

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

2                                   \_\_\_\_\_

3   VERNON NEWSON JR.,                                   )

No. 83335

4   Appellant,                                   )

5   v.                                   )

6   )

7   THE STATE OF NEVADA,                                   )

8   Respondent.                                   )

Electronically Filed  
Feb 03 2022 05:25 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

9   \_\_\_\_\_)

10                                   **APPELLANT'S APPENDIX VOLUME II PAGES 243-486**

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

**RECORDER'S TRANSCRIPT OF JURY TRIAL - DAY 1**

RYAN BASHOR, ESQ.  
KAMBIZ SHAYGAN-FATEMI, ESQ.

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Las Vegas, Nevada, Tuesday, July 13, 2021

[Case called at 9:20 a.m.]

[Outside the presence of the prospective jurors]

THE COURT: -- versus Vernon Newson, Jr. May the record reflect Mr. Newson is present with his attorneys, Mr. Shaygan and Mr. Bashor. Ms. Weckerly and Mr. Albright are here on behalf of the State. May the record reflect this is the date and the time set for jury trial, but we are outside the presence of our jurors.

A couple of housekeeping matters. The State has filed the fourth amended information that only has the murder with use of a deadly weapon count. The Court did interlineate and write "fourth" on there, so that will be what we'll be proceeding off of during trial. I also have the stipulation and order regarding the penalty hearing. Mr. Newson, did you have an opportunity to speak with your lawyers about this?

THE DEFENDANT: I don't know.

MR. SHAYGAN-FATEMI: The document you signed waiving penalty.

THE DEFENDANT: Oh yes.

THE COURT: Okay. So you guys talked about the penalties. So if there is a conviction on the first degree murder, the Court will do the sentencing and not a jury; is that correct?

THE DEFENDANT: Yes ma'am.

THE COURT: Okay. And you signed that willingly and

1 voluntarily?

2 THE DEFENDANT: Yes, I did.

3 THE COURT: Okay. Thank you sir. In regards to juror  
4 selection, I just want to review a couple of things with you guys. So  
5 Chair number 1 is going to be to my far left. So at the very to over there.  
6 chairs 13 and 14 are going to be the alternate chairs. We do the  
7 peremptory challenges by passing the paper back and forth because it  
8 always gets a little weird if you stand up and thank and excuse someone,  
9 and we always will do those by passing the paper.

10 If you use all of your peremptory challenges, which each side  
11 will have nine, number nine must be used on the persons who would be  
12 chairs 13 and 14. Does that make sense? Okay. If you waive a  
13 challenge, you're not waiving them all. So if you waive number three,  
14 you still get to have number four, and you are to make calls, challenges  
15 as we go. Just ask to approach. We're going to do them outside the  
16 presence of the jury.

17 So just ask to approach and let me know you have a cause  
18 challenge, and we'll make sure we keep that person here, and then on  
19 the next break we'll go through the cause challenge because we're just  
20 going to do it outside the presence. Because if I deny a challenge, I  
21 don't want the jurors to be prejudiced against the person who made the  
22 for cause challenge. If they hear you say I don't want you and then I say  
23 no, they're staying, then I don't want there to be any issues.

24 So we're just going to -- but let me know at that time, just  
25 Judge can we approach, and then on the next break we will definitely do

1 the for cause challenges. So I will go through the general introductions  
2 and everything, and then I will start asking my general questions, and I  
3 did receive the questions from the State and the Defense. They do not  
4 include my general questions. These are the specific questions I ask for  
5 the individual people.

6 After I finish my general questioning, which will be  
7 hardships, things like that, then I'm going to call you guys in the back in  
8 chambers, and then we're going to discuss who's getting excused, and  
9 then I'll come out here and excuse those people. The Clerk will call up  
10 the next people to replace those seats, and then I will go with my  
11 individual questioning of those people. Does that make sense to  
12 everyone?

13 MS. WECKERLY: So on that for cause challenge, if that's  
14 granted is the seat refilled, or does everybody move up?

15 THE COURT: The seat is refilled.

16 MS. WECKERLY: Okay.

17 THE COURT: With the next available person from the gallery.

18 MS. WECKERLY: Okay.

19 THE COURT: And we only have 45 people, because if we do  
20 not finish juror selection today, I did not want a bunch of angry people  
21 out there saying why do I have to come back tomorrow, you guys  
22 haven't even talked to me. So we have 45 people. We're going to go  
23 through them today, but today we will have to stop at 4:00, and then I  
24 will have a panel available to bring in tomorrow to complete jury  
25 selection if we are not finished the 45 that we have.



1 MR. SHAYGAN-FATEMI: Just to clarify, if we are challenging  
2 someone and we hold off on any objections until the break, and then we  
3 bring it to your attention in the hallway that hey, these are the people we  
4 want to challenge?

5 THE COURT: No. Like if someone says there's no way I can  
6 fair. I want the Defendant to testify or something like that, then you can  
7 just say Judge, can we approach, and you guys will come up here and  
8 you say, Judge, we're going to make a for cause challenge. And then on  
9 the next break that I give them, we will all stay when they go out on a  
10 break, and I'll let you put your challenge on the record, and then I'll make  
11 a decision about the challenge at that time.

12 MR. SHAYGAN-FATEMI: Perfect. Thank you, Your Honor.

13 THE COURT: While the jury's still here.

14 MR. BASHOR: Two administrative questions. First is that  
15 Vernon's family have asked whether or not they were allowed to be  
16 present. I told them not for jury selection only because of social  
17 distancing and probably not appropriate anyway. But for the --

18 THE COURT: Duration of the trial, yes. So once we start  
19 opening statements and witnesses, they are allowed to be present  
20 just -- and I just ask that they put a seat in between them. So like if  
21 there's four of them, they'll take up eight seats.

22 MR. BASHOR: Okay, and then it's been so long I've done a  
23 trial. Are bench conferences recorded?

24 THE COURT: Bench conferences are recorded, especially in  
25 light of that new case that came down last week.

1 MR. BASHOR: Okay, very good. Thank you.

2 THE COURT: Yes. The Supreme Court issued a new case  
3 last week about not recording them. We do record bench conferences  
4 but I -- it was very difficult to do in the COVID courtrooms downstairs,  
5 but it's not a problem because I've always recorded them so it shouldn't  
6 be a problem when we're up here. And Victoria, if there is a time that  
7 you can't hear us, just let us know.

8 MR. BASHOR: Thank you.

9 THE COURT: Anything else we need to do outside the  
10 presence?

11 MS. WECKERLY: I don't think so.

12 THE COURT: Oh, was there an offer made in this case, just  
13 so we can put it on the record?

14 MR. BASHOR: Yes, Judge. We've gone back and forth.  
15 Obviously this is a retrial.

16 THE COURT: Correct.

17 MR. BASHOR: He was sentenced to an aggregate of 32 to life  
18 on the four counts at the original sentencing. The Supreme Court  
19 reversed on just the murder count, and the final back and forth was an  
20 aggregate sentence of 24 to life. Mr. Shaygan and I have discussed that  
21 with our client. He's not interested in accepting that offer, but that 24 to  
22 life aggregate is kind of where we landed.

23 THE COURT: That was the last offer that was offered?

24 MS. WECKERLY: Yes.

25 THE COURT: Mr. Newson, Mr. Newson, you had an

1 opