURT: Oh, right.

21 THE MARSHAL: She just picked up a new family. The  
22 last name was similar so she just wanted to make sure that  
23 there wasn't an issue. The father of the children she just  
24 picked up was Dwight Carter and the mother is Angela Diaz.

25 MS. TRUJILLO: No.

1 MR. GIORDANI: No.  
2 THE MARSHAL: Okay.  
3 THE COURT: Okay.  
4 THE MARSHAL: So I can let her know then?  
5 THE COURT: She's fine. She's fine. Yeah, you can  
6 let her know.  
7 MS. TRUJILLO: That was Stephanie Blankenship?  
8 THE MARSHAL: Yes.  
9 MS. TRUJILLO: Okay.  
10 THE COURT: Is that it?  
11 THE MARSHAL: That was -- oh, and Ms. Pucci-Johnson,  
12 as long as it doesn't go into the 23rd she's okay. She goes on  
13 vacation on the 23rd.  
14 MR. GIORDANI: So do I.  
15 THE COURT: So now the truth comes out.  
16 MR. GIORDANI: No, I -- I don't.  
17 THE COURT: You could just be like Mr. Hamner and  
18 just get on a plane and leave us all here.  
19 THE MARSHAL: Okay. So is it okay that I excuse the  
20 two or do we want to do it on the record?  
21 THE COURT: This is on the record. Any objection to  
22 Kenny just pulling them aside?  
23 MR. GIORDANI: Not on behalf of the State.  
24 MS. TRUJILLO: No.  
25 THE COURT: Okay. All right.

1 MR. STORMS: One more issue, Judge, while we're still  
2 on the record. Remember the --

3 THE COURT: But the bailiff can leave?

4 MR. STORMS: Yes, of course.

5 THE COURT: The bailiff is excused.

6 MR. STORMS: The challenge of the panel yesterday, we  
7 have --

8 THE COURT: Native American.

9 MR. STORMS: Native American -- I'm dropping that  
10 issue.

11 THE COURT: Okay.

12 MR. STORMS: We don't need to call --

13 THE COURT: Okay. And then one of them had  
14 identified from the B panel as Native American on the form, but  
15 then didn't identify verbally.

16 MR. STORMS: Yeah.

17 THE COURT: Who knows. All right. So you're  
18 dropping that challenge?

19 MR. STORMS: That's right.

20 THE COURT: Yeah, it's actually what is -- somebody  
21 do the math really quickly. Two people out of 32 what  
22 percentage is that?

23 MR. GIORDANI: They're overrepresented.

24 MR. STORMS: Yeah, I was like an English and  
25 philosophy major --

1 MS. TRUJILLO: Political science and sociology.  
2 THE COURT: In any event --  
3 MR. GIORDANI: They're overrepresented.  
4 THE COURT: That's what I was --  
5 MR. STORMS: Yeah, and it's, like, 2 percent or  
6 2.5 percent of the --  
7 THE COURT: Not even.  
8 MR. STORMS: Not even that. It was like one point  
9 something percent so, yeah. I think we're -- don't get past  
10 the first prong at this point on that test so.  
11 THE COURT: No.  
12 (Pause in the proceedings.)  
13 (Panel of prospective jurors entering 3:01 p.m.)  
14 THE COURT: Counsel, approach.  
15 (Conference at the bench not recorded.)  
16 THE COURT: All right. Court is now back in session.  
17 And, Mr. Giordani, you may resume your questioning of  
18 the panel.  
19 MR. GIORDANI: Thank you. Do you have the microphone  
20 still, sir? Just a couple more questions.  
21 Have you had negative or positive interactions with  
22 law enforcement?  
23 PROSPECTIVE JUROR NO. 465: Yes, I've had negative  
24 interactions with law enforcement.  
25 MR. GIORDANI: Okay. Was that the DUI thing that we



1 were talking about earlier or other?

2 PROSPECTIVE JUROR NO. 465: Yeah, the DUI thing I was  
3 acting kind of aggressively because I was under the influence,  
4 and I don't remember exactly what I was saying to him, but I  
5 know I was put in, I don't know if it's a drunk tank or you're  
6 by yourself and it's just a room. There's no real -- there's  
7 nothing in there and then -- yeah, so I guess that was a little  
8 negative.

9 MR. GIORDANI: Okay. Negative on your side or  
10 negative on their side?

11 PROSPECTIVE JUROR NO. 465: Mine.

12 MR. GIORDANI: Okay. What about other interactions  
13 with law enforcement?

14 PROSPECTIVE JUROR NO. 465: When I was under 18 I was  
15 stopped and I wasn't taken to jail because I was under 18. I  
16 did have a little bit of marijuana, and I guess that wasn't so  
17 negative. I guess the guy I was with was kind of arguing back  
18 and forth with the cops or the kid I was with. So that would  
19 be another experience. Not so negative on my part, just the  
20 guy I was with.

21 MR. GIORDANI: Got it. You understood the questions  
22 I was asking earlier. The basic premise of this is are you  
23 going to prejudge law enforcement one way or another?

24 PROSPECTIVE JUROR NO. 465: No.

25 MR. GIORDANI: You think you can be fair to law

1 enforcement officers if you hear them testify on the stand?

2 PROSPECTIVE JUROR NO. 465: Yes.

3 MR. GIORDANI: And you think you can be fair to the  
4 defense on the other side?

5 PROSPECTIVE JUROR NO. 465: Of course.

6 MR. GIORDANI: Okay. I think that's it for you.

7 Thank you very much, sir, you can pass that down to our  
8 [indiscernible]. You know we're going to say it.

9 What's your badge number? Is it 338?

10 PROSPECTIVE JUROR NO. 338: Yes, 338.

11 MR. GIORDANI: I'm going to try to speed this up.  
12 Now, that I've talked to some of your fellow jurors I'm going  
13 to get to the fun a little bit. You've had several  
14 interactions kind of both sides of the fence. Do you think  
15 that you -- any of those personal experiences you've had would  
16 affect your fairness to either side in this case?

17 PROSPECTIVE JUROR NO. 338: No.

18 MR. GIORDANI: Okay. Can you set aside your personal  
19 experiences and decide this case based upon the evidence we  
20 present?

21 PROSPECTIVE JUROR NO. 338: Yes.

22 MR. GIORDANI: Okay. The civil suit that you were  
23 talking about yesterday, you understand and agree that civil  
24 law is different from criminal law; right?

25 PROSPECTIVE JUROR NO. 338: Yes.

1 MR. GIORDANI: So any law you may have learned of in  
2 that case you -- you've got to set that aside and just use the  
3 law the Judge gives you in this case; can you do that?

4 PROSPECTIVE JUROR NO. 338: Yes.

5 MR. GIORDANI: Is there anything I've asked your  
6 fellow jurors that you think we should know about you or that  
7 you should chime in on?

8 PROSPECTIVE JUROR NO. 338: No.

9 MR. GIORDANI: Okay. Thank you, ma'am. You can pass  
10 the mic forward.

11 Mr. Thurgood, 522.

12 PROSPECTIVE JUROR NO. 522: Correct.

13 MR. GIORDANI: How are you, sir?

14 PROSPECTIVE JUROR NO. 522: Doing well.

15 MR. GIORDANI: Good. Those names you referenced  
16 earlier, Judge Villani, Alex Chen and then you said that you  
17 have a friend in the public defender's office --

18 PROSPECTIVE JUROR NO. 522: Tracy Ip.

19 MR. GIORDANI: Oh, Tracy Ip. Okay. Did you meet  
20 them all in like Leadership?

21 PROSPECTIVE JUROR NO. 522: I met Alex and Tracy in  
22 Leadership.

23 MR. GIORDANI: Okay.

24 PROSPECTIVE JUROR NO. 522: I've known Judge Villani  
25 for 20 years.

1 MR. GIORDANI: Okay. So Leadership Las Vegas is  
2 something you do voluntarily on your own time; right?

3 PROSPECTIVE JUROR NO. 522: Correct.

4 MR. GIORDANI: In fact, I think you pay for it;  
5 right?

6 PROSPECTIVE JUROR NO. 522: Yeah.

7 MR. GIORDANI: Okay. And do you have an interest in  
8 the criminal justice system or was it kind of a general  
9 business-type situation why you got involved in it?

10 PROSPECTIVE JUROR NO. 522: It was not at all related  
11 to criminal justice. It was just to understand what happens in  
12 the community at a deeper level.

13 MR. GIORDANI: Okay. And the situation you described  
14 as a kid, the scary stuff, you understand the gist of the  
15 questions. Is there anything about your personal experience  
16 that might cause you to be unfair to either side in this case?

17 PROSPECTIVE JUROR NO. 522: I don't believe so.

18 MR. GIORDANI: And have you had any positive or  
19 negative interactions with law enforcement?

20 PROSPECTIVE JUROR NO. 522: I've really had very few  
21 interactions with law enforcement. As part of the leadership  
22 program I was able to go on a ride along, and I found the  
23 police to be fair in their dealings with the people that I saw  
24 them deal with. And that's really the only interaction I've  
25 ever had.

1 MR. GIORDANI: Okay. Do you have a feeling or an  
2 opinion about the criminal justice system?

3 PROSPECTIVE JUROR NO. 522: Not really. I mean it  
4 seems to work smoothly from what I've seen.

5 MR. GIORDANI: And can we as the State presume that  
6 you'll give us a fair shake in this case and base any decision  
7 you make on the evidence as it comes from the witness stand?

8 PROSPECTIVE JUROR NO. 522: Yeah, I believe I'm a  
9 fairly pragmatic person so sure.

10 MR. GIORDANI: You'd agree with all those sentiments  
11 I described earlier, the presumption of innocence, the State  
12 has the burden of proof and all of that?

13 PROSPECTIVE JUROR NO. 522: Yeah.

14 MR. GIORDANI: Any issues with any of those?

15 PROSPECTIVE JUROR NO. 522: No.

16 MR. GIORDANI: All right. Thank you, sir. Pass that  
17 back.

18 And, ma'am, you are definitely out of order. Is it  
19 509?

20 PROSPECTIVE JUROR NO. 509: Yes.

21 MR. GIORDANI: Gebretensie; right?

22 PROSPECTIVE JUROR NO. 509: Gebretensie.

23 MR. GIORDANI: Gebretensie.

24 PROSPECTIVE JUROR NO. 509: Yeah.

25 MR. GIORDANI: Okay. Who is the police officer that

1 you know?

2 PROSPECTIVE JUROR NO. 509: We call him John G.

3 MR. GIORDANI: Okay.

4 PROSPECTIVE JUROR NO. 509: I've seen him since I was  
5 a kid so.

6 MR. GIORDANI: Oh, okay. Is he from Metro?

7 PROSPECTIVE JUROR NO. 509: I believe so.

8 MR. GIORDANI: And do you talk about work like his  
9 work with him at all?

10 PROSPECTIVE JUROR NO. 509: No.

11 MR. GIORDANI: Okay. And you probably have the gist  
12 of where I'm going with that.

13 PROSPECTIVE JUROR NO. 509: Uh-huh.

14 MR. GIORDANI: Can you agree to not prejudge any law  
15 enforcement officers you may see on the witness stand?

16 PROSPECTIVE JUROR NO. 509: Yes.

17 MR. GIORDANI: Just treat them as you would anyone  
18 else and make a determination based upon what they say?

19 PROSPECTIVE JUROR NO. 509: Uh-huh. I see them all  
20 the time at work, but --

21 MR. GIORDANI: How's that -- oh, at Sunrise.

22 PROSPECTIVE JUROR NO. 509: Yes, Sunrise Hospital. I  
23 work in the ER.

24 MR. GIORDANI: Okay. Have you had situations where  
25 you've seen gunshot wound victims?

1 PROSPECTIVE JUROR NO. 509: All the time.  
2 MR. GIORDANI: Yeah. Pretty common? Especially at  
3 Sunrise?  
4 PROSPECTIVE JUROR NO. 509: Yeah.  
5 MR. GIORDANI: Do you -- so you're in administration;  
6 are you at that front check-in desk?  
7 PROSPECTIVE JUROR NO. 509: I do it all but mostly in  
8 the ER, the ones that come and you bring in your ID and  
9 insurance and I register you into the ER.  
10 THE COURT: Are you one of the gals that actually may  
11 go into the room and --  
12 PROSPECTIVE JUROR NO. 509: Uh-huh. With the  
13 computer.  
14 THE COURT: Okay.  
15 PROSPECTIVE JUROR NO. 509: Yeah.  
16 MR. GIORDANI: Do you have any specific medical  
17 training as opposed to not medical billing, but medical  
18 training?  
19 PROSPECTIVE JUROR NO. 509: No.  
20 MR. GIORDANI: Okay. Did you recognize any of those  
21 folks that I referenced in the --  
22 PROSPECTIVE JUROR NO. 509: No.  
23 MR. GIORDANI: -- witness list?  
24 PROSPECTIVE JUROR NO. 509: No.  
25 MR. GIORDANI: Fair to say you may -- may recognize

1 people by face and not by name?

2 PROSPECTIVE JUROR NO. 509: Yes.

3 MR. GIORDANI: Cops that may --

4 PROSPECTIVE JUROR NO. 509: Yeah, most of like pass  
5 by or if they have a question, but --

6 MR. GIORDANI: Okay. Is there anyone that you've  
7 interacted with in your professional role that might be a  
8 friend or somebody that you might favor if they end up on the  
9 witness stand?

10 PROSPECTIVE JUROR NO. 509: No.

11 MR. GIORDANI: So even if you only know them by face  
12 can we presume that you can be fair to law enforcement and fair  
13 to Mr. Brown --

14 PROSPECTIVE JUROR NO. 509: Yes.

15 MR. GIORDANI: -- if law enforcement officers you may  
16 have interacted with testify?

17 PROSPECTIVE JUROR NO. 509: Yes.

18 MR. GIORDANI: Okay. What's your feeling on the  
19 criminal justice system?

20 PROSPECTIVE JUROR NO. 509: I think it's fair.

21 MR. GIORDANI: Have you had any negative interactions  
22 with law enforcement?

23 PROSPECTIVE JUROR NO. 509: No, not really.

24 MR. GIORDANI: Can I presume that you can look at  
25 autopsy photographs and not freak out for lack of a better



1 term?

2 PROSPECTIVE JUROR NO. 509: Yeah. I got used to it.  
3 I'm okay now.

4 MR. GIORDANI: And that's one question for the whole  
5 group. You will see some photographs. Obviously this is a  
6 murder case so you're going to see some photographs of a dead  
7 person and some blood. Is there anyone on the jury in the  
8 first 32 that feels like they'd be so overwhelmed by that that  
9 they couldn't consider it for its evidentiary value?

10 UNIDENTIFIED SPEAKER: Me.

11 MR. GIORDANI: Okay. I'm going to get to you in a  
12 second. And there's two hands and before I -- before I start  
13 creating an issue where there isn't one. No one's going to be  
14 asked to stare at and examine and stare at them for more than  
15 what is necessary. All we need is people who can consider them  
16 for their evidentiary value. If you see a photo of a dead  
17 person, you're not going to be asked to stare at it. You're  
18 not going to be forced to stare at it, but you do have to  
19 consider it for whatever evidentiary value you deem it has.

20 The question is, are you going to be so overwhelmed  
21 my emotion that you just won't be able to look at it and  
22 consider it for what it is?

23 Now, I'm not seeing hands.

24 Fair to say that you all who did raise your hands can  
25 consider it for what it is? It looks like no one is

1 responding.

2 Do you want to try and end this?

3 PROSPECTIVE JUROR NO. 473: Are you talking to me?

4 MR. GIORDANI: Yeah.

5 PROSPECTIVE JUROR NO. 473: I get, like, really --

6 MR. GIORDANI: You need to pass the mic.

7 PROSPECTIVE JUROR NO. 473: -- lightheaded talking  
8 about it.

9 MR. GIORDANI: What's your badge number?

10 PROSPECTIVE JUROR NO. 473: 473. I get like really  
11 lightheaded talking about it.

12 MR. GIORDANI: Okay. We'll come back to you.

13 Pass that back. Your Badge number?

14 PROSPECTIVE JUROR NO. 354: 354.

15 MR. GIORDANI: All right. Well, let's start with  
16 that last question. Did you change your opinion after hearing  
17 the way I kind of rephrased it?

18 PROSPECTIVE JUROR NO. 354: I do have a phobia.

19 MR. GIORDANI: Okay.

20 PROSPECTIVE JUROR NO. 354: So I -- my ex-husband had  
21 an incident where he -- he was bleeding out, and I fainted and  
22 ever since that time I --

23 MR. GIORDANI: Okay.

24 PROSPECTIVE JUROR NO. 354: -- it makes me very  
25 nervous.

1 MR. GIORDANI: Yeah. Do you watch TV?  
2 PROSPECTIVE JUROR NO. 354: No.  
3 MR. GIORDANI: You don't watch TV?  
4 PROSPECTIVE JUROR NO. 354: I watch the criminal  
5 shows sometimes.  
6 MR. GIORDANI: Okay. You don't like pass out when  
7 you see blood on TV; right?  
8 PROSPECTIVE JUROR NO. 354: Huh-uh.  
9 MR. GIORDANI: All right. We're not going to bring  
10 you real blood. I mean, actual, physical blood. It's going to  
11 be in photographs. All we need is for you to be able to look  
12 at it, consider it for what it is. You don't ever have to look  
13 again if you don't want to. That's your choice. Can you do  
14 that?  
15 PROSPECTIVE JUROR NO. 354: Yes.  
16 MR. GIORDANI: Okay. And you mentioned your friend  
17 is a Henderson Police Department SWAT sniper?  
18 PROSPECTIVE JUROR NO. 354: Uh-huh.  
19 MR. GIORDANI: Do you interact frequently with that  
20 person?  
21 PROSPECTIVE JUROR NO. 354: I would say once a week.  
22 MR. GIORDANI: Okay. So that's kind of frequent.  
23 PROSPECTIVE JUROR NO. 354: Uh-huh.  
24 MR. GIORDANI: Does he talk about his work?  
25 PROSPECTIVE JUROR NO. 354: Sometimes.

1 MR. GIORDANI: Yeah. The same question for you as  
2 all the other jurors. Can you judge law enforcement officers  
3 based on what they have to say not just the fact that they're  
4 wearing a badge or have a gun on their hip?

5 PROSPECTIVE JUROR NO. 354: Yes.

6 MR. GIORDANI: Okay. And -- well, there's no one  
7 from Henderson listed on our witness list so I can assure you  
8 of that. Is there any other witnesses that you recognize from  
9 law enforcement?

10 PROSPECTIVE JUROR NO. 354: No.

11 MR. GIORDANI: Do you have -- or what's your opinion,  
12 ma'am, on the criminal justice system?

13 PROSPECTIVE JUROR NO. 354: I don't know much about  
14 it.

15 MR. GIORDANI: Okay.

16 PROSPECTIVE JUROR NO. 354: So I think it's fair to  
17 my knowledge.

18 MR. GIORDANI: All right. Yeah. Can you give  
19 Mr. Brown a fair trial if you're a juror in this case?

20 PROSPECTIVE JUROR NO. 354: I believe so.

21 MR. GIORDANI: Okay. And can you give us, the State,  
22 give us a fair shake and wait to hear all the evidence and then  
23 make a decision?

24 PROSPECTIVE JUROR NO. 354: In that question do you  
25 mean like I can't make up my mind until the end?

1 MR. GIORDANI: Yeah, you need to wait, keep an open  
2 mind, listen to all the evidence before you start deliberating  
3 with your fellow jurors. So you may see some piece of evidence  
4 and think oh, that's legit evidence; right? But you can't make  
5 a determination on guilt or not guilty or innocence or whatever  
6 it may be until you've been instructed on the law and hear the  
7 whole case and go back to deliberate. Can you do that?

8 PROSPECTIVE JUROR NO. 354: I'm not sure about that.

9 MR. GIORDANI: What do you mean?

10 PROSPECTIVE JUROR NO. 354: Like I'm not sure if I  
11 would be capable of making up my mind until the end.

12 MR. GIORDANI: Okay. That's fair. Let me ask you  
13 this way. You would agree with me that if we selected you  
14 right now, I stood up and said the State rests and we sent you  
15 back to deliberate, the verdict would be not guilty; right?

16 PROSPECTIVE JUROR NO. 354: I'm not sure. Oh, wait.

17 MR. GIORDANI: You haven't heard any evidence.

18 PROSPECTIVE JUROR NO. 354: Yes, yes.

19 MR. GIORDANI: Okay. So you don't know anything  
20 about this case until you hear the evidence; you'd agree with  
21 me there?

22 PROSPECTIVE JUROR NO. 354: Yes. Uh-huh.

23 MR. GIORDANI: What we've said is just an allegation  
24 that we've made, and you take that for what it is. It's not  
25 evidence.

1 PROSPECTIVE JUROR NO. 354: Okay.

2 MR. GIORDANI: Can you wait to hear the evidence  
3 before making a decision?

4 PROSPECTIVE JUROR NO. 354: Yes.

5 MR. GIORDANI: Okay. That's what we need you to do.

6 PROSPECTIVE JUROR NO. 354: Okay.

7 MR. GIORDANI: Okay. Anything else that I've asked  
8 your fellow jurors that would apply to you or that you think  
9 you should chime in on?

10 PROSPECTIVE JUROR NO. 354: No.

11 MR. GIORDANI: Okay. Thank you, ma'am. You can pass  
12 the mic.

13 On the end there, sir, what's your badge number?

14 PROSPECTIVE JUROR NO. 361: 437.

15 MR. GIORDANI: 437. All right. Did you say 437?

16 PROSPECTIVE JUROR NO. 361: Yes.

17 MR. STORMS: He's looking at his juror ID.

18 MS. TRUJILLO: You're Nikolas Cruz; right?

19 PROSPECTIVE JUROR NO. 361: Yes.

20 MS. TRUJILLO: Okay.

21 THE COURT: Is there another number there?

22 MR. GIORDANI: Yeah, it's badge number, sir. Sir,  
23 you're 361.

24 PROSPECTIVE JUROR NO. 361: Yeah.

25 MR. GIORDANI: All right. And have you -- have you

1 been paying attention while I've talked to these other jurors?

2 PROSPECTIVE JUROR NO. 361: Yes. Only my English not  
3 that good, but I like it to be, I don't understand a lot only  
4 my speaking is the language is --

5 MR. GIORDANI: Understood. Okay. That's why I  
6 asked. So you seem to speak fine. You have been speaking  
7 English for very long time; right?

8 PROSPECTIVE JUROR NO. 361: Yes, yes, I do.

9 MR. GIORDANI: Is there anything that I've said to  
10 your fellow jurors that you just did not understand?

11 PROSPECTIVE JUROR NO. 361: Almost so I understand  
12 almost everything. Something I don't understand. Almost I  
13 understand everything.

14 MR. GIORDANI: Okay. Do you -- well, let me ask you,  
15 have you ever had a positive or negative interactions with law  
16 enforcement, with the police?

17 PROSPECTIVE JUROR NO. 361: Positive.

18 MR. GIORDANI: Okay. And do you have a feeling about  
19 the criminal justice system in general.

20 PROSPECTIVE JUROR NO. 361: Yes.

21 MR. GIORDANI: What you think about our system?

22 PROSPECTIVE JUROR NO. 361: I think that that's the  
23 best things that we have in this country.

24 MR. GIORDANI: Where did you say you are from?

25 PROSPECTIVE JUROR NO. 361: Dominican.

1 MR. GIORDANI: That's right. Different system here  
2 than in the Dominican.

3 PROSPECTIVE JUROR NO. 361: Yes.

4 MR. GIORDANI: Do you -- all those things that I  
5 talked about earlier, like the defendant Mr. Brown is presumed  
6 innocent until or unless the contrary is proved; right. We the  
7 State, Mr. Dickerson and I have the burden of proof; do you  
8 agree with that?

9 PROSPECTIVE JUROR NO. 361: Yes.

10 MR. GIORDANI: And are you okay with that idea?

11 PROSPECTIVE JUROR NO. 361: Yes, I do.

12 MR. GIORDANI: Okay. Can you wait until you hear all  
13 the evidence before rendering a decision?

14 PROSPECTIVE JUROR NO. 361: Yes.

15 MR. GIORDANI: Don't prejudge anything.

16 PROSPECTIVE JUROR NO. 361: No.

17 MR. GIORDANI: Okay. Do you consider yourself a fair  
18 person?

19 PROSPECTIVE JUROR NO. 361: Yes, I do.

20 MR. GIORDANI: All right. Thank you, sir. You can  
21 pass the microphone down.

22 And your badge number, sir?

23 PROSPECTIVE JUROR NO. 362: 362.

24 MR. GIORDANI: And we're back in order.

25 Mr. Williams.



1 PROSPECTIVE JUROR NO. 362: Yes.

2 MR. GIORDANI: I was a little confused. I thought I  
3 heard you say you were on the travel team and then later it  
4 was --

5 PROSPECTIVE JUROR NO. 362: It's called FAST team  
6 field and airborne support.

7 MR. GIORDANI: Oh.

8 PROSPECTIVE JUROR NO. 362: Somebody has a private  
9 airplane they break somewhere.

10 MR. GIORDANI: Got it.

11 PROSPECTIVE JUROR NO. 362: I'm on a team that goes  
12 and fixes it.

13 MR. GIORDANI: Okay. And so that causes you to  
14 travel quite a bit, but it sounds like you don't have any  
15 hardships when it comes to being here for the next week and a  
16 half; is that right?

17 PROSPECTIVE JUROR NO. 362: It is what it is. I  
18 mean, it's my duty.

19 MR. GIORDANI: Yeah. Fair enough. Did you say that  
20 you did prior time in the military?

21 PROSPECTIVE JUROR NO. 362: I didn't say that, but I  
22 did. I was in the Army.

23 MR. GIORDANI: Okay. And how long did you serve?

24 PROSPECTIVE JUROR NO. 362: A year and a half.

25 MR. GIORDANI: Were you discharged?

1 PROSPECTIVE JUROR NO. 362: Medical.  
2 MR. GIORDANI: Medical. Okay.  
3 PROSPECTIVE JUROR NO. 362: Honorable.  
4 MR. GIORDANI: Okay. Understood. How do you feel  
5 about law enforcement, sir?  
6 PROSPECTIVE JUROR NO. 362: I don't have a problem  
7 with it.  
8 MR. GIORDANI: Okay.  
9 PROSPECTIVE JUROR NO. 362: I don't have any feelings  
10 about.  
11 MR. GIORDANI: Neutral?  
12 PROSPECTIVE JUROR NO. 362: Yeah.  
13 MR. GIORDANI: All right. That's what we want. Not  
14 a trick question to that.  
15 PROSPECTIVE JUROR NO. 362: Yeah.  
16 MR. GIORDANI: Do you have a feeling one way or  
17 another about the criminal justice system?  
18 PROSPECTIVE JUROR NO. 362: No.  
19 MR. GIORDANI: Okay. Do you think that if you were  
20 selected as a juror that you could give both sides in this case  
21 a fair shake?  
22 PROSPECTIVE JUROR NO. 362: Yes.  
23 MR. GIORDANI: Meaning follow the presumption of  
24 innocence, follow the laws the Judge gives you, hold us to our  
25 burden and all of that?

1 PROSPECTIVE JUROR NO. 362: Yes.

2 MR. GIORDANI: Okay. Do you have any issues  
3 whatsoever with this idea that you might see some autopsy  
4 photographs?

5 PROSPECTIVE JUROR NO. 362: No.

6 MR. GIORDANI: I didn't -- okay. I thought you may  
7 have raise your hand. I appreciate it. If you can pass the  
8 microphone down.

9 Ms. Vallejo?

10 PROSPECTIVE JUROR NO. 364: Yes.

11 MR. GIORDANI: 364?

12 PROSPECTIVE JUROR NO. 364: 364.

13 MR. GIORDANI: Ma'am, you have lived here I believe  
14 for 11 years; right?

15 PROSPECTIVE JUROR NO. 364: Yeah.

16 MR. GIORDANI: And is that, when you say here was  
17 that in the U.S. or in Vegas?

18 PROSPECTIVE JUROR NO. 364: In USA.

19 MR. GIORDANI: Okay. Where did you live before  
20 Vegas?

21 PROSPECTIVE JUROR NO. 364: New Mexico. Albuquerque,  
22 New Mexico for five years.

23 MR. GIORDANI: Oh, that's right. And that's where  
24 you took the class and all that?

25 PROSPECTIVE JUROR NO. 364: Uh-huh, yes.

1 MR. GIORDANI: Okay. Are you -- you don't seem to  
2 have any language issues.

3 PROSPECTIVE JUROR NO. 364: No.

4 MR. GIORDANI: That I'm picking up on.

5 PROSPECTIVE JUROR NO. 364: No, I have a study  
6 English for a long time already.

7 MR. GIORDANI: Yeah.

8 PROSPECTIVE JUROR NO. 364: And I -- because I have a  
9 high level of education in Columbia, my Spanish is good level,  
10 and I would like to have English good level too.

11 MR. GIORDANI: Okay.

12 PROSPECTIVE JUROR NO. 364: So that was my focus when  
13 I was in New Mexico. And also I came to Miami. In Miami I  
14 wasn't able to learn English. That's why I moved to the other  
15 side of the country.

16 MR. GIORDANI: Understood. Okay.

17 PROSPECTIVE JUROR NO. 364: You have to speak English  
18 or speak English.

19 MR. GIORDANI: Right.

20 THE COURT: Was that because and Miami there where  
21 too many other Spanish speakers?

22 PROSPECTIVE JUROR NO. 364: Yeah.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 364: Uh-huh. Spanish speakers  
25 and I just stayed there for week and move.

1 MR. GIORDANI: A week?

2 PROSPECTIVE JUROR NO. 364: Yeah.

3 MR. GIORDANI: So you're understanding everything I'm  
4 saying and the Judge has been saying throughout this, no issues  
5 there.

6 PROSPECTIVE JUROR NO. 364: Yeah. I pretty sure.

7 MR. GIORDANI: Okay. Do you have any -- or have you  
8 had any interactions with the justice system or police in the  
9 last 11 years?

10 PROSPECTIVE JUROR NO. 364: Just the traffic ticket.

11 MR. GIORDANI: Okay.

12 PROSPECTIVE JUROR NO. 364: And they have been  
13 positive. They have been polite. I don't have any issue with  
14 them.

15 MR. GIORDANI: Okay. Do you think you can be fair in  
16 this case?

17 PROSPECTIVE JUROR NO. 364: Yeah.

18 MR. GIORDANI: And follow the law as the Judge gives  
19 it to you at the end of the case?

20 PROSPECTIVE JUROR NO. 364: Yeah, I will.

21 MR. GIORDANI: Okay. Thank you, ma'am. You can pass  
22 the microphone.

23 Mr. Flangas. 367, how are you sir?

24 PROSPECTIVE JUROR NO. 367: Good. How are you?

25 MR. GIORDANI: Good. So lots of lawyers in the

1 family?

2 PROSPECTIVE JUROR NO. 367: Yes, sir.

3 MR. GIORDANI: And I think you indicated you are  
4 definitely taking the LSAT, not so sure about whether you'll  
5 follow along with law school; right?

6 PROSPECTIVE JUROR NO. 367: Correct.

7 MR. GIORDANI: Would you say that you have some kind  
8 of interest in the criminal processes?

9 PROSPECTIVE JUROR NO. 367: No. My interest would be  
10 to benefit where I'm at now, more on the contract side.

11 MR. GIORDANI: Okay.

12 PROSPECTIVE JUROR NO. 367: I have no interest in  
13 doing what you guys do.

14 MR. GIORDANI: Fair enough. Good call. That's wise  
15 of you. The convention services is what you're in now; right?

16 PROSPECTIVE JUROR NO. 367: Uh-huh.

17 MR. GIORDANI: Do you manage a company that you're  
18 also an owner of?

19 PROSPECTIVE JUROR NO. 367: No, I run the conventions  
20 that come through the convention center.

21 MR. GIORDANI: Oh, I'm sorry. So you work for the --

22 PROSPECTIVE JUROR NO. 367: I'm a County employee.

23 MR. GIORDANI: Got it. Okay. Do you, considering  
24 that I think all of your relatives who are in the law are on  
25 the other side, not on the State side safe to say?

1 PROSPECTIVE JUROR NO. 367: Correct.

2 MR. GIORDANI: Do you think that you could be a fair  
3 juror to us, the State --

4 PROSPECTIVE JUROR NO. 367: Yeah.

5 MR. GIORDANI: -- and Mr. Dickerson. Okay. Do you  
6 think that you have a predisposition towards the defense, and I  
7 don't mean to offend, I'm just --

8 PROSPECTIVE JUROR NO. 367: Yeah, no.

9 MR. GIORDANI: Okay. I've interacted with a couple  
10 of your relatives.

11 PROSPECTIVE JUROR NO. 367: I apologize.

12 MR. GIORDANI: Thank you. I don't know if the other  
13 lawyers in here have interacted with them, but can you promise  
14 us that if you are selected that you can zip it and not talk  
15 about what happens in this courtroom or the people involved  
16 with your relatives?

17 PROSPECTIVE JUROR NO. 367: The facts of the case,  
18 yes.

19 MR. GIORDANI: Okay. What do you mean?

20 PROSPECTIVE JUROR NO. 367: Currently interested on  
21 the cross between the other side of the aisle. So I might ask  
22 why one person does one thing over another.

23 MR. GIORDANI: Okay.

24 THE COURT: Do you understand you can't ask them that  
25 while the trial's in session?

1 PROSPECTIVE JUROR NO. 367: Oh, yes.

2 THE COURT: Once you're discharged, you can talk to  
3 them about it, but during the process you can't ask them  
4 anything. You can't even say, oh, do you know Mr. Storms or do  
5 you know Mr. Giordani. All you can say is that you're, you  
6 know, serving as a juror. Can you do that? And then later  
7 after you've been discharged you can gossip about --

8 PROSPECTIVE JUROR NO. 367: I'm not interested in  
9 talking to any of them right now anyway so.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 367: I didn't mean that like  
12 that, but, no.

13 THE COURT: Okay.

14 MR. GIORDANI: And it's not that anybody here, you  
15 know, has some positive or negative interaction with them; it's  
16 that even saying the players might cause them to mistakenly,  
17 you know, sway you one way or another or whatever it may be.  
18 So just until the end of this can you promise to not talk about  
19 anything with them?

20 PROSPECTIVE JUROR NO. 367: Yes.

21 MR. GIORDANI: Okay. You said you're -- well, you're  
22 flying out but it's the night of the 20th?

23 PROSPECTIVE JUROR NO. 367: It's the afternoon of the  
24 20th.

25 MR. GIORDANI: What time?



1 PROSPECTIVE JUROR NO. 367: 1:00 or 2:00, something  
2 like that.

3 MR. GIORDANI: Okay. I don't want to, misspeak, but  
4 I think we're trending towards ending way before that Friday.

5 PROSPECTIVE JUROR NO. 367: We're good. I run the  
6 consumer electronics show; so if it went past that then it  
7 would be an issue.

8 MR. GIORDANI: Okay. Understood. And your 2005  
9 thing in Sparks?

10 PROSPECTIVE JUROR NO. 367: Uh-huh.

11 MR. GIORDANI: Any carryover that that may have on  
12 you being fair in this case?

13 PROSPECTIVE JUROR NO. 367: No.

14 MR. GIORDANI: What's your opinion of the criminal  
15 justice system?

16 PROSPECTIVE JUROR NO. 367: I don't really have one.

17 MR. GIORDANI: You're just.

18 PROSPECTIVE JUROR NO. 367: Good people, bad people.  
19 That's about the size.

20 MR. GIORDANI: Yeah. You just don't have any  
21 interest in what we do; why?

22 PROSPECTIVE JUROR NO. 367: Well, I mean, what I do  
23 now I deal with the leases, the contracts, also stuff like that  
24 so that's more my interest more so than being a trial attorney.

25 MR. GIORDANI: Yeah.

1 PROSPECTIVE JUROR NO. 367: I've heard enough of the  
2 closing arguments when I grew up.

3 MR. GIORDANI: Right. Okay. Do you think you can be  
4 fair and give both sides a fair shake in this case?

5 PROSPECTIVE JUROR NO. 367: Yes.

6 MR. GIORDANI: Okay. Thank you, sir. You can pass  
7 the microphone over.

8 It's Mr. Pursell?

9 PROSPECTIVE JUROR NO. 368: Yes, sir.

10 MR. GIORDANI: And you were on the jury previously?

11 PROSPECTIVE JUROR NO. 368: Yes.

12 MR. GIORDANI: And it's Badge 368 for the record.

13 PROSPECTIVE JUROR NO. 368: Right.

14 MR. GIORDANI: Did you find that to be, once it was  
15 said and done, did you find that to be a positive experience?

16 PROSPECTIVE JUROR NO. 368: Yeah. I mean, it was --  
17 it was long. It was interesting, and it, I think took about  
18 three or four days, something like that. It was like 16, 17  
19 years ago I don't remember.

20 MR. GIORDANI: Okay. Now, I'm just going to ask you  
21 another question but keep in mind what the Judge said. We  
22 never want to know for any prior jury service what the verdict  
23 was.

24 PROSPECTIVE JUROR NO. 368: Uh-huh.

25 MR. GIORDANI: But you were an alternate?

1 PROSPECTIVE JUROR NO. 368: Right.

2 MR. GIORDANI: You got sent out. I'm just curious  
3 personally, after sitting and hearing everything, did you  
4 follow up to find out what your fellow jurors rendered -- what  
5 the verdict they rendered?

6 PROSPECTIVE JUROR NO. 368: Yes.

7 MR. GIORDANI: You did?

8 PROSPECTIVE JUROR NO. 368: Uh-huh.

9 MR. GIORDANI: Just because you were personally  
10 invested in the case?

11 PROSPECTIVE JUROR NO. 368: I was just curious. I  
12 had spent enough time there so what happened. It would be like  
13 watching a movie and then leaving five minutes before the end.

14 MR. GIORDANI: Yeah.

15 PROSPECTIVE JUROR NO. 368: You know, you invested so  
16 much time whether it was a great movie or not you at least got  
17 that far so it's just what happened.

18 MR. GIORDANI: Right. Now, again don't say what the  
19 verdict was, but did you agree with the verdict that was  
20 ultimately rendered by your fellow jurors?

21 PROSPECTIVE JUROR NO. 368: Yeah. Yeah, I did.

22 MR. GIORDANI: And what are the business publications  
23 that you run?

24 PROSPECTIVE JUROR NO. 368: I run -- I run one called  
25 Synopsis Sports and another one called Synopsis E Sports. It

1 basically covers the business side of sports and the E sports,  
2 a competitive video game made a part of it and then sports  
3 media advertising deals, that type of thing.

4 MR. GIORDANI: Understood. You referenced several  
5 family members that have a history of law enforcement?

6 PROSPECTIVE JUROR NO. 368: Yes.

7 MR. GIORDANI: And I assume you're a smart guy, you  
8 get the gist of what I've been getting at --

9 PROSPECTIVE JUROR NO. 368: Yeah.

10 MR. GIORDANI: -- with these other jurors. Should  
11 the defense be concerned, well, should either side be concerned  
12 that you might have a predisposition towards law enforcement?

13 PROSPECTIVE JUROR NO. 368: No, I don't think so. My  
14 very first beat as a reporter when I first started writing was  
15 in crime, and I like to think I was fair throughout the entire  
16 process. I've met great people on the law enforcement side.  
17 There's some people I didn't like on the law enforcement side.  
18 Just like in every career path there's, you know, people all  
19 sorts of personalities on both sides of it. I like to think I  
20 could be fair.

21 MR. GIORDANI: And as a reporter, right, you were an  
22 actual reporter?

23 PROSPECTIVE JUROR NO. 368: Right.

24 MR. GIORDANI: You're supposed to be neutral; right?

25 PROSPECTIVE JUROR NO. 368: Yes. Absolutely.

1 MR. GIORDANI: Okay. Can you carry that over to your  
2 jury service if you are selected here?

3 PROSPECTIVE JUROR NO. 368: Yes, sir.

4 MR. GIORDANI: And judge the case based upon the  
5 evidence from the witness stand and not anything outside this  
6 courtroom?

7 PROSPECTIVE JUROR NO. 368: Uh-huh.

8 MR. GIORDANI: Thank you, sir. Please pass it down.  
9 Ms. Blankenship.

10 PROSPECTIVE JUROR NO. 521: Yes.

11 MR. GIORDANI: 521?

12 PROSPECTIVE JUROR NO. 521: You got it.

13 MR. GIORDANI: I think that, correct me if I'm wrong,  
14 when Juror Number 1, who's now left, was speaking earlier I saw  
15 you nodding vigorously when she said something; what was that?

16 PROSPECTIVE JUROR NO. 521: Just being able to be  
17 impartial to both sides. You know, I work with individuals  
18 with disabilities and families that come from all different  
19 levels of socioeconomic status.

20 MR. GIORDANI: Uh-huh.

21 PROSPECTIVE JUROR NO. 521: So I can't go in there  
22 and prejudge with any kind of prejudgments at all. You know, I  
23 have to be very objective. Information that they share with  
24 me, I may not agree with it, you know, I can't point fingers; I  
25 can't point fault. I have to hear what they say and take it

1 objectively and see how it's affecting what I do in supporting  
2 the family and the children that I work with.

3 So in that sense I could, you know, I'm very  
4 open-minded both sides and burden of proof is on you guys. I  
5 mean, if you -- if you have evidence and you prove your case, I  
6 have to judge accordingly in my opinion.

7 MR. GIORDANI: Okay. It sounds like your job is  
8 pretty difficult.

9 PROSPECTIVE JUROR NO. 521: Uh-huh.

10 MR. GIORDANI: Do you consider yourself without  
11 minimizing the title, like somewhat of a social worker?

12 PROSPECTIVE JUROR NO. 521: I wear many hats.

13 MR. GIORDANI: Okay.

14 PROSPECTIVE JUROR NO. 521: I'm a licensed teacher,  
15 special education teacher. I'm a social worker. I'm a case  
16 manager, service coordinator, sometimes a therapist because the  
17 families we work with very medically fragile children as well  
18 who are pretty much vegetables, but the parents aren't able to  
19 give up on them, and so we're there for them to support them,  
20 listen to them and even if we inside we know that the child is  
21 not a viable life, we still are in support of the family and  
22 encourage them to not give up and just to be there for them as  
23 much as they need us to.

24 MR. GIORDANI: That's heavy stuff.

25 PROSPECTIVE JUROR NO. 521: Uh-huh.

1 MR. GIORDANI: So do you think that -- do you think  
2 that you can carry over your personal experience to this  
3 courtroom, obviously; right?

4 PROSPECTIVE JUROR NO. 521: Yes.

5 MR. GIORDANI: But being in that type of environment  
6 frequently --

7 PROSPECTIVE JUROR NO. 521: Uh-huh.

8 MR. GIORDANI: -- do you consider yourself someone  
9 who is extremely empathetic?

10 PROSPECTIVE JUROR NO. 521: Yes, very empathetic, but  
11 very also very logical, analytical, strategic.

12 MR. GIORDANI: Okay. Yes.

13 PROSPECTIVE JUROR NO. 521: So I believe in due  
14 process, and, you know, you've got to hear everything in order  
15 to be able to come to an important decision. You can't just,  
16 you know, make a decision. It's like saying you don't like  
17 broccoli. Well, how do you know if you haven't tried it.

18 MR. GIORDANI: Yeah.

19 PROSPECTIVE JUROR NO. 521: You've got to take what's  
20 there and make a decision based on that.

21 MR. GIORDANI: Fair enough. Thank you, ma'am.

22 PROSPECTIVE JUROR NO. 521: Uh-huh.

23 MR. GIORDANI: If you can pass that microphone down,  
24 I'd appreciate it.

25 PROSPECTIVE JUROR NO. 521: Uh-huh.

1 MR. GIORDANI: I want to say Wallace?  
2 PROSPECTIVE JUROR NO. 393: Wallace, yeah.  
3 MR. GIORDANI: What's your badge number?  
4 PROSPECTIVE JUROR NO. 393: 393.  
5 MR. GIORDANI: How are you, ma'am?  
6 PROSPECTIVE JUROR NO. 393: Excellent. Thank you.  
7 MR. GIORDANI: Okay. Your prior -- prior jury  
8 service?  
9 PROSPECTIVE JUROR NO. 393: Yes.  
10 MR. GIORDANI: Was it a positive experience overall?  
11 PROSPECTIVE JUROR NO. 393: Yes, it was.  
12 MR. GIORDANI: When you came into that courtroom for  
13 the first day to be selected like this, did you think it was  
14 going to be a positive experience?  
15 PROSPECTIVE JUROR NO. 393: No, I didn't.  
16 MR. GIORDANI: Yeah.  
17 PROSPECTIVE JUROR NO. 393: I tried to get out of it.  
18 MR. GIORDANI: Usually the case. People really enjoy  
19 it surprisingly when they actually get selected.  
20 PROSPECTIVE JUROR NO. 393: Yeah.  
21 MR. GIORDANI: Your friend that's a DV detective?  
22 PROSPECTIVE JUROR NO. 393: Yes.  
23 MR. GIORDANI: He's now patrol detective because they  
24 don't have DV detectives anymore.  
25 PROSPECTIVE JUROR NO. 393: Right. Yeah.



1 MR. GIORDANI: You didn't hear his name on the list?  
2 PROSPECTIVE JUROR NO. 393: Did not. Thought I did.  
3 MR. GIORDANI: Oh, really?  
4 PROSPECTIVE JUROR NO. 393: Well, because you said  
5 Detective Dan and I thought you were going to say his name, but  
6 it wasn't the same last name.  
7 MR. GIORDANI: Okay. Do you still talk to him  
8 frequently?  
9 PROSPECTIVE JUROR NO. 393: Yes.  
10 MR. GIORDANI: Okay. So the concern would be, you  
11 know, Ms. Wallace might not be fair because she answers to a  
12 law enforcement officer, and I don't mean that in a bad way you  
13 answer to one. But you talk to one frequently?  
14 PROSPECTIVE JUROR NO. 393: Yes.  
15 MR. GIORDANI: Can you -- whatever your determination  
16 is, can you say that you would be fair in this case and your  
17 personal relationship -- close personal relationship will not  
18 affect your judgment?  
19 PROSPECTIVE JUROR NO. 393: Absolutely. I know -- I  
20 know so.  
21 MR. GIORDANI: Okay. Good. The situation with your  
22 best friend's dad.  
23 PROSPECTIVE JUROR NO. 393: Uh-huh.  
24 MR. GIORDANI: That was -- that was pretty recent;  
25 right?

1 PROSPECTIVE JUROR NO. 393: Yeah, it was two -- two  
2 years ago in August. So, yeah, very recent.

3 MR. GIORDANI: Can you tell us just his last name.

4 PROSPECTIVE JUROR NO. 393: Kopp. K-o-p-p.

5 MR. GIORDANI: K-o-p-p. Okay. And you -- I think  
6 you indicated you don't know if it went to trial because you --  
7 your friend would have told you if it went to trial?

8 PROSPECTIVE JUROR NO. 393: Right. Well, and, yeah,  
9 there was -- her life went in a different direction fairly  
10 shortly after that incident so that sort of became the focus,  
11 and we didn't talk much about her dad after that.

12 MR. GIORDANI: Oh. Okay.

13 PROSPECTIVE JUROR NO. 393: She was involved in the  
14 Group 61 shooting.

15 MR. GIORDANI: Yeah. Okay. Can I assume even though  
16 you're very close with this family that whatever happened to  
17 him or if you learn something happened to him that you can be  
18 fair to both sides in this case.

19 PROSPECTIVE JUROR NO. 393: I never knew him. I've  
20 never met him. So it's just his daughter that I was so close  
21 to.

22 MR. GIORDANI: Okay. I did not realize that. Okay.

23 PROSPECTIVE JUROR NO. 393: Uh-huh.

24 MR. GIORDANI: Okay. Thank you, ma'am. Anything  
25 about -- do you have any prior interactions with law

1 enforcement other than the detective?

2 PROSPECTIVE JUROR NO. 393: No.

3 MR. GIORDANI: And do you have a feeling one way or  
4 another about the justice system?

5 PROSPECTIVE JUROR NO. 393: It seems fair. It seems  
6 that it works, and I think there are people that make mistakes  
7 either side now and then. Nothing is ever perfect, but it  
8 seems to do the job.

9 MR. GIORDANI: Fair enough. Thank you very much.  
10 Can you pass that down.

11 And Ms. Mazzarella.

12 PROSPECTIVE JUROR NO. 515: Mazzarella.

13 MR. GIORDANI: I'm sorry. Mazzarella. I wasn't  
14 making fun. I'm Giordani so I get it. You had -- before you  
15 raised your hand and I think we were talking about the gory  
16 photos.

17 PROSPECTIVE JUROR NO. 515: No, I understand better  
18 what you --

19 MR. GIORDANI: Okay. Not a concern for you?

20 PROSPECTIVE JUROR NO. 515: No.

21 MR. GIORDANI: You're not -- you're not being forced  
22 to stare.

23 PROSPECTIVE JUROR NO. 515: I don't have to sit there  
24 and analyze it for hours.

25 MR. GIORDANI: Yeah. Right. Do you have any

1 positive or negative interactions with law enforcement in your  
2 history?

3 PROSPECTIVE JUROR NO. 515: I'm neutral. I've had no  
4 experience either way.

5 MR. GIORDANI: Not even traffic ticket?

6 PROSPECTIVE JUROR NO. 515: Traffic, yes, had some  
7 incidents. It was -- I'm neutral about it.

8 MR. GIORDANI: Okay. Do you have a feeling or what  
9 is your feeling about the criminal justice system as a whole?

10 PROSPECTIVE JUROR NO. 515: Neutral also, either way.

11 MR. GIORDANI: Okay. Do you watch any shows?

12 PROSPECTIVE JUROR NO. 515: I used to watch TV. I  
13 haven't for three or four years now.

14 MR. GIORDANI: Oh, really.

15 PROSPECTIVE JUROR NO. 515: I don't watch TV.

16 MR. GIORDANI: What do you do instead? Are you a  
17 reader?

18 PROSPECTIVE JUROR NO. 515: YouTube.

19 MR. GIORDANI: Oh, yeah.

20 PROSPECTIVE JUROR NO. 515: That's about it, yeah. I  
21 don't really read.

22 MR. GIORDANI: Okay. What was your former retail  
23 employment -- unemployment?

24 PROSPECTIVE JUROR NO. 515: It was Michael's and then  
25 before that --

1 MR. GIORDANI: Okay. And before that was the  
2 warehouse and you don't --

3 PROSPECTIVE JUROR NO. 515: No. Michael's was at the  
4 warehouse and then I was VF Outlet. It was more a sales clerk.

5 MR. GIORDANI: Okay.

6 PROSPECTIVE JUROR NO. 515: Yeah.

7 MR. GIORDANI: Do you think that you, based upon  
8 everything I've talked with the other jurors, do you think  
9 there's anything we should know about you or that you would  
10 like to volunteer?

11 PROSPECTIVE JUROR NO. 515: I know that she had asked  
12 if I had any experience. I was mugged once.

13 MR. GIORDANI: Oh, okay.

14 PROSPECTIVE JUROR NO. 515: This was like in the  
15 early '90s.

16 MR. GIORDANI: Okay.

17 PROSPECTIVE JUROR NO. 515: I was walking on a side  
18 street. It was early in the morning and I was walking to work.

19 MR. GIORDANI: Okay.

20 PROSPECTIVE JUROR NO. 515: And he just came out of  
21 nowhere, and I knew he was probably going to, you know, mug me,  
22 and I just kind of left my purse hanging off --

23 MR. GIORDANI: Right. It's hard.

24 PROSPECTIVE JUROR NO. 515: I just knew. I just  
25 thought let him grab it.

1 MR. GIORDANI: Yeah.

2 PROSPECTIVE JUROR NO. 515: And he grabbed it, and he  
3 took off. So I was lucky.

4 MR. GIORDANI: Okay.

5 PROSPECTIVE JUROR NO. 515: And I did report it, and  
6 it was a positive outcome. They did find my purse. He just  
7 took the money, and he threw it in a garbage can, and I had all  
8 my ID and everything.

9 MR. GIORDANI: So you got your stuff back.

10 PROSPECTIVE JUROR NO. 515: Yeah.

11 MR. GIORDANI: Do know if he was prosecuted?

12 PROSPECTIVE JUROR NO. 515: I don't know anything  
13 about that.

14 MR. GIORDANI: Okay. Positive outcome.

15 PROSPECTIVE JUROR NO. 515: Yeah.

16 MR. GIORDANI: Got your stuff back. You weren't  
17 hurt.

18 PROSPECTIVE JUROR NO. 515: Yeah.

19 MR. GIORDANI: Okay. You've heard the charges we've  
20 listed in this case.

21 PROSPECTIVE JUROR NO. 515: Yes.

22 MR. GIORDANI: Two of them are conspiracy to rob and  
23 robbery with a deadly weapon.

24 PROSPECTIVE JUROR NO. 515: Yes.

25 MR. GIORDANI: Can you be fair in this case,

1 notwithstanding the fact that you've been robbed or mugged?

2 PROSPECTIVE JUROR NO. 515: Yes. I would have to  
3 hear all of the evidence, yes.

4 MR. GIORDANI: All right. Thank you, ma'am, I  
5 appreciate it. And you can pass that back, and if you would,  
6 folks, down the row. I promise we'll be done by Christmas.

7 UNIDENTIFIED SPEAKER: My little people are busy.

8 PROSPECTIVE JUROR NO. 394: David Marshal, 394.

9 MR. GIORDANI: Thank you. You -- I talked to you a  
10 little bit earlier --

11 PROSPECTIVE JUROR NO. 394: Yes.

12 MR. GIORDANI: -- and you've been paying attention.  
13 Is there anything about your relationship with law enforcement  
14 that might cause you to be unfair to either side in this case?

15 PROSPECTIVE JUROR NO. 394: No.

16 MR. GIORDANI: Okay. And you -- that's your son  
17 who --

18 PROSPECTIVE JUROR NO. 394: Yes.

19 MR. GIORDANI: You talk to him frequently?

20 PROSPECTIVE JUROR NO. 394: No.

21 MR. GIORDANI: Oh, okay. Why is that?

22 PROSPECTIVE JUROR NO. 394: They're up in Northern  
23 California and we only go up maybe two or three times a year to  
24 see the grandkids.

25 MR. GIORDANI: Okay.

1 PROSPECTIVE JUROR NO. 394: And we go to see the  
2 grandkids.

3 MR. GIORDANI: Okay. What kind of law enforcement is  
4 he in?

5 PROSPECTIVE JUROR NO. 394: He's -- it's public  
6 safety police and fire.

7 MR. GIORDANI: Oh, okay.

8 PROSPECTIVE JUROR NO. 394: And he's a traffic  
9 officer, you know, he's in charge of the motor -- motors  
10 department.

11 MR. GIORDANI: All right. You know, we joke around a  
12 little bit in this portion of the trial.

13 PROSPECTIVE JUROR NO. 394: Right.

14 MR. GIORDANI: But this is real serious stuff; right.

15 PROSPECTIVE JUROR NO. 394: Right. Yes.

16 MR. GIORDANI: I mean, Mr. Brown's not joking around.  
17 This is serious stuff.

18 PROSPECTIVE JUROR NO. 394: Yes.

19 MR. GIORDANI: Can you, notwithstanding your Santa  
20 hat, be fair and impartial and take this process serious?

21 PROSPECTIVE JUROR NO. 394: Yes.

22 MR. GIORDANI: Do you think that either side here  
23 should be concerned with you as a juror in any way?

24 PROSPECTIVE JUROR NO. 394: No.

25 MR. GIORDANI: Okay. You mentioned your sister, not



1 much contact with her unless she was asking you for money.

2 PROSPECTIVE JUROR NO. 394: Yeah.

3 MR. GIORDANI: Was she -- her history, her drug  
4 history and all of that, was that here local?

5 PROSPECTIVE JUROR NO. 394: No, it's in Hollister,  
6 California.

7 MR. GIORDANI: Okay. And did she -- did you say she  
8 went to prison?

9 PROSPECTIVE JUROR NO. 394: Yes.

10 MR. GIORDANI: Your prior jury service -- oh, that --  
11 you didn't finish the trial?

12 PROSPECTIVE JUROR NO. 394: No, they didn't.

13 MR. GIORDANI: Did you find that to be a positive  
14 experience?

15 PROSPECTIVE JUROR NO. 394: Yes.

16 MR. GIORDANI: Okay. I think that's it. Thank you,  
17 Mr. Marshal. You can pass that down.

18 Ms. Becker, 396?

19 PROSPECTIVE JUROR NO. 396: Yes.

20 MR. GIORDANI: How are you?

21 PROSPECTIVE JUROR NO. 396: Good.

22 MR. GIORDANI: Good. I have a similar question for  
23 you. Your dad, deputy sheriff and then your friend is a civil  
24 attorney?

25 PROSPECTIVE JUROR NO. 396: Yes.

1           MR. GIORDANI: So with regard to your dad, you get  
2 the gist of where we're going with these questions with law  
3 enforcement?

4           PROSPECTIVE JUROR NO. 396: Yep.

5           MR. GIORDANI: Can you be fair to both sides in this  
6 case?

7           PROSPECTIVE JUROR NO. 396: Yes.

8           MR. GIORDANI: Can you wait to hear what law  
9 enforcement witnesses have to say before rendering an opinion  
10 on it?

11          PROSPECTIVE JUROR NO. 396: Yes.

12          MR. GIORDANI: Do you have a feeling or what's your  
13 feeling about the criminal justice system in general?

14          PROSPECTIVE JUROR NO. 396: I mean, I think it's  
15 good. I think like all things it could always be improved, but  
16 that's probably with everything. Probably in all of our  
17 careers there's some aspect that could be improved. So I think  
18 in general though pretty good.

19          MR. GIORDANI: Do you -- do you have a cell phone  
20 with you?

21          PROSPECTIVE JUROR NO. 396: I do.

22          MR. GIORDANI: Okay. Do you have your location  
23 services on?

24          PROSPECTIVE JUROR NO. 396: I don't think so. Only  
25 for emergency personnel I'm pretty sure.

1 MR. GIORDANI: Okay. I'm just curious. Are you  
2 familiar or do you use, like, social media?

3 PROSPECTIVE JUROR NO. 396: Yes.

4 MR. GIORDANI: Can you promise -- I'm only asking you  
5 this because you're young and not that I'm -- you guys  
6 aren't -- can you stay off the social media and not publish  
7 that if you're selected as a juror?

8 PROSPECTIVE JUROR NO. 396: Yes.

9 MR. GIORDANI: And I'm not, like, picking on you.

10 PROSPECTIVE JUROR NO. 396: No, I'm fine.

11 MR. GIORDANI: Okay. Do you -- what's your cell  
12 carrier?

13 PROSPECTIVE JUROR NO. 396: Verizon.

14 MR. GIORDANI: Okay. And have you ever looked at  
15 your cell phone records before? Meaning, do you know what's  
16 contained at Verizon with regard to your cell phone?

17 PROSPECTIVE JUROR NO. 396: No, I don't think so.  
18 I've only ever compared with my sisters to see who used the  
19 most data.

20 MR. GIORDANI: Oh. Okay.

21 PROSPECTIVE JUROR NO. 396: Them or me.

22 MR. GIORDANI: All right. And do you watch any --  
23 any shows or anything like documentaries or Netflix or whatever  
24 it may be on?

25 PROSPECTIVE JUROR NO. 396: Yeah, we do.

1 MR. GIORDANI: Like what?

2 PROSPECTIVE JUROR NO. 396: We just watched the one,  
3 I forget what it's called, but it was about the five boys in  
4 New York.

5 MR. GIORDANI: Oh, yeah.

6 PROSPECTIVE JUROR NO. 396: They got convicted  
7 wrongly for the rape of that lady --

8 MR. GIORDANI: Yeah.

9 PROSPECTIVE JUROR NO. 396: -- in Central Park. I  
10 have No Activity I watch. I follow SVU and stuff like that,  
11 Bluebloods, but --

12 MR. GIORDANI: Okay. So you have some kind of  
13 interest in the system or just good drama?

14 PROSPECTIVE JUROR NO. 396: Probably both. Probably  
15 more the drama side if I'm being honest.

16 MR. GIORDANI: Yeah.

17 PROSPECTIVE JUROR NO. 396: I always watch like  
18 Grey's and stuff.

19 MR. GIORDANI: Oh, Grey's Anatomy?

20 PROSPECTIVE JUROR NO. 396: Yeah.

21 MR. GIORDANI: Okay. The documentary that you  
22 referenced, I forget the name of it, Central Park Filing I  
23 think or something like that.

24 PROSPECTIVE JUROR NO. 396: Yeah.

25 MR. GIORDANI: You know, that's a unique case just

1 like every case is; right?

2 PROSPECTIVE JUROR NO. 396: Yes.

3 MR. GIORDANI: Would you agree with me there?

4 PROSPECTIVE JUROR NO. 396: Yes.

5 MR. GIORDANI: What we don't want is people who will  
6 try to right some wrong that they've learned of in some other  
7 case and bring that into this courtroom.

8 PROSPECTIVE JUROR NO. 396: Right.

9 MR. GIORDANI: Can you judge this case based upon  
10 what you hear from that witness stand?

11 PROSPECTIVE JUROR NO. 396: Yep.

12 MR. GIORDANI: Okay. All right. Thank you, ma'am.  
13 If you can pass the microphone down.

14 What's your badge number, ma'am?

15 PROSPECTIVE JUROR NO. 473: 473.

16 MR. GIORDANI: You have a brother-in-law and a friend  
17 in law enforcement; right?

18 PROSPECTIVE JUROR NO. 473: My brother-in-law and  
19 uncle.

20 MR. GIORDANI: I'm sorry?

21 PROSPECTIVE JUROR NO. 473: Brother-in-law and uncle.

22 MR. GIORDANI: Okay. And you've heard the other  
23 questions of the other jurors.

24 PROSPECTIVE JUROR NO. 473: Uh-huh.

25 MR. GIORDANI: Can you be fair to both sides in this

1 case and judge law enforcement officers like you would any  
2 other witness?

3 PROSPECTIVE JUROR NO. 473: Yeah.

4 MR. GIORDANI: Okay.

5 PROSPECTIVE JUROR NO. 473: I believe so.

6 MR. GIORDANI: I have to ask you --

7 PROSPECTIVE JUROR NO. 473: Wait. Don't say the word  
8 though.

9 MR. GIORDANI: What word?

10 PROSPECTIVE JUROR NO. 473: Oh, I thought you were  
11 going to say what you were saying earlier.

12 MR. GIORDANI: Okay. Is there a word that -- I  
13 noticed that you got a little bit emotional earlier.

14 PROSPECTIVE JUROR NO. 473: I did. I don't like  
15 talking about what you brought up earlier. I just get, like,  
16 really hot.

17 MR. GIORDANI: Okay. Just the words caused you to  
18 get emotional?

19 PROSPECTIVE JUROR NO. 473: I mean, not emotional. I  
20 just get, like, really hot and like, lightheaded, like talking  
21 about it.

22 MR. GIORDANI: Okay. I'll move on from that. I want  
23 to talk to you about the 2000 --

24 PROSPECTIVE JUROR NO. 473: 9.

25 MR. GIORDANI: 9 --

1 PROSPECTIVE JUROR NO. 473: Uh-huh.

2 MR. GIORDANI: -- situation that ultimately just  
3 resulted in a dismissal; right?

4 PROSPECTIVE JUROR NO. 473: Uh-huh.

5 MR. GIORDANI: And was that -- is there anything  
6 about that experience you had with the system that might bleed  
7 over into this case?

8 PROSPECTIVE JUROR NO. 473: No, I feel like I wasn't  
9 really involved in it.

10 MR. GIORDANI: Oh, yeah. Understood. Okay. And do  
11 you have any -- other than your relationships with law  
12 enforcement, do you have any positive or negative interactions  
13 with law enforcement outside of those relationships?

14 PROSPECTIVE JUROR NO. 473: I think both traffic  
15 stuff good and bad, yeah.

16 MR. GIORDANI: Fair and neutral. Do you believe you  
17 would be fair and neutral?

18 PROSPECTIVE JUROR NO. 473: Yep.

19 MR. GIORDANI: Even considering those -- thank you.  
20 You can pass the microphone.

21 Mr. Williams.

22 PROSPECTIVE JUROR NO. 480: Yes, sir. Gavin  
23 Williams. 480.

24 MR. GIORDANI: How are you doing?

25 PROSPECTIVE JUROR NO. 480: I'm doing great. How are

1 you doing?

2 MR. GIORDANI: Good. Your friend, cousin?

3 PROSPECTIVE JUROR NO. 480: Right.

4 MR. GIORDANI: Kenneth; right?

5 PROSPECTIVE JUROR NO. 480: Yes, sir.

6 MR. GIORDANI: You learned about what happened pretty  
7 quickly after?

8 PROSPECTIVE JUROR NO. 480: Yes.

9 MR. GIORDANI: It sounds like you're close with them?

10 PROSPECTIVE JUROR NO. 480: Yeah.

11 MR. GIORDANI: Yeah. And I -- I'm personally  
12 familiar with the facts so I'm going to ask you some vague  
13 questions, but --

14 PROSPECTIVE JUROR NO. 480: Okay.

15 MR. GIORDANI: Everything that went down with that  
16 situation, is that something that you are going to carry over  
17 to law enforcement here?

18 PROSPECTIVE JUROR NO. 480: Not at all.

19 MR. GIORDANI: Okay. Did you ever see any video  
20 footage?

21 PROSPECTIVE JUROR NO. 480: I did.

22 MR. GIORDANI: You did?

23 PROSPECTIVE JUROR NO. 480: Yeah.

24 MR. GIORDANI: Okay. Was that out of character for  
25 Kenneth?



1 PROSPECTIVE JUROR NO. 480: How he was acting?  
2 MR. GIORDANI: Yeah.  
3 PROSPECTIVE JUROR NO. 480: Only the part showing  
4 pulling out the gun, yeah.  
5 MR. GIORDANI: Yeah.  
6 PROSPECTIVE JUROR NO. 480: Yeah.  
7 MR. GIORDANI: Did you know him to have a gun or be  
8 erratic with guns?  
9 PROSPECTIVE JUROR NO. 480: No, not erratic. I did  
10 know he had one --  
11 MR. GIORDANI: Yeah.  
12 PROSPECTIVE JUROR NO. 480: -- and stuff like that,  
13 but hopefully for protection while everybody else has one.  
14 MR. GIORDANI: Okay. Referring to that video --  
15 PROSPECTIVE JUROR NO. 480: Okay.  
16 MR. GIORDANI: -- I think we both saw, you and I.  
17 PROSPECTIVE JUROR NO. 480: Yes. Absolutely.  
18 MR. GIORDANI: Do you think that what ultimately  
19 happened, what the officers had to do was fair considering the  
20 circumstances?  
21 PROSPECTIVE JUROR NO. 480: Yeah. I said that  
22 yesterday.  
23 MR. GIORDANI: Oh. I missed that.  
24 PROSPECTIVE JUROR NO. 480: I understand they were  
25 protecting [inaudible] acting out of their protocol for that

1 situation.

2 MR. GIORDANI: Okay. So I missed that part, I  
3 apologize.

4 PROSPECTIVE JUROR NO. 480: No. I was just  
5 reiterating. I apologize. It's not disrespect.

6 MR. GIORDANI: So you're a bar back and you've got  
7 the aviator stadium and T-Mobile now; right?

8 PROSPECTIVE JUROR NO. 480: I do.

9 MR. GIORDANI: Okay. And do you -- well, like last  
10 night was a night's game, did you have to work last night or  
11 the night before?

12 PROSPECTIVE JUROR NO. 480: I didn't work last night  
13 because I was here --

14 MR. GIORDANI: Okay.

15 PROSPECTIVE JUROR NO. 480: -- but I let everybody  
16 know I was doing my duty and stuff like that.

17 MR. GIORDANI: Okay. Not going to be a concern if we  
18 have --

19 PROSPECTIVE JUROR NO. 480: No. Yeah, they already  
20 know, and I printed off the paperwork and stuff saying that I  
21 was here so I'll be covered.

22 MR. GIORDANI: Have you had -- other than Kenneth's  
23 situation, have you had positive or negative interactions with  
24 law enforcement in your life?

25 PROSPECTIVE JUROR NO. 480: I wouldn't say positive

1 or negative. Any interaction I've had, I paid my consequences,  
2 and I was treated fairly and stuff like that.

3 MR. GIORDANI: Yeah. That was the minor marijuana  
4 thing?

5 PROSPECTIVE JUROR NO. 480: Yeah.

6 MR. GIORDANI: Do you think that you're the type of  
7 person, you're 23, you have life experience, but not as much as  
8 some of your fellow jurors --

9 PROSPECTIVE JUROR NO. 480: Absolutely.

10 MR. GIORDANI: Do you think that you'd be a good fit  
11 for this jury?

12 PROSPECTIVE JUROR NO. 480: I do.

13 MR. GIORDANI: Okay.

14 PROSPECTIVE JUROR NO. 480: I know the problem is  
15 talking about experience I'm not in many respect.

16 MR. GIORDANI: Maybe --

17 PROSPECTIVE JUROR NO. 480: -- I'm all about seeing  
18 both sides before judging anything.

19 MR. GIORDANI: Okay. Obviously, heavy -- well,  
20 serious charges in this case; right? It appears to me,  
21 observing you and hearing you speak that you're going to have  
22 no problem sitting, judging the evidence as it comes in and  
23 waiting to render a decision.

24 PROSPECTIVE JUROR NO. 480: Right.

25 MR. GIORDANI: You don't seem erratic in any way.

1 PROSPECTIVE JUROR NO. 480: Yeah, no, I'm okay.

2 MR. GIORDANI: And you think you can be fair to both  
3 sides in this case?

4 PROSPECTIVE JUROR NO. 480: A hundred percent.

5 MR. GIORDANI: Thank you, sir. Pass it to the left  
6 side over.

7 PROSPECTIVE JUROR NO. 408: I'm Tyler Bayne, 408.

8 MR. GIORDANI: Thank you. The several police  
9 officers that you know from your coaching experience --

10 PROSPECTIVE JUROR NO. 408: Uh-huh.

11 MR. GIORDANI: -- you know the gist of my question,  
12 do you think that's going to cause you to be unfair to both  
13 sides in this case?

14 PROSPECTIVE JUROR NO. 408: No, sir.

15 MR. GIORDANI: Okay. I assume you know them by name?

16 PROSPECTIVE JUROR NO. 408: I do.

17 MR. GIORDANI: Okay. So they wouldn't be on our  
18 witness list, obviously?

19 PROSPECTIVE JUROR NO. 408: No.

20 MR. GIORDANI: Are there any others that whose kids  
21 you coached that you just don't know the names of?

22 PROSPECTIVE JUROR NO. 408: There may be. The  
23 Bennetts. I think you brought up some Bennetts. Their father  
24 may be one of them that's in the club, but that's not somebody  
25 I interact with personally.

1 MR. GIORDANI: Okay. You had a prior jury service?

2 PROSPECTIVE JUROR NO. 408: I did, but it was  
3 dismissed or it was settled before we --

4 MR. GIORDANI: Oh, okay. So you were just released?

5 PROSPECTIVE JUROR NO. 408: Correct.

6 MR. GIORDANI: Okay. Positive or negative  
7 experience?

8 PROSPECTIVE JUROR NO. 408: Neutral. We did this and  
9 then we left.

10 MR. GIORDANI: Okay. Do you have a feeling or an  
11 opinion on the criminal justice system?

12 PROSPECTIVE JUROR NO. 408: I worked -- just as a  
13 little background. For 18 years I ran an alarm monitoring and  
14 response company. So I've worked on response and been involved  
15 with home invasions both in apprehension and then on the  
16 management side of it. So I've had lots of interaction with  
17 Metro and police personnel in that regard. As far as the  
18 justice system, like several people said, there's certainly  
19 some tweaks that need to be made, but overall it's pretty good.

20 MR. GIORDANI: Okay. What company was that that you  
21 worked for?

22 PROSPECTIVE JUROR NO. 408: Total Safety  
23 Incorporated. TSI.

24 MR. GIORDANI: Local?

25 PROSPECTIVE JUROR NO. 408: Yeah.

1 MR. GIORDANI: Did you ever respond while something  
2 was still in progress?

3 PROSPECTIVE JUROR NO. 408: Correct. Yes.

4 MR. GIORDANI: Oh, wow. Okay. Did you intervene or  
5 have to intervene in any situation?

6 PROSPECTIVE JUROR NO. 408: Three times.

7 MR. GIORDANI: Wow. Did you make any arrests?

8 PROSPECTIVE JUROR NO. 408: Yes, three.

9 MR. GIORDANI: Okay. Do you think that, considering  
10 your background and you gotta -- you're a busy, busy man --

11 PROSPECTIVE JUROR NO. 408: A lot going on.

12 MR. GIORDANI: Do you think that you can sit for the  
13 next say week or so, week and a half, focus on this case and  
14 the evidence you hear in this courtroom and not be distracted  
15 by your 25 jobs?

16 PROSPECTIVE JUROR NO. 408: Yes. I'll have very busy  
17 evenings for sure.

18 MR. GIORDANI: All right. Thank you, sir, you can  
19 pass the microphone.

20 It's Ms Pucci-Johnson?

21 PROSPECTIVE JUROR NO. 412: Yes.

22 MR. GIORDANI: 412?

23 PROSPECTIVE JUROR NO. 412: Yes.

24 MR. GIORDANI: And you have a best friend's dad who's  
25 now the sheriff of Napa?

1 PROSPECTIVE JUROR NO. 412: Yes.

2 MR. GIORDANI: That's a pretty big gig; right?

3 PROSPECTIVE JUROR NO. 412: Yeah.

4 MR. GIORDANI: And he used to be one of the PR guys  
5 with Metro?

6 PROSPECTIVE JUROR NO. 412: Yeah.

7 MR. GIORDANI: What's his last name?

8 PROSPECTIVE JUROR NO. 412: Plummer.

9 MR. GIORDANI: Okay. And while you were describing  
10 that, I don't know if I misheard or what, but I thought you  
11 said I was in the news media for several years?

12 PROSPECTIVE JUROR NO. 412: I was.

13 MR. GIORDANI: Okay. How?

14 PROSPECTIVE JUROR NO. 412: I was an executive  
15 producer at Fox 5 News for the last five years of my career.

16 MR. GIORDANI: Oh, okay.

17 PROSPECTIVE JUROR NO. 412: But I worked at Channel  
18 3, Channel 13. I was involved in the news for 14 years.

19 MR. GIORDANI: Okay. With regard to Fox, were you  
20 involved and I guess you -- did you say executive producer?

21 PROSPECTIVE JUROR NO. 412: Correct.

22 MR. GIORDANI: Okay. So were you involved in making  
23 the decision of what to air and what not to?

24 PROSPECTIVE JUROR NO. 412: Correct.

25 MR. GIORDANI: Lots of the Fox 5, especially at

1 night, they show like these court cases from that day; right?

2 PROSPECTIVE JUROR NO. 412: Yeah.

3 MR. GIORDANI: Was -- what goes into your  
4 calculation? What went into your calculation as to what type  
5 of criminal cases you should show?

6 PROSPECTIVE JUROR NO. 412: Well, mainly that  
7 decision would be made at the beginning of the day when we  
8 would send the camera to court or a reporter to court. My job  
9 mainly consisted of logging that video if it was a photographer  
10 sent to court, and I would have the job of logging the video,  
11 going through -- determining what was, you know, what was the  
12 principal matter at hand that day. Some days it would be  
13 continued from the day before, and it would just be a brief  
14 synopsis of what happened in court that day.

15 MR. GIORDANI: Right.

16 PROSPECTIVE JUROR NO. 412: At other times there  
17 would be a reporter on the case where they would give me, you  
18 know, kind of the summary of what happened, and then I would  
19 mainly write transitions to them and they would summarize it.

20 MR. GIORDANI: Okay.

21 PROSPECTIVE JUROR NO. 412: But it would -- it would  
22 usually consist of, you know, ahead of time determining what  
23 was worthy of being aired that day.

24 MR. GIORDANI: Got it. And worthy meaning  
25 interesting, salacious sometimes or --



1 PROSPECTIVE JUROR NO. 412: No, not salacious but  
2 determining factors in the case. Like, you know, we wouldn't  
3 be here for jury duty. We wouldn't, you know, be here on a day  
4 where you start at 1:30 maybe and not a lot going on.

5 MR. GIORDANI: Got it. Understood. Okay. And then  
6 you got out of that, and you went to brand development and  
7 [inaudible].

8 PROSPECTIVE JUROR NO. 412: Yes.

9 MR. GIORDANI: Why is it that you got out of the news  
10 business?

11 PROSPECTIVE JUROR NO. 412: The philosophy of the --  
12 of journalism since I learned it in college had changed, and I  
13 didn't agree really with the philosophies of where it was  
14 going.

15 MR. GIORDANI: Can you give me a little more detail.  
16 I think I know what you're saying, but I mean --

17 PROSPECTIVE JUROR NO. 412: Just journalistically  
18 from a -- from a perspective of, you know, wanting to get to  
19 deeper issues. Sometimes things that they uncover isn't  
20 really, you know, impacting on anybody else's life except a  
21 small group of people or, you know, something that's gone viral  
22 which --

23 MR. GIORDANI: Right. Like look at this chipmunk on  
24 skis or --

25 PROSPECTIVE JUROR NO. 412: Right.

1 MR. GIORDANI: Not quite news.

2 PROSPECTIVE JUROR NO. 412: Yeah.

3 MR. GIORDANI: Would you agree with the general sense  
4 and that the news should be neutral?

5 PROSPECTIVE JUROR NO. 412: Yes. Absolutely.

6 MR. GIORDANI: Right. Fact-finding, neutral.  
7 Reporting; right?

8 PROSPECTIVE JUROR NO. 412: Yes.

9 MR. GIORDANI: Is that a personal philosophy that you  
10 hold?

11 PROSPECTIVE JUROR NO. 412: Yes. Absolutely.

12 MR. GIORDANI: Do you think that you could be fair to  
13 both sides in this case?

14 PROSPECTIVE JUROR NO. 412: Yes.

15 MR. GIORDANI: I appreciate it, ma'am. You can pass  
16 the microphone.

17 Mr. Cadieux, 413?

18 PROSPECTIVE JUROR NO. 413: Yes.

19 MR. GIORDANI: Sir, that situation that you had with  
20 your family, was that pretty recent?

21 PROSPECTIVE JUROR NO. 413: February of this year.

22 MR. GIORDANI: A lot. Is there still -- well, have  
23 you been updated?

24 PROSPECTIVE JUROR NO. 413: Actually, no, not in a  
25 while. My last update that I received was in April of this

1 year.

2 MR. GIORDANI: And that -- was that through the FBI?

3 PROSPECTIVE JUROR NO. 413: The FBI keeps things  
4 related to this matter very compartmentalized. So, no. Most  
5 of my updates came from the direct investigator contact that I  
6 had with Metro.

7 MR. GIORDANI: Okay. If anyone from Metro that we  
8 call in this case responded to your home, would you still be  
9 able to judge them fairly?

10 PROSPECTIVE JUROR NO. 413: Yes.

11 MR. GIORDANI: Okay. I'm just saying that because I  
12 would presume you don't know every officer who you met?

13 PROSPECTIVE JUROR NO. 413: No, there where a lot.  
14 And honestly I can probably remember two, and none of them were  
15 on the list that you --

16 MR. GIORDANI: Oh, okay. The ones you do remember  
17 who had some impact on you --

18 PROSPECTIVE JUROR NO. 413: I've had direct contact  
19 with them since and I have not heard any of those.

20 MR. GIORDANI: You discussed with the Judge about  
21 your close family friend that was convicted.

22 PROSPECTIVE JUROR NO. 413: Yes.

23 MR. GIORDANI: And the general gist of what I  
24 understood was, you felt that the Judge should have had more  
25 discretion and individualized his punishment rather than follow

1 the mandatory guidelines set by some higher court?

2 PROSPECTIVE JUROR NO. 413: I would agree, yes.

3 MR. GIORDANI: I talked with one of your fellow  
4 jurors, I forget who, but we discussed your role in this is  
5 determining whether we've proven our case guilty or not guilty.

6 PROSPECTIVE JUROR NO. 413: Yes.

7 MR. GIORDANI: It's not going to be sentencing --

8 PROSPECTIVE JUROR NO. 413: I understand.

9 MR. GIORDANI: Anything that whether you agree or  
10 disagree which you clearly disagree with what happened to your  
11 friend -- close family friend, can you set that aside and judge  
12 this case based upon the law the Judge gives you?

13 PROSPECTIVE JUROR NO. 413: Yes.

14 MR. GIORDANI: And can you follow that law even if  
15 you may not agree with it?

16 PROSPECTIVE JUROR NO. 413: Yes.

17 MR. GIORDANI: What -- how are you attached to NASA?

18 PROSPECTIVE JUROR NO. 413: I was in the research and  
19 development division and the meteorology and then propulsion  
20 laboratory.

21 MR. GIORDANI: Oh, okay.

22 PROSPECTIVE JUROR NO. 413: I was a pilot for them.  
23 We were working on initially cloud seeding in the Dakotas,  
24 trying to eradicate hailstorms, that decimated the crops and  
25 trying to make wet clouds rain more. And then on the

1 propulsion side I have a background in fluid dynamics. And we  
2 were working on a new type of engine that ultimately did not  
3 really go anywhere.

4 MR. GIORDANI: And was that a temporary job based  
5 upon the project?

6 PROSPECTIVE JUROR NO. 413: It was a contract  
7 position while I was trying to leverage to get into a permanent  
8 position. Unfortunately, the early 2000s were not a great time  
9 to be part of government budgets. So I spent the rest of my  
10 career in commercial aviation.

11 MR. GIORDANI: Okay. And currently Alaska.

12 PROSPECTIVE JUROR NO. 413: Alaska Airlines, yes.  
13 Based in San Francisco.

14 MR. GIORDANI: Okay. All right. Thank you, sir, I  
15 appreciate it.

16 Ms. Selby, 418; correct?

17 PROSPECTIVE JUROR NO. 418: Correct.

18 MR. GIORDANI: You had a prior jury service?

19 PROSPECTIVE JUROR NO. 418: I did.

20 MR. GIORDANI: Criminal case and without saying the  
21 verdict, there was a verdict rendered; correct?

22 PROSPECTIVE JUROR NO. 418: You know I started to  
23 think about it last night because I was an alternate, and I  
24 think I remembered it wrong, but I was an alternate, and I  
25 believe the Judge asked me if they came to a verdict, but I --

1 if I remember right it was settled and then everybody was  
2 dismissed.

3 MR. GIORDANI: Oh, okay.

4 PROSPECTIVE JUROR NO. 418: Sorry about that.

5 MR. GIORDANI: No, that's okay. I appreciate the  
6 clarification. Was that overall positive or negative  
7 experience for you?

8 PROSPECTIVE JUROR NO. 418: Fine.

9 MR. GIORDANI: Neutral?

10 PROSPECTIVE JUROR NO. 418: Uh-huh.

11 MR. GIORDANI: Okay. Any positive or negative  
12 interactions with law enforcement in your past?

13 PROSPECTIVE JUROR NO. 418: No.

14 MR. GIORDANI: Do you have any feelings or what is  
15 your feeling, I guess, about the criminal justice system?

16 PROSPECTIVE JUROR NO. 418: I believe it works.

17 MR. GIORDANI: Okay. And can you be fair to both  
18 sides in this case and hold us, the State, to our burden of  
19 proof?

20 PROSPECTIVE JUROR NO. 418: [Inaudible].

21 MR. GIORDANI: Anything that I've discussed with your  
22 fellow jurors or any point that's been brought up by a fellow  
23 juror that you think, hey, I should chime in on that or we the  
24 parties might want to know about you?

25 PROSPECTIVE JUROR NO. 418: I don't really watch TV.

1 MR. GIORDANI: Okay.

2 PROSPECTIVE JUROR NO. 418: Hockey. I'm a Knights  
3 fan.

4 MR. GIORDANI: Nice.

5 PROSPECTIVE JUROR NO. 418: That's about it. But I  
6 actually turn on the news in the morning, pause it and  
7 fast-forward it to the weather and turn it off.

8 MR. GIORDANI: They have an app for that. All right.  
9 Do you think you could be fair and you'd be a good juror for  
10 this case?

11 PROSPECTIVE JUROR NO. 418: I can be fair.

12 MR. GIORDANI: Fair?

13 PROSPECTIVE JUROR NO. 418: Yes.

14 MR. GIORDANI: Can you be a good -- would you be a  
15 good juror for this case?

16 PROSPECTIVE JUROR NO. 418: I believe so, yes.

17 MR. GIORDANI: Okay. Thank you, ma'am, and you can  
18 pass the microphone back.

19 Can you pass that down, sir. Thank you.

20 And can I have your badge number, ma'am.

21 PROSPECTIVE JUROR NO. 493: O'Neill is my last name  
22 and the badge number is 493.

23 MR. GIORDANI: Thank you. How are you, ma'am?

24 PROSPECTIVE JUROR NO. 493: Good. How are you?

25 MR. GIORDANI: Good. The two situations in Detroit,

1 do you think that you can set those aside?

2 PROSPECTIVE JUROR NO. 493: Oh, absolutely.

3 MR. GIORDANI: I'm going to try to speed this up.

4 PROSPECTIVE JUROR NO. 493: Uh-huh.

5 MR. GIORDANI: You get the gist of where I'm going.

6 PROSPECTIVE JUROR NO. 493: Right.

7 MR. GIORDANI: Anything about those experiences that  
8 might cause -- that might bleed into this case?

9 PROSPECTIVE JUROR NO. 493: No, not at all.

10 MR. GIORDANI: Okay. Do you have any positive or  
11 negative -- other than those two things, have interactions  
12 positive or negative with law enforcement?

13 PROSPECTIVE JUROR NO. 493: Neutral.

14 MR. GIORDANI: Neutral? What's your feeling about  
15 the criminal justice system?

16 PROSPECTIVE JUROR NO. 493: Neutral. I mean, I've  
17 been through it, and the guy pled guilty, and it was fair, you  
18 know, the whole experience was very fair.

19 MR. GIORDANI: Okay. Anything about you, ma'am, that  
20 you think we should know, either the State, our side or the  
21 defense?

22 PROSPECTIVE JUROR NO. 493: No.

23 MR. GIORDANI: Do you watch any crime shows?

24 PROSPECTIVE JUROR NO. 493: I watched *Law & Order* a  
25 few times. I travel. I'm a flight attendant, so I don't have



1 a lot of time to watch TV.

2 MR. GIORDANI: Got it.

3 PROSPECTIVE JUROR NO. 493: I do the red eyes and  
4 sleep all day, but I have watched *Law & Order* a few times.

5 MR. GIORDANI: Okay. Do you think that if you were  
6 selected as a juror you would be a good fit for this type of a  
7 case?

8 PROSPECTIVE JUROR NO. 493: Yes.

9 MR. GIORDANI: Criminal case, these types of charges  
10 all about?

11 PROSPECTIVE JUROR NO. 493: Yes.

12 MR. GIORDANI: And that you could give both sides a  
13 fair shake?

14 PROSPECTIVE JUROR NO. 493: Yes.

15 MR. GIORDANI: Okay. Thank you, ma'am. You can pass  
16 that over.

17 I'm sorry. What's your badge number, sir?

18 PROSPECTIVE JUROR NO. 420: 0420.

19 MR. GIORDANI: How are you feeling today?

20 PROSPECTIVE JUROR NO. 420: I'm doing good.

21 MR. GIORDANI: Everything worked out with the  
22 security downstairs and all that?

23 PROSPECTIVE JUROR NO. 420: Yes.

24 MR. GIORDANI: Okay, good. And you don't anticipate  
25 that being a problem; right?

1 PROSPECTIVE JUROR NO. 420: Not at all, no. It  
2 wasn't a problem yesterday either.

3 MR. GIORDANI: Yeah. I think you volunteered to not  
4 eat lunch; right?

5 PROSPECTIVE JUROR NO. 420: What's that?

6 MR. GIORDANI: You didn't eat lunch yesterday?

7 PROSPECTIVE JUROR NO. 420: Correct.

8 MR. GIORDANI: And so you're fine?

9 PROSPECTIVE JUROR NO. 420: Yes.

10 MR. GIORDANI: Okay. Have you ever had any positive  
11 or negative interactions with law enforcement?

12 PROSPECTIVE JUROR NO. 420: No.

13 MR. GIORDANI: Oh, none at all?

14 PROSPECTIVE JUROR NO. 420: No experience. Not much,  
15 no.

16 MR. GIORDANI: Okay. Do you have any feelings about  
17 law enforcement one way or another?

18 PROSPECTIVE JUROR NO. 420: No. Not either way.

19 MR. GIORDANI: Okay. How about the criminal justice  
20 system?

21 PROSPECTIVE JUROR NO. 420: I don't have much of an  
22 experience so I don't have much of an opinion to base it on.

23 MR. GIORDANI: Okay. Do you watch any shows that  
24 have to do with the system?

25 PROSPECTIVE JUROR NO. 420: On occasion, but not

1 really enough to say that I really watch a series or anything  
2 like that.

3 MR. GIORDANI: How about documentaries?

4 PROSPECTIVE JUROR NO. 420: Again, just on occasion  
5 that I've just seen some of them but nothing that's really  
6 got -- formed an opinion on.

7 MR. GIORDANI: Okay. Do you want to be on this jury?

8 PROSPECTIVE JUROR NO. 420: Yes.

9 MR. GIORDANI: Why is that?

10 PROSPECTIVE JUROR NO. 420: Because I don't have much  
11 experience with any of this. This is a learning experience for  
12 me.

13 MR. GIORDANI: Sure.

14 PROSPECTIVE JUROR NO. 420: And I find this all quite  
15 fascinating actually. This is just listening to everything and  
16 just the way the courtroom works is very interesting.

17 MR. GIORDANI: Good. Do you think that you could be  
18 fair to both sides and to give -- and can you give both sides  
19 kind of an even playing field starting this thing out?

20 PROSPECTIVE JUROR NO. 420: Affirmative.

21 MR. GIORDANI: Understanding that everyone's entitled  
22 to the presumption of innocence?

23 PROSPECTIVE JUROR NO. 420: Yes.

24 MR. GIORDANI: Right. And we, the State, have the  
25 burden of proof.

1 PROSPECTIVE JUROR NO. 420: Yes.  
2 MR. GIORDANI: You're okay with that?  
3 PROSPECTIVE JUROR NO. 420: Yes.  
4 MR. GIORDANI: Okay. Thank you and you can pass the  
5 microphone.  
6 Ma'am, principal --  
7 PROSPECTIVE JUROR NO. 421: Correct.  
8 MR. GIORDANI: Badge number?  
9 PROSPECTIVE JUROR NO. 421: Badge, Hackett, 421.  
10 MR. GIORDANI: That's right. I apologize. Principal  
11 Hackett, you've been selected to three juries in your life?  
12 PROSPECTIVE JUROR NO. 421: Correct. Uh-huh.  
13 MR. GIORDANI: Would you say that overall that you  
14 found those to be positive experiences? Negative?  
15 PROSPECTIVE JUROR NO. 421: Two of them were very  
16 positive, one was a little tough.  
17 MR. GIORDANI: And don't ever say what the verdict is  
18 in any case, but when you say one was a little tough, is that  
19 because you disagreed with the verdict?  
20 PROSPECTIVE JUROR NO. 421: No.  
21 MR. GIORDANI: All right.  
22 PROSPECTIVE JUROR NO. 421: That wasn't it.  
23 MR. GIORDANI: Okay. Was it the content or subject  
24 matter?  
25 PROSPECTIVE JUROR NO. 421: Yes.

1 MR. GIORDANI: And just generally what are we  
2 referring to here?

3 PROSPECTIVE JUROR NO. 421: Well, I think I mentioned  
4 yesterday I have a domestic violence. I was a victim of  
5 domestic violence, and so it was a criminal case involving  
6 something of that sort, and we were exposed to pretty graphic  
7 pictures and testimony.

8 MR. GIORDANI: Okay. But you sat through, you did  
9 your duty and --

10 PROSPECTIVE JUROR NO. 421: I did.

11 MR. GIORDANI: Yeah. The good news is when you've  
12 been selected to three prior juries it's an indication that I  
13 don't have -- shouldn't have to ask you very many questions.  
14 Three DAs have already done this. Is there anything about your  
15 history, what you just described -- your personal experience  
16 that might cause you to be unfair to either side in this case?

17 PROSPECTIVE JUROR NO. 421: No. Just a little  
18 concerned about the pictures.

19 MR. GIORDANI: Okay. I can't stress this enough.  
20 It's your choice. You need to just be able to consider them as  
21 evidence for what they are, the weight you deem is appropriate.

22 PROSPECTIVE JUROR NO. 421: Uh-huh.

23 MR. GIORDANI: And you don't have to look at them  
24 again if you don't want to.

25 PROSPECTIVE JUROR NO. 421: Okay.

1 MR. GIORDANI: Can you do that?  
2 PROSPECTIVE JUROR NO. 421: Yes.  
3 MR. GIORDANI: Thank you, ma'am. You can pass the  
4 microphone.  
5 What's your badge number, sir?  
6 PROSPECTIVE JUROR NO. 500: 500, Phillip Davis.  
7 MR. GIORDANI: Yes. I have you right here. How are  
8 you, Mr. Davis?  
9 PROSPECTIVE JUROR NO. 500: I'm well, how about  
10 yourself?  
11 MR. GIORDANI: Good. Thank you. You can probably  
12 tell I'm trying to speed this up a little bit.  
13 PROSPECTIVE JUROR NO. 500: There's a lot of us.  
14 MR. GIORDANI: All right. You can judge by -- I  
15 know. All right. I don't think you brought books but  
16 yesterday you had two books with you; what were those?  
17 PROSPECTIVE JUROR NO. 500: One was, like, own the  
18 room. It has to do with -- I'm a pharmaceutical sales rep.  
19 MR. GIORDANI: Yeah.  
20 PROSPECTIVE JUROR NO. 500: And it has to do with  
21 signature voice, and you know, the balance, the equilibrium.  
22 MR. GIORDANI: Okay. What was the other book?  
23 PROSPECTIVE JUROR NO. 500: Oh, it was a journal.  
24 MR. GIORDANI: Oh.  
25 PROSPECTIVE JUROR NO. 500: So -- so it's

1 essentially, you know, how I map out my day and, you know,  
2 efficiency, if you want to call it that.

3 MR. GIORDANI: Okay. Do you have -- well, with your  
4 one prior jury service, I think you said it was a civil case?

5 PROSPECTIVE JUROR NO. 500: It was.

6 MR. GIORDANI: Was that positive? Negative?

7 PROSPECTIVE JUROR NO. 500: It was positive. It was  
8 similar to what everyone else described where it was a learning  
9 experience --

10 MR. GIORDANI: Uh-huh.

11 PROSPECTIVE JUROR NO. 500: -- exposure to the  
12 courts, et cetera.

13 MR. GIORDANI: Okay. Your -- your sister-in-law's  
14 situation that happened. You probably -- you know where I'm  
15 going with that. It sounds like she was mistreated, and it's  
16 inappropriate what happened to her. What we don't want is  
17 someone who's going to carry that over and prejudge these guys  
18 or girls or females; you know what I mean?

19 PROSPECTIVE JUROR NO. 500: Absolutely. Yeah, I  
20 could do that and it -- I think I alluded to her experience was  
21 subjective in nature; right? It was because it happened to  
22 her.

23 MR. GIORDANI: Yeah.

24 PROSPECTIVE JUROR NO. 500: And so I recognize in  
25 those instances, you know, you'll admit facts and, you know,

1 outside information that might be pertinent.

2 MR. GIORDANI: Uh-huh.

3 PROSPECTIVE JUROR NO. 500: So yeah, I can be  
4 impartial.

5 MR. GIORDANI: Okay. Same question as some of your  
6 fellow jurors. You, yourself, have positive or negative  
7 interactions with law enforcement?

8 PROSPECTIVE JUROR NO. 500: I have had both.

9 MR. GIORDANI: Okay. And you know where I'm going;  
10 right? Can you set those aside and just judge this case  
11 fairly?

12 PROSPECTIVE JUROR NO. 500: Absolutely.

13 MR. GIORDANI: Judge the officers fairly  
14 notwithstanding any positive or negative interactions you've  
15 had?

16 PROSPECTIVE JUROR NO. 500: Absolutely.

17 MR. GIORDANI: Okay. Thank you, sir. You can pass  
18 that over.

19 Your Badge number, ma'am?

20 PROSPECTIVE JUROR NO. 443: 443.

21 MR. GIORDANI: That's right. Ms. Pratto.

22 PROSPECTIVE JUROR NO. 443: Yes.

23 MR. GIORDANI: Same line of questioning for you,  
24 ma'am. Your 2009 situation, anything about that that bleeds  
25 over -- or you think would bleed over to you sitting on this



1 jury?

2 PROSPECTIVE JUROR NO. 443: No, I don't.

3 MR. GIORDANI: Do you have an opinion about the  
4 criminal justice system in general?

5 PROSPECTIVE JUROR NO. 443: I think it runs fairly  
6 well. I think it's -- we could use more officers, but I think  
7 they do a wonderful job.

8 MR. GIORDANI: With the resources they have?

9 PROSPECTIVE JUROR NO. 443: With the resources they  
10 have.

11 MR. GIORDANI: Yeah. Have you had positive or  
12 negative interactions yourself with law enforcement?

13 PROSPECTIVE JUROR NO. 443: Mostly positive.

14 MR. GIORDANI: Okay. And is there anything that I've  
15 asked your fellow jurors or that someone has said that you  
16 think, hey, I feel the same or feel way differently and either  
17 side should know about you?

18 PROSPECTIVE JUROR NO. 443: No, nothing.

19 MR. GIORDANI: Do you want to be on this jury?

20 PROSPECTIVE JUROR NO. 443: Yes.

21 MR. GIORDANI: Why is that?

22 PROSPECTIVE JUROR NO. 443: Because I've never done  
23 this before.

24 MR. GIORDANI: Okay. A new experience?

25 PROSPECTIVE JUROR NO. 443: Yes.

1 MR. GIORDANI: Learning experience potentially? And  
2 do you think you can be fair to both sides in this case?

3 PROSPECTIVE JUROR NO. 443: Absolutely.

4 MR. GIORDANI: All right. Thank you, ma'am, pass the  
5 microphone.

6 And now we're back in order, Mr. Campbell, 444;  
7 correct?

8 PROSPECTIVE JUROR NO. 444: 444, yes.

9 MR. GIORDANI: Twelve years here in the U.S.

10 PROSPECTIVE JUROR NO. 444: Yes.

11 MR. GIORDANI: You had some years back in Scotland?

12 PROSPECTIVE JUROR NO. 444: I was born in Scotland,  
13 but I was brought up in Belgium.

14 MR. GIORDANI: Okay.

15 PROSPECTIVE JUROR NO. 444: I moved here from  
16 Belgium.

17 MR. GIORDANI: Okay. Belgium legal system is  
18 different from --

19 PROSPECTIVE JUROR NO. 444: Napoleonic code.

20 MR. GIORDANI: Yeah. So can you follow the law as  
21 the Judge gives it to you here --

22 PROSPECTIVE JUROR NO. 444: Yes.

23 MR. GIORDANI: -- and do what the Judge tells you to  
24 do in this case and judge the evidence based upon what you hear  
25 from the witness stand?

1 PROSPECTIVE JUROR NO. 444: Exactly, yes.

2 MR. GIORDANI: Since you've been here 12 years, have  
3 you had positive or negative interactions with law enforcement?

4 PROSPECTIVE JUROR NO. 444: Negative when I got a  
5 speeding ticket but positive when they dealt with me.

6 MR. GIORDANI: Yeah. Were you speeding though?

7 PROSPECTIVE JUROR NO. 444: No, no.

8 MR. GIORDANI: Oh, okay.

9 PROSPECTIVE JUROR NO. 444: I was speeding, yes.

10 MR. GIORDANI: Do you have an opinion about the  
11 American criminal justice system?

12 PROSPECTIVE JUROR NO. 444: I think it's very, very  
13 fair for the most part.

14 MR. GIORDANI: Okay.

15 PROSPECTIVE JUROR NO. 444: Yes, everybody makes  
16 mistakes every now and again.

17 MR. GIORDANI: Sure. No system is perfect, but it's  
18 a pretty darn good one.

19 PROSPECTIVE JUROR NO. 444: Yes.

20 MR. GIORDANI: Would you agree with that?

21 PROSPECTIVE JUROR NO. 444: I would agree.

22 MR. GIORDANI: Okay. Anything that we should know  
23 about you or you think we should know about you, sir, that any  
24 of the attorneys might want to know?

25 PROSPECTIVE JUROR NO. 444: Not to the best of my

1 knowledge.

2 MR. GIORDANI: Okay. All right. As a computer  
3 network -- well, computer network security analyst?

4 PROSPECTIVE JUROR NO. 444: Yes.

5 MR. GIORDANI: Did you deal with computer -- well,  
6 security or security features on cell phones?

7 PROSPECTIVE JUROR NO. 444: No.

8 MR. GIORDANI: Okay. What was your main area of  
9 practice?

10 PROSPECTIVE JUROR NO. 444: Main area of practice was  
11 on the slot floor, the casino slot floor in Macau and in  
12 Singapore.

13 MR. GIORDANI: So on the slot floor then you're  
14 dealing with security programs installed in the --

15 PROSPECTIVE JUROR NO. 444: On the slot floor itself,  
16 yes, because it's an independent network. Otherwise, anybody  
17 can get into it.

18 MR. GIORDANI: Okay.

19 PROSPECTIVE JUROR NO. 444: Which a lot of people  
20 might like.

21 MR. GIORDANI: Right. So would you -- would you make  
22 fixes on the floor, or would you just monitor and make sure  
23 everything was working appropriately?

24 PROSPECTIVE JUROR NO. 444: Monitor for the most part  
25 but sometimes I had to make a fix on a particular game that had

1 gone haywire for instance, yes.

2 MR. GIORDANI: Okay. Okay. All right. Thank you,  
3 Mr. Campbell, you can pass that down.

4 Ms. Eugene, how are you, ma'am?

5 PROSPECTIVE JUROR NO. 446: Good, how are you?

6 MR. GIORDANI: Good. And it's 446?

7 PROSPECTIVE JUROR NO. 446: Correct. 446.

8 MR. GIORDANI: You -- you were the victim of a  
9 robbery, and it sounds like a pretty violent one where you were  
10 kicked from behind?

11 PROSPECTIVE JUROR NO. 446: Correct.

12 MR. GIORDANI: Is that right?

13 PROSPECTIVE JUROR NO. 446: That is correct.

14 MR. GIORDANI: Nothing came of it. You did the smart  
15 thing. Kept your head down and you didn't even see who did it  
16 to you?

17 PROSPECTIVE JUROR NO. 446: No, I did not.

18 MR. GIORDANI: So I assume that you never heard  
19 anything that came of it?

20 PROSPECTIVE JUROR NO. 446: No, I mean we called, you  
21 know, the policeman to come over, but since there was really  
22 nothing to do, you know, they did what they could and then that  
23 was that.

24 MR. GIORDANI: Okay.

25 PROSPECTIVE JUROR NO. 446: I just wanted not to be

1 out in the dark by myself.

2 MR. GIORDANI: It shouldn't have to be that way,  
3 but it is.

4 PROSPECTIVE JUROR NO. 446: I agree.

5 MR. GIORDANI: You had the situation last year, I  
6 think you ultimately said it was a fair resolution how it  
7 worked; right?

8 PROSPECTIVE JUROR NO. 446: Correct.

9 MR. GIORDANI: Have you had any positive or negative  
10 interactions with law enforcement in your life?

11 PROSPECTIVE JUROR NO. 446: They've all been pretty  
12 much positive, yeah.

13 MR. GIORDANI: Okay. What about the criminal justice  
14 system, other than that one situation?

15 PROSPECTIVE JUROR NO. 446: I feel it's pretty fair.

16 MR. GIORDANI: Okay. Anything we should know about  
17 you, ma'am, or anything that I should ask you that I'm missing  
18 because I'm trying to speed things.

19 PROSPECTIVE JUROR NO. 446: Not really. I mean, I  
20 didn't expect to be back in this building so soon, but that's  
21 okay. I don't mind, it's all good.

22 MR. GIORDANI: For a better reason this time; right.  
23 And you said you know a civil lawyer?

24 PROSPECTIVE JUROR NO. 446: Again, I think she is.

25 MR. GIORDANI: Oh, that's right.

1 PROSPECTIVE JUROR NO. 446: I'm not too sure.

2 MR. GIORDANI: Okay. I would presume then that  
3 relationship shouldn't impact you in any way here?

4 PROSPECTIVE JUROR NO. 446: I don't think so.

5 MR. GIORDANI: Thank you. And you can pass that  
6 over.

7 Mr. --

8 PROSPECTIVE JUROR NO. 512: Tom Fuentes, 512.

9 MR. GIORDANI: Fuentes. You were the foreman on your  
10 prior jury; is that what you said?

11 PROSPECTIVE JUROR NO. 512: What does that mean?

12 MR. GIORDANI: Well, you were on a jury before;  
13 right?

14 PROSPECTIVE JUROR NO. 512: Yeah, yeah. I was  
15 selected on the -- how many, 12 or 16?

16 MR. GIORDANI: Okay.

17 PROSPECTIVE JUROR NO. 512: I was selected.

18 MR. GIORDANI: Oh, I thought you said you were the  
19 foreman.

20 PROSPECTIVE JUROR NO. 512: I'm sorry I --

21 MR. GIORDANI: Did you sign the verdict form?

22 PROSPECTIVE JUROR NO. 512: We, yeah. No. We were  
23 deliberating in the room where they told that we all have to be  
24 agree and that's it. There was one guy who took the paper to  
25 the Judge.

1 MR. GIORDANI: Not you.

2 PROSPECTIVE JUROR NO. 512: Not -- not me.

3 MR. GIORDANI: Okay.

4 PROSPECTIVE JUROR NO. 512: Sorry. I maybe  
5 misunderstood.

6 MR. GIORDANI: I might have written that down wrong.  
7 What happened to you and your family in California --

8 PROSPECTIVE JUROR NO. 512: Yeah.

9 MR. GIORDANI: -- is obviously very scary serious  
10 stuff. You heard the charges in this case?

11 PROSPECTIVE JUROR NO. 512: Yes.

12 MR. GIORDANI: Conspiracy, robbery, robbery and  
13 murder.

14 PROSPECTIVE JUROR NO. 512: Yeah.

15 MR. GIORDANI: Because you were robbed and your  
16 family was there, do you think that you could set that aside --  
17 I mean, it's a personal experience that happened to you which  
18 maybe changed you. But can you set that aside and not let any  
19 animosity or feelings from that bleed into this case?

20 PROSPECTIVE JUROR NO. 512: Yeah, I can do that.

21 MR. GIORDANI: Okay. Have you had any positive or  
22 negative interactions with law enforcement other than that?

23 PROSPECTIVE JUROR NO. 512: Not at all. Everything  
24 is fine.

25 MR. GIORDANI: Okay. And do you have a feeling or an



1 opinion about the criminal justice system in general?

2 PROSPECTIVE JUROR NO. 512: No. It's -- I think it's  
3 good. It's working fine.

4 MR. GIORDANI: Good. Okay. Do you know the lawyer's  
5 named that your daughters work for?

6 PROSPECTIVE JUROR NO. 512: No, I mean, his first  
7 name's Kirk.

8 MR. GIORDANI: Kirk?

9 PROSPECTIVE JUROR NO. 512: Kirk, yeah.

10 MR. GIORDANI: Okay.

11 PROSPECTIVE JUROR NO. 512: I don't know his last  
12 name.

13 MR. GIORDANI: Okay. Thank you, sir.

14 Can I check with Mr. Dickerson before I move on?

15 THE COURT: Sure.

16 MR. GIORDANI: All right. Thanks, folks.

17 Can we approach?

18 THE COURT: Sure.

19 (Conference at the bench not recorded.)

20 THE COURT: All right. At this time if the court  
21 clerk would please call up the next prospective juror in  
22 Chair 1.

23 THE CLERK: Number 183, Maria Simon.

24 THE COURT: Boy, you really did not seem to want to  
25 take Chair Number 1. How do you feel about being here and

1 possibly serving as a juror?

2 PROSPECTIVE JUROR NO. 183: With mixed feelings.

3 THE COURT: Uh-huh.

4 PROSPECTIVE JUROR NO. 183: I woke up excited.

5 THE COURT: You woke up excited?

6 PROSPECTIVE JUROR NO. 183: And then now I'm just  
7 drained.

8 THE COURT: Okay. Because you -- how long -- what  
9 time did you report today?

10 PROSPECTIVE JUROR NO. 183: 12:00, but I run around  
11 all day and --

12 THE COURT: Okay. So now you're just kind of worn  
13 out?

14 PROSPECTIVE JUROR NO. 183: Yes.

15 THE COURT: Okay. What do you do for a living?

16 PROSPECTIVE JUROR NO. 183: I'm a nurse.

17 THE COURT: Okay. An RN?

18 PROSPECTIVE JUROR NO. 183: Yes.

19 THE COURT: And where do you work?

20 PROSPECTIVE JUROR NO. 183: At UMC?

21 THE COURT: What area of UMC do you work in?

22 PROSPECTIVE JUROR NO. 183: I work at 5 south, but I  
23 also, like, runaround; I work in the pharmacy department --

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 183: [inaudible].

1 THE COURT: Just keep the microphone close to your  
2 mouth --

3 PROSPECTIVE JUROR NO. 183: Oh, sorry.

4 THE COURT: Because you have a soft voice and you're  
5 a little bit hard to hear.

6 So you -- you're on various floors. Do you ever work  
7 in, like, emergency or trauma at UMC?

8 PROSPECTIVE JUROR NO. 183: Yes.

9 THE COURT: Okay. Is that rare, or do you frequently  
10 work in the trauma or ER area?

11 PROSPECTIVE JUROR NO. 183: At this moment, since  
12 September, it's rare now.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 183: But before that it was  
15 pretty frequent.

16 THE COURT: Okay. And so is it fair to say that in  
17 your work as -- as a nurse at UMC you've encountered victims of  
18 gunshots, victims of stabbings, and that sort of thing?

19 PROSPECTIVE JUROR NO. 183: Yes.

20 THE COURT: Car accidents, all of that? Have you had  
21 much interaction with police officers as a result of your work  
22 as a -- when you were working in trauma or ER?

23 PROSPECTIVE JUROR NO. 183: Yes.

24 THE COURT: Okay. Any, I guess, impressions  
25 favorable or negative, one way or the other based on your

1 interactions with law enforcement?

2 PROSPECTIVE JUROR NO. 183: No.

3 THE COURT: Okay. Kind of neutral?

4 PROSPECTIVE JUROR NO. 183: Neutral.

5 THE COURT: All right. And then are you married,  
6 domestic partner, significant other?

7 PROSPECTIVE JUROR NO. 183: I'm married.

8 THE COURT: What does your spouse do?

9 PROSPECTIVE JUROR NO. 183: He's a surgical tech in  
10 the trauma of UMC.

11 THE COURT: Okay. And any children?

12 PROSPECTIVE JUROR NO. 183: Six.

13 THE COURT: Okay. And what's the age range?

14 PROSPECTIVE JUROR NO. 183: Range from 8 to 21.

15 THE COURT: Okay. And have you ever been a juror  
16 before?

17 PROSPECTIVE JUROR NO. 183: No.

18 THE COURT: Have you or anyone close you ever been  
19 arrested or charged or accused of a crime?

20 PROSPECTIVE JUROR NO. 183: Yes.

21 THE COURT: Tell me about that.

22 PROSPECTIVE JUROR NO. 183: I was a troubled youth.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 183: I just -- misdemeanors  
25 probably all the way till I was 22 maybe.

1 THE COURT: Okay. Well, and where did you grow up?

2 PROSPECTIVE JUROR NO. 183: In LA.

3 THE COURT: Okay. How long have you lived here in  
4 Clark County?

5 PROSPECTIVE JUROR NO. 183: 21 years now.

6 THE COURT: Okay. So you said you were a troubled  
7 youth, and you had a lot of misdemeanors.

8 PROSPECTIVE JUROR NO. 183: My daughter, my son.

9 THE COURT: Okay. Now, at the age of 18 you become  
10 an adult. Did you have any contacts -- negative contacts or  
11 charges as an adult once you turned 18?

12 PROSPECTIVE JUROR NO. 183: Yes, I did have a  
13 misdemeanor.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 183: I think I was 18.

16 THE COURT: Like for what?

17 PROSPECTIVE JUROR NO. 183: I decided I wanted to be  
18 a stripper and got, I think I got in trouble for soliciting.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 183: I don't know if I was  
21 younger.

22 THE COURT: Okay. Was that, like, were you arrested  
23 or did you get a citation?

24 PROSPECTIVE JUROR NO. 183: I got a citation or  
25 ticket or something.

1 THE COURT: Okay. All right. Well, now, you're an  
2 RN.

3 PROSPECTIVE JUROR NO. 183: Yes.

4 THE COURT: So it sounds to me like you turned your  
5 life really around from wannabe stripper to RN.

6 PROSPECTIVE JUROR NO. 183: I did -- I was  
7 embarrassed.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 183: I could not go home and  
10 tell my mom what I did so I never wanted to tell her. Now I'm  
11 embarrassed right now.

12 THE COURT: Okay. Well, no, here's my take on jury  
13 selection. Everybody I think is probably so concerned about  
14 what they've had to say and disclose that no one's paying  
15 attention really to you or remembering that. But what other  
16 kinds of things -- what other kinds of negative contacts did  
17 you have with law enforcement when you were younger under 18 as  
18 a juvenile?

19 PROSPECTIVE JUROR NO. 183: Just when I was younger?

20 THE COURT: Uh-huh.

21 PROSPECTIVE JUROR NO. 183: I hung out with a lot of  
22 gang members in LA.

23 THE COURT: Okay. Was that because of the  
24 neighborhood you grew up in?

25 PROSPECTIVE JUROR NO. 183: It was.

1 THE COURT: Okay. And I'm assuming you went to  
2 school, like high school and things like that with people who  
3 were gang members?

4 PROSPECTIVE JUROR NO. 183: It was. Pretty much I  
5 was a straight A student.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 183: And then --

8 THE COURT: Okay. So were you taken to, like,  
9 juvenile detention and that sort of thing?

10 PROSPECTIVE JUROR NO. 183: I was.

11 THE COURT: Okay. Were you ever incarcerated as a  
12 juvenile beyond just the kind of pretrial detention? Did you  
13 ever go to like a youth facility?

14 PROSPECTIVE JUROR NO. 183: I did.

15 THE COURT: Okay. On what kinds of charges?

16 PROSPECTIVE JUROR NO. 183: It was assault and  
17 battery.

18 THE COURT: Okay. And just in a nutshell what were  
19 the circumstances of that? Was it a fight with a classmate  
20 or --

21 PROSPECTIVE JUROR NO. 183: It was a fight with a  
22 neighbor.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 183: That was -- that  
25 assaulted my mom and just -- and I just took it to the next

1 level.

2 THE COURT: Okay. Was your mom, I'm sorry, not your  
3 mom but was the neighbor an adult?

4 PROSPECTIVE JUROR NO. 183: Yes.

5 THE COURT: Okay. What are your feelings just sort  
6 of generally and overall as to how you were treated in the  
7 justice system, whether by police or the Courts, the  
8 prosecutors, your own counsel?

9 PROSPECTIVE JUROR NO. 183: I'm actually -- it was I  
10 felt like it was just their job, nothing out of the ordinary.

11 THE COURT: Okay. And then you also mentioned that  
12 both your son and daughter have had some problems. Can you  
13 tell me a little bit more about that.

14 PROSPECTIVE JUROR NO. 183: Actually I don't know  
15 much about the 21 year old.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 183: Actually, I guess she's  
18 okay. She got in trouble for domestic battery.

19 THE COURT: Okay. Is it that you don't know much  
20 about it because you're not that close to her or because she  
21 really hasn't shared with you.

22 PROSPECTIVE JUROR NO. 183: She hasn't really  
23 shared --

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 183: -- that information, but



1 I did pick her up and it was domestic and was -- that was  
2 whatever, just dropped -- she dropped the boyfriend. She left  
3 the boyfriend and that was over.

4 THE COURT: Okay. Okay. And then with your son,  
5 what's the situation there?

6 PROSPECTIVE JUROR NO. 183: I think mostly speeding  
7 tickets.

8 THE COURT: Okay. All right. And then let me ask  
9 you the flip side of that. Have you ever been the victim of a  
10 crime?

11 PROSPECTIVE JUROR NO. 183: Yes.

12 THE COURT: Tell me about that.

13 PROSPECTIVE JUROR NO. 183: I was in a domestic -- a  
14 domestic, abusive relationship.

15 THE COURT: Okay. And was that with a boyfriend or a  
16 spouse?

17 PROSPECTIVE JUROR NO. 183: Yeah, it was with a  
18 boyfriend when I was younger.

19 THE COURT: Okay. And was that here in Clark County  
20 or in California?

21 PROSPECTIVE JUROR NO. 183: It was here.

22 THE COURT: All right. And was law enforcement ever  
23 involved?

24 PROSPECTIVE JUROR NO. 183: Yes.

25 THE COURT: And what agency, was it Metro, Henderson?

1 PROSPECTIVE JUROR NO. 183: It was Metro.

2 THE COURT: Okay. Was there one incident where law  
3 enforcement was involved or more than one incident?

4 PROSPECTIVE JUROR NO. 183: Probably more than one.

5 THE COURT: Okay. And did you ever have to go to  
6 court and testify as a victim or anything like that?

7 PROSPECTIVE JUROR NO. 183: I did.

8 THE COURT: Okay. Just once or more than once?

9 PROSPECTIVE JUROR NO. 183: I believe twice.

10 THE COURT: Okay. Was it ever in front of a jury or  
11 was it just in front of a Judge?

12 PROSPECTIVE JUROR NO. 183: Just in front of a Judge.

13 THE COURT: Okay. What are your feelings as to how  
14 all of that was handled in the justice system?

15 PROSPECTIVE JUROR NO. 183: I'm just glad it was  
16 over. I don't know.

17 THE COURT: Okay. I mean, do you feel like as a  
18 victim you were treated fairly? Do you feel like your  
19 ex-boyfriend was treated fairly? How do you feel about all of  
20 that?

21 PROSPECTIVE JUROR NO. 183: I think it was fair.

22 THE COURT: I'm sorry.

23 PROSPECTIVE JUROR NO. 183: It was fair.

24 THE COURT: Okay. And then do you have any friends  
25 or family in law enforcement?

1 PROSPECTIVE JUROR NO. 183: I do.

2 THE COURT: Tell me about that.

3 PROSPECTIVE JUROR NO. 183: A coworker of mine, we  
4 work together. I went to school for nursing, and she became an  
5 officer.

6 THE COURT: Okay. What's she doing now?

7 PROSPECTIVE JUROR NO. 183: She -- I think she's on  
8 the -- on The Strip. I haven't talked to her and about a  
9 month, but --

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 183: -- our kids usually go to  
12 dance classes together.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 183: An officer I worked with  
15 at Boys and Girls club, I think he teaches people self-defense.  
16 I don't know exactly what he does, but I just see him on the  
17 news and I see him at UMC.

18 THE COURT: Okay. And then any friends or family  
19 that work in the legal field?

20 PROSPECTIVE JUROR NO. 183: I have a niece from my  
21 husband's side that's Judge clerk. I don't know which Judge.

22 THE COURT: Oh, a judicial clerk?

23 PROSPECTIVE JUROR NO. 183: Yes.

24 THE COURT: And where is that?

25 PROSPECTIVE JUROR NO. 183: Here, but I don't know

1 which.

2 THE COURT: Do you know the Judge?

3 PROSPECTIVE JUROR NO. 183: No.

4 THE COURT: Okay. So do you know if it's District  
5 Court like what I'm do -- what I do, or do know if it's family  
6 court or the Supreme Court? Do you know --

7 PROSPECTIVE JUROR NO. 183: I think it's that  
8 whatever she does is civil. I don't really --

9 THE COURT: Civil. Okay. And what about a serious  
10 crime. Do you have any close friends or family that have been  
11 victims of a serious crime?

12 PROSPECTIVE JUROR NO. 183: No.

13 THE COURT: All right. Do you feel like you're the  
14 kind of person who would make a good juror?

15 PROSPECTIVE JUROR NO. 183: I don't know.

16 THE COURT: Well, why are you -- let me ask you this.  
17 Why are you hesitating?

18 PROSPECTIVE JUROR NO. 183: I guess I'm not sure  
19 either way.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 183: I think I'm just tired  
22 right now.

23 THE COURT: Okay. And then I neglected to ask you.  
24 What racial or ethnic group or groups do you identify yourself  
25 as?

1 PROSPECTIVE JUROR NO. 183: Hispanic.

2 THE COURT: All right. Mr. Giordani, you may follow  
3 up with this prospective juror.

4 MR. GIORDANI: Thank you. I'll be quick, Ms. Simon.  
5 And I know you're tired.

6 PROSPECTIVE JUROR NO. 183: Okay.

7 MR. GIORDANI: Lots of interactions with police in  
8 your youth; right?

9 PROSPECTIVE JUROR NO. 183: Uh-huh.

10 MR. GIORDANI: Are you going to be able -- well, do  
11 you like police, not like police, are you neutral?

12 PROSPECTIVE JUROR NO. 183: I'm neutral. Probably  
13 the individual actions probably I would probably be judgmental  
14 to it, but as just doing your job I don't have any --

15 MR. GIORDANI: Do you think that -- well, do you know  
16 if your daughter has been prosecuted here locally?

17 PROSPECTIVE JUROR NO. 183: No, she hasn't.

18 MR. GIORDANI: Okay. What about your son?

19 PROSPECTIVE JUROR NO. 183: No.

20 MR. GIORDANI: And the situation with your, I believe  
21 you said it was your ex, the DV stuff?

22 PROSPECTIVE JUROR NO. 183: Uh-huh.

23 MR. GIORDANI: Did you actually come into court and  
24 testify?

25 PROSPECTIVE JUROR NO. 183: Yes.

1 MR. GIORDANI: Did you want to do that?

2 PROSPECTIVE JUROR NO. 183: In the beginning I  
3 didn't, but after seeing I think the police officer that came  
4 in when I was -- I was actually taken to UMC, kind of crazy  
5 story. In the same spot they showed me the pictures and I was,  
6 like, wow I look like that.

7 MR. GIORDANI: Okay.

8 PROSPECTIVE JUROR NO. 183: I couldn't believe it. I  
9 was -- I think I was like 20 and after seeing -- he just was,  
10 like, this is what you looked like, you know, and I was like --  
11 and after that I said yes.

12 MR. GIORDANI: And did you interact with the district  
13 attorney?

14 PROSPECTIVE JUROR NO. 183: I did.

15 MR. GIORDANI: Before you walked up I assume you met  
16 him outside and they showed you the photos and all that?

17 PROSPECTIVE JUROR NO. 183: I did.

18 MR. GIORDANI: Was that ultimately something you're  
19 glad you did?

20 PROSPECTIVE JUROR NO. 183: I did. I am glad, I  
21 mean, just because I stood up for myself and I advocated for  
22 myself. I don't think I'd be in this position I'm in.

23 MR. GIORDANI: Right. All right. Thank you, ma'am.

24 I'll pass the witness.

25 THE COURT: All right. Counsel, approach.

1 (Conference at the bench not recorded.)

2 THE COURT: Ladies and gentlemen, we're just going to  
3 take a quick 10-minute break. That will put us right about at  
4 4:40.

5 During the brief recess, you're all reminded you're  
6 not to discuss the case or anything relating to the case with  
7 each other or with anyone else. You're not to read, watch or  
8 listen to any reports of or commentaries on the case, person or  
9 subject matter relating to the case. Do not do any independent  
10 research by way of the Internet or any other medium, and please  
11 don't form or express an opinion on the trial.

12 If you'd all follow Officer Hawkes through the double  
13 doors for our brief recess.

14 (Recess taken 4:31 p.m. to 4:43 p.m.)

15 THE COURT: All right. Court is now back in session.

16 And at this time Badge Number 473, Ms. Davies, you  
17 are excused from these proceedings. Thank you very much for  
18 being here and your willingness to serve as a juror. The  
19 bailiff will direct you from the courtroom.

20 And if the court clerk would please call up the next  
21 prospective juror.

22 THE CLERK: Badge Number 189, David Gunnell.

23 THE COURT: Good afternoon. Sir, what do you do for  
24 a living?

25 PROSPECTIVE JUROR NO. 189: I'm an engineer for

1 Verizon, and I own a live sound company as well.

2 THE COURT: Okay. And a live sound company, what do  
3 you mean?

4 PROSPECTIVE JUROR NO. 189: I do festival audio.

5 THE COURT: Okay. And are you married, domestic  
6 partner or single?

7 PROSPECTIVE JUROR NO. 189: Married.

8 THE COURT: And what does your spouse do?

9 PROSPECTIVE JUROR NO. 189: She works at home as a  
10 medical bill biller.

11 THE COURT: Okay. What type of physician does she  
12 work for -- physicians group?

13 PROSPECTIVE JUROR NO. 189: She works for a  
14 therapist, like family therapists.

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

16 PROSPECTIVE JUROR NO. 189: Yes, two boys.

17 THE COURT: And the ages?

18 PROSPECTIVE JUROR NO. 189: They are 16 and 13.

19 THE COURT: Okay. Have you ever served as a juror  
20 before?

21 PROSPECTIVE JUROR NO. 189: Yes, once.

22 THE COURT: How many -- just once? Was that here in  
23 Clark County?

24 PROSPECTIVE JUROR NO. 189: Yes, it was.

25 THE COURT: How long ago?



1 PROSPECTIVE JUROR NO. 189: Probably early 2000s.  
2 THE COURT: Okay.  
3 PROSPECTIVE JUROR NO. 189: So at least 15 plus years  
4 ago.  
5 THE COURT: All right. And was it civil case or  
6 criminal case?  
7 PROSPECTIVE JUROR NO. 189: Criminal.  
8 THE COURT: And did you go into the back and  
9 deliberate on a verdict?  
10 PROSPECTIVE JUROR NO. 189: Yes.  
11 THE COURT: Okay. Do not tell me what the verdict  
12 was, but did the jury reach a verdict?  
13 PROSPECTIVE JUROR NO. 189: The jury did reach a  
14 verdict.  
15 THE COURT: Were you the foreperson of the jury?  
16 PROSPECTIVE JUROR NO. 189: I was not.  
17 THE COURT: Okay. Have you or anyone close to you  
18 ever been arrested, charged or accused of a crime?  
19 PROSPECTIVE JUROR NO. 189: No.  
20 MR. GIORDANI: Have you ever been the victim of a  
21 crime?  
22 PROSPECTIVE JUROR NO. 189: Yes.  
23 THE COURT: Tell me about that.  
24 PROSPECTIVE JUROR NO. 189: About three years ago I  
25 had a truck and a trailer full of audio equipment stolen.

1 THE COURT: All right. And I'm assuming you reported  
2 that to the police?

3 PROSPECTIVE JUROR NO. 189: Yes.

4 MR. GIORDANI: Did they come out and do any kind of  
5 investigation, or was it the kind of thing they say show up at  
6 the substation and fill out a report?

7 PROSPECTIVE JUROR NO. 189: No, they came down and  
8 had me fill out a form.

9 THE COURT: Uh-huh.

10 PROSPECTIVE JUROR NO. 189: And then they had me get  
11 together with a detective after that.

12 THE COURT: Okay. Do you know if anybody was ever  
13 apprehended in connection with that?

14 PROSPECTIVE JUROR NO. 189: Yes.

15 THE COURT: Somebody was?

16 PROSPECTIVE JUROR NO. 189: Yes.

17 THE COURT: Okay. Did you ever receive a subpoena to  
18 go to court and testify?

19 PROSPECTIVE JUROR NO. 189: No. I was invited to go  
20 to the court when they were -- when something legal was  
21 happening.

22 THE COURT: Uh-huh.

23 PROSPECTIVE JUROR NO. 189: But it was a week -- a  
24 week that I was already planning on being out of town so I  
25 didn't go.

1 THE COURT: Okay. Was it --

2 PROSPECTIVE JUROR NO. 189: But I think it was more  
3 of an observation kind of thing.

4 THE COURT: Okay. Do you know if the case was  
5 negotiated, like a plea bargain or something like that?

6 PROSPECTIVE JUROR NO. 189: I don't know to be honest  
7 with you.

8 THE COURT: Okay. And was any of your property ever  
9 recovered?

10 PROSPECTIVE JUROR NO. 189: Yes.

11 MR. GIORDANI: Okay. Do you have any feelings or  
12 opinions as to how that matter was handled in the justice  
13 system?

14 PROSPECTIVE JUROR NO. 189: No, I think worked as  
15 it's supposed to work.

16 THE COURT: Okay. Do you know what the outcome was?  
17 Do you know I happened to the perpetrator?

18 PROSPECTIVE JUROR NO. 189: I believe he went to  
19 jail.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 189: I think.

22 MR. GIORDANI: Okay. But you're not sure?

23 PROSPECTIVE JUROR NO. 189: I'm not sure.

24 THE COURT: Okay. And then has anyone close to you  
25 ever been the victim of a serious crime?

1 PROSPECTIVE JUROR NO. 189: No.

2 THE COURT: Nothing at all? Any friends or family in  
3 law enforcement or the legal field?

4 PROSPECTIVE JUROR NO. 189: No.

5 THE COURT: No one at all?

6 PROSPECTIVE JUROR NO. 189: No.

7 THE COURT: Did you hear me or Mr. Giordani ask any  
8 of the other jurors a question and as you sat there in the  
9 audience you thought oh, yeah, that pertains to me or I'd have  
10 to answer that one?

11 PROSPECTIVE JUROR NO. 189: No.

12 THE COURT: Okay. Do you feel like you're the kind  
13 of person who would make a good juror?

14 PROSPECTIVE JUROR NO. 189: Yes.

15 THE COURT: And tell me why that is.

16 PROSPECTIVE JUROR NO. 189: I think -- I understand  
17 the idea of the burden's on the State.

18 THE COURT: Uh-huh.

19 PROSPECTIVE JUROR NO. 189: And so you just have to  
20 listen to everything and, you know, make a judgment. That's  
21 our job.

22 THE COURT: Uh-huh. And you feel like you can do  
23 that?

24 PROSPECTIVE JUROR NO. 189: Yes.

25 THE COURT: All right. Thank you.

1 State, follow up?

2 MR. GIORDANI: Yes, I'll be brief.

3 Good afternoon, sir.

4 PROSPECTIVE JUROR NO. 189: Hi.

5 MR. GIORDANI: I'll be brief. Mr. Gunnell, were you  
6 former engineer with Verizon?

7 PROSPECTIVE JUROR NO. 189: No, I'm a current  
8 engineer with Verizon.

9 MR. GIORDANI: Current. And what is -- what are your  
10 job duties and responsibilities?

11 PROSPECTIVE JUROR NO. 189: So I'm an art engineer so  
12 I design cell sites. I decide where the cell sites are going  
13 to go -- new cell sites.

14 MR. GIORDANI: Okay. And there are several cell  
15 sites here in Las Vegas; right?

16 PROSPECTIVE JUROR NO. 189: Many more than several,  
17 yes.

18 MR. GIORDANI: Are you the person that would go to  
19 court and testify on behalf of Verizon?

20 PROSPECTIVE JUROR NO. 189: No.

21 MR. GIORDANI: Okay. Are you familiar with the way  
22 cellular devices, handheld devices interact with cell phone  
23 towers?

24 PROSPECTIVE JUROR NO. 189: Sure.

25 MR. GIORDANI: I'm sure you have training in that.

1 PROSPECTIVE JUROR NO. 189: Yes.

2 MR. GIORDANI: Do you interact with Verizon engineers  
3 from out of state?

4 PROSPECTIVE JUROR NO. 189: Only to the extent that  
5 sometimes we collaborate on best practices.

6 MR. GIORDANI: Oh, okay.

7 PROSPECTIVE JUROR NO. 189: So maybe as a, you know,  
8 a regional team we might decide, hey, we're going to roll out  
9 this new technology or something, how are you guys doing it?  
10 We're doing it over here. This is working, et cetera.

11 MR. GIORDANI: Okay. And what -- well, based on what  
12 you know, what type of information can you glean from a cell  
13 phone's interaction with a tower?

14 PROSPECTIVE JUROR NO. 189: What kind of information  
15 can you glean?

16 MR. GIORDANI: Yes.

17 PROSPECTIVE JUROR NO. 189: Location --

18 MS. TRUJILLO: Judge, can we approach?

19 THE COURT: Sure.

20 (Conference at the bench not recorded.)

21 THE COURT: All right. Ladies and gentlemen, we're  
22 going to go ahead and take our evening recess. Except you have  
23 to stay. And the rest of you can go ahead and leave while we  
24 finish up the questions with this current prospective juror.  
25 Unfortunately, as you can tell we won't finish jury selection

1 today, but we will finish jury selection tomorrow. So after  
2 tomorrow the only people who will have to return on Thursday  
3 are the 14 ladies and gentlemen who are actually serving on the  
4 jury.

5 We do not have a calendar or any other matters in  
6 this department tomorrow so we will begin at 9:00 a.m.,  
7 9:00 a.m. tomorrow.

8 Before I excuse everyone for the evening recess, I  
9 must remind you that you're not to discuss the case or anything  
10 relating to the case with each other or with anyone else.  
11 You're not to read, watch or listen to any reports of or  
12 commentaries on the case, person or subject matter relating to  
13 the case. Do not do any independent research by way of the  
14 Internet or any other medium. Do not visit the locations at  
15 issue, and please do not form or express an opinion on the  
16 trial.

17 We'll see everyone back at 9:00 o'clock tomorrow  
18 morning and just follow Officer Hawkes through the double  
19 doors.

20 (Panel of prospective jurors recessed 5:52 p.m.)

21 THE COURT: Now, we won't keep you too long.

22 PROSPECTIVE JUROR NO. 189: Sure.

23 THE COURT: I promise. All right. Is it okay --  
24 have a seat or --

25 PROSPECTIVE JUROR NO. 189: I'm all right.

1 THE COURT: Is it all right for you to stay little  
2 bit after 5:00?

3 PROSPECTIVE JUROR NO. 189: Yes, it's fine.

4 THE COURT: Okay. And like I said, we won't keep you  
5 too long.

6 Mr. Giordani, you may continue with this line of  
7 questioning.

8 MR. GIORDANI: Thank you. And I just have few brief  
9 questions.

10 PROSPECTIVE JUROR NO. 189: Sure.

11 MR. GIORDANI: What type of training, education do  
12 you have in order to do your job as an engineer.

13 PROSPECTIVE JUROR NO. 189: I have a bachelor's in  
14 electrical engineering and lots of -- I worked at AT&T for a  
15 little over a decade, I believe, and then another company doing  
16 wireless and then Verizon for about the last five and half  
17 years, and, you know, when you work for one of these carriers  
18 there's a lot of training and classes that you take to get up  
19 on the latest technology whether it's LTE, 5G or whatever it  
20 is.

21 MR. GIORDANI: Got it.

22 PROSPECTIVE JUROR NO. 189: So we take a lot of  
23 classes on that kind of thing.

24 MR. GIORDANI: Okay. And are you familiar with  
25 generally the types of information that can be gleaned through



1 records when a cell phone, handheld device interacts with the  
2 cell tower?

3 PROSPECTIVE JUROR NO. 189: Yes, I am.

4 MR. GIORDANI: Are you familiar with the records that  
5 are kept by Verizon, the types of records I mean?

6 PROSPECTIVE JUROR NO. 189: In a general way I would  
7 say yes. But that's not really, you know, what we do in my  
8 department. We build the network, and then there's other  
9 people that are worried about, you know, maybe, you know,  
10 building and whatnot. But I'm familiar with what, you know,  
11 what the phone sends to the network and what comes back and,  
12 you know, what you can tell about, you know, the phone.

13 MR. GIORDANI: Okay. You've been paying attention I  
14 presume when we talked to all your fellow jurors?

15 PROSPECTIVE JUROR NO. 189: Yes.

16 MR. GIORDANI: Today at least. Is there anything  
17 about you, your life experience, your interactions with your  
18 work that might bleed into this case?

19 PROSPECTIVE JUROR NO. 189: No.

20 MR. GIORDANI: Meaning, can you be fair and impartial  
21 in this case to both sides?

22 PROSPECTIVE JUROR NO. 189: Yes, I think so.

23 MR. GIORDANI: Thank you very much, sir, and I'll  
24 pass.

25 THE COURT: All right. There may be some evidence

1 relating to phone records that are presented. Can you if  
2 you're selected as a juror, just confine your consideration and  
3 deliberation just to what's presented here from the witness  
4 stand and the physical exhibits and other -- not other things  
5 you may have experienced or learned by virtue of your job; does  
6 that make sense?

7 PROSPECTIVE JUROR NO. 189: Yes.

8 THE COURT: All right. So if something is not  
9 testified to you can't bring in your specialized experience  
10 and, you know, consider that. You just have to consider what  
11 all the State presents.

12 PROSPECTIVE JUROR NO. 189: Yeah.

13 THE COURT: Does that make sense?

14 PROSPECTIVE JUROR NO. 189: Yes. And the answer is  
15 yes.

16 THE COURT: All right.

17 PROSPECTIVE JUROR NO. 189: I can do that.

18 THE COURT: If the defense would like to question at  
19 this time just relating to this prospective juror's job --

20 MR. STORMS: Sure.

21 THE COURT: -- and work experience. And then other  
22 questions we can follow up with.

23 MR. STORMS: Mr. Gunnell, you mentioned you worked  
24 for a third carrier besides Verizon and AT&T; what would that  
25 be?

1 PROSPECTIVE JUROR NO. 189: Well, the third carrier  
2 was a startup called Next Wave.

3 MR. STORMS: Okay.

4 PROSPECTIVE JUROR NO. 189: We were down in  
5 Henderson. They were doing -- developing a technology called  
6 WYMAX which was a competitor to LTE and LTE won and WYMAX lost.

7 MR. STORMS: The VHS, beta --

8 PROSPECTIVE JUROR NO. 189: Exactly.

9 MR. STORMS: The beta --

10 PROSPECTIVE JUROR NO. 189: Yeah. LTE got the market  
11 share.

12 MR. STORMS: And all of your work here with phones  
13 has been in the valley or other places besides here in the  
14 valley?

15 PROSPECTIVE JUROR NO. 189: Most of it has been -- so  
16 when I worked for AT&T, I started up in Salt Lake City and in  
17 Seattle. I was in what was called an engineer development  
18 program. They trained us right out of college, and I was in  
19 Salt Lake for a while, but I've been in Las Vegas for 21 years.  
20 I did work from one other entity that was a government entity  
21 that was, I'm not supposed to talk a lot about, but there was  
22 some work that we did that was similarish.

23 MR. STORMS: So does it -- does your work with these  
24 networks there you essentially have a visual picture in your  
25 mind of where most of these towers are in your network; is it

1 all in that kind of granular level that you're familiar with  
2 the network?

3 PROSPECTIVE JUROR NO. 189: So I'm familiar with  
4 Verizon's network. So everybody has a different network.  
5 Verizon has their own network. AT&T has different cell sites.  
6 Occasionally, they're on the same pole.

7 MR. STORMS: Yes.

8 PROSPECTIVE JUROR NO. 189: You might see a pole and  
9 lots of antennas and that's called pole located. So Verizon's  
10 network, I'm pretty familiar, I mean, if you told me, hey, you  
11 know, is there a cell tower over at this cross street, I might  
12 know it; I might not. We have a lot of towers.

13 MR. STORMS: Uh-huh.

14 PROSPECTIVE JUROR NO. 189: So you know, I can't say  
15 I know every single one of them, but I might, you know, I might  
16 know a particular tower in a certain area of town. Again, it's  
17 only the Verizon's network. I worked for AT&T years ago, but  
18 it was so long ago their network has grown so much it, you  
19 know, I wouldn't know much about that, and T-Mobile I know very  
20 little about, Sprint less.

21 MR. STORMS: What's your understanding of  
22 triangulation with these towers?

23 PROSPECTIVE JUROR NO. 189: You mean as far as  
24 locating where --

25 MR. STORMS: Yes.

1 PROSPECTIVE JUROR NO. 189: -- a person is? Is  
2 there -- there is the capability to figure out where -- where  
3 people are, you know, part of that is due to E911 which has  
4 been mandated for a while that, you know, they want the  
5 carriers to try and figure out where people are. If somebody  
6 makes an E911 call you want to try and figure out where they  
7 are so they can send an ambulance or police or whatever to that  
8 location.

9 MR. STORMS: So when you say where they are, what  
10 sort of proximity do you understand phones to potentially get a  
11 triangulation of an individual user's call in?

12 PROSPECTIVE JUROR NO. 189: It depends. To be honest  
13 with you, I'm not a hundred percent sure exactly how granular  
14 you can get a specific user. It kind of -- it might depend on  
15 the type of phone that they have and where in the network they  
16 are.

17 THE COURT: Is that something you concern yourself  
18 with as part of your job?

19 PROSPECTIVE JUROR NO. 189: No.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 189: No, it's not -- my job if  
22 I can kind of answer that question.

23 THE COURT: Please.

24 PROSPECTIVE JUROR NO. 189: My job is -- we look at  
25 Verizon's network and, oh, my gosh, we've just had New Year's

1 Eve. Where were the places where we didn't have enough  
2 capacity. We have a ton of people over here and life is  
3 beautiful, but downtown, we have a ton of people or we have a  
4 festival or something at a convention center. My job is to  
5 figure out what -- how do we augment capacity so people can  
6 still stream and upload to Facebook or whatever when they're at  
7 an event. That's the kind of thing that I do.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 189: So I'm -- I'm not in the  
10 business of trying to figure out -- in fact, as employees we  
11 are strictly forbidden to, you know, doing anything that would  
12 identify anybody even -- even a coworker. You know, we have a  
13 testing person that is going out and doing testing. We are  
14 strictly forbidden to do anything that could possibly tell  
15 where they are. You know, they went home this way and, oh,  
16 there's a bar over there and, you know, they're, you know, that  
17 kind of thing is forbidden.

18 THE COURT: Right. Or Wanda's house is here.

19 PROSPECTIVE JUROR NO. 189: Exactly. Wanda's house,  
20 I heard you hanging, you know, we can't do any of that.

21 THE COURT: Okay.

22 MR. STORMS: So if we're talking in terms of you have  
23 a cell phone, you know it hits a particular tower and you have  
24 a panel on that tower, what is your understanding of the  
25 triangulation that could be done in that circumstance?

1           PROSPECTIVE JUROR NO. 189: If the cell phone is --  
2 is on a particular tower -- let me -- let me first of all say  
3 as an RF engineer, no one has ever come to me, you know, in any  
4 kind of capacity and said, hey, we're from Metro or we're  
5 from -- I'm a detective from somewhere, and here we have some  
6 data, and we need to figure out was -- was Mr. Jones at the  
7 corner of First and Elm, you know, according to these records.  
8 I've never done that.

9           Just from an RF perspective, that means radio  
10 frequency, you know, cell phones are radios, a tower will cover  
11 a certain area, and a given tower might cover a large area if  
12 it's out by Stateline where there's not a lot of population or  
13 if it's on The Strip it might cover 300 feet of what we call  
14 small cell. So you could probably tell if somebody was near a  
15 small cell. You could probably say, well, the record shows  
16 they were on this small cell, and I could tell that that small  
17 cell only covers 500 feet in each direction because it's very  
18 low power. So it's a high likelihood that that person was  
19 within 500 feet of that small cell.

20           If they're out, you know, near Stateline and they're  
21 somewhere along maybe I-15, I'd have a much lower probability  
22 of telling where they were. I'd say, well, they're probably  
23 somewhere between Prim and Jean --

24           MR. STORMS: So your -- sorry I didn't want to --

25           PROSPECTIVE JUROR NO. 189: Yeah, no.

1 THE COURT: Do you have specialized knowledge by  
2 virtue of your job of, you know, whether it's a cell tower  
3 that's going to be, you said a small cell I think or, like, the  
4 Stateline, or is it kind of the same general knowledge that we  
5 all would have that, wow, there's lots of people on The Strip,  
6 and there's not a lot of people in Sloan? Or do you have kind  
7 of more a specialized knowledge because of your job, or is it  
8 just sort of the same intuitive knowledge we would all have,  
9 like, downtown's crowded and, you know, maybe Logandale is less  
10 crowded kind of a thing.

11 PROSPECTIVE JUROR NO. 189: Let me repeat your  
12 question and see if I understand it. So if I could -- you're  
13 asking me do I have any knowledge that cell site, let's call it  
14 Cactus, we give them names.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 189: So you know, the Cactus  
17 cell site -- that the Cactus cell site has certain individuals  
18 around them --

19 THE COURT: No, no. Like how many -- what was the  
20 term you used?

21 MR. STORMS: A panel?

22 THE COURT: Right. Because intuitively or just based  
23 on general knowledge we all know -- okay, there's lots of  
24 people on The Strip, and there's not a lot of people maybe in  
25 Logandale or not a lot of people out at Primm.



1 PROSPECTIVE JUROR NO. 189: Right.

2 THE COURT: Do you have any more unique or special  
3 knowledge of that other than what we all would kind of know  
4 based on some areas are very populated and dense and other  
5 areas aren't populated and dense?

6 PROSPECTIVE JUROR NO. 189: That the -- the  
7 special -- the only specialized knowledge I guess I would have  
8 is that there is a lot of cell phone data traffic in a  
9 particular area, which almost always means there's a lot of  
10 people unless you had, you know, three people there and they  
11 were all trying to screen 10 Netflix movies at the same time.

12 THE COURT: Okay. So that would show up differently?

13 PROSPECTIVE JUROR NO. 189: Yeah.

14 THE COURT: Okay.

15 MR. STORMS: But logically if you saw a cell tower  
16 in, say, downtown or on a freeway exchange where there's a lot  
17 of people passing through using their cell phones, is that  
18 going to say something to you about the type of tower that is,  
19 the range of the tower?

20 PROSPECTIVE JUROR NO. 189: I'm not -- I know about  
21 the range of the towers because I designed them. So I can -- I  
22 can tell you that, you know, like I said, we have a tower not  
23 far from here that's on the top of, I can't remember which  
24 building. It's not far from the Fremont Street Experience and  
25 it happens to capture a lot of traffic, maybe even some of the

1 people out in the hall here.

2 MR. STORMS: Uh-huh.

3 PROSPECTIVE JUROR NO. 189: And that one has a ton of  
4 traffic on it just because it happens to hit a lot of big  
5 high-rise buildings. So if somebody were to say that, you  
6 know, hey, this person was making a phone call on the Las Vegas  
7 main cell site, which it just happened to be what it's called,  
8 I could probably tell them, well, there's a good chance that  
9 they were probably within about a mile of that cell site. It's  
10 not going to -- if somebody said were they 5 miles away, I'd  
11 say no way. That's way too far. Is that -- am I answering  
12 your question?

13 MR. STORMS: Yes.

14 THE COURT: Right, yes, thank you. No other  
15 questions?

16 No other questions, Mr. Giordani?

17 MR. STORMS: Not at this time.

18 THE COURT: All right. Well, so far you're the  
19 ice -- I think you're the only engineer we've had, if I recall  
20 correctly.

21 Counsel, approach.

22 (Conference at the bench not recorded.)

23 THE COURT: We're going to go ahead and excuse you  
24 for the evening recess. And then you heard me say everybody  
25 needs to be back at 9:00 a.m. tomorrow.

1           And I am required again to admonish you that during  
2 the evening recess you are not to discuss the case or anything  
3 relating to the case with each other or with anyone else.  
4 You're not to read, watch or listen to any reports of or  
5 commentaries on the case, person or subject matter relating to  
6 the case. Don't do any independent research by way of the  
7 Internet or any other medium. Don't visit locations at issue,  
8 and please don't form or express an opinion on the trial.

9           Additionally, you know, when you come back tomorrow  
10 some of the other prospective jurors may say, oh, what do they  
11 want to talk to you about or something of that nature; you're  
12 instructed that you're not to discuss what's just transpired,  
13 what questions we asked or your answers or anything like that  
14 with the other prospective jurors.

15           PROSPECTIVE JUROR NO. 189: Absolutely.

16           THE COURT: All right. Thank you, sir.

17           PROSPECTIVE JUROR NO. 189: When I come back tomorrow  
18 do I sit here or there?

19           THE COURT: No. Everybody will meet out in the  
20 hallway.

21           Kenny -- right. Everybody meets -- because everybody  
22 has to enter together.

23           PROSPECTIVE JUROR NO. 189: Okay.

24           THE COURT: So any other questions address Officer  
25 Hawkes in the hallway, and then you will be seated back there

1 again, but we bring all the jurors in together.

2 PROSPECTIVE JUROR NO. 189: Okay.

3 THE COURT: Okay. All right. Thank you, sir, and  
4 you are excused for the evening recess.

5 (Prospective Juror 189 left the courtroom.)

6 THE COURT: All right. We can maybe talk about this  
7 more tomorrow.

8 MR. GIORDANI: Thanks, Your Honor.

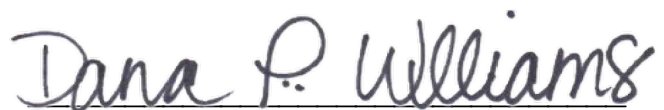
9 MR. STORMS: 9:00 a.m.; right?

10 THE COURT: Yeah. 9:00 a.m.

11 (Proceedings recessed for the evening 5:09 p.m.)

12 -oOo-

13 ATTEST: I do hereby certify that I have truly and correctly  
14 transcribed the audio/video proceedings in the above-entitled  
15 case.

16   
17

18 Dana L. Williams  
19 Transcriber  
20  
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22  
23  
24  
25

DEC 11 2019

JURL

BY A. Trujillo  
ATHENA TRUJILLO, DEPUTY

DISTRICT COURT

CLARK COUNTY, NEVADA

State of Nevada

Plaintiff(s),

CASE NO. C326247-1

-vs-

Larry Brown

DEPT. NO. 21

Defendant(s).

**JURY LIST**

- |                                |                         |
|--------------------------------|-------------------------|
| 1. Joanne Calderon - Arkenburg | 8. Nicole Pucci-Johnson |
| 2. Diana Vallejo-Rodriguez     | 9. Nancy Selby          |
| 3. Chris Purcell               | 10. Brooke O'Neill      |
| 4. Dawn Wallace                | 11. Edwin Herrera       |
| 5. David Marshall              | 12. Jennifer Hackett    |
| 6. Ellen Becker                | 13. Phillip Davis       |
| 7. Gavin Williams              | 14. Kenneth Campbell    |

**ALTERNATES (SECRET FROM ABOVE)**

C-17-326247-1  
JURL  
Jury List  
4881527

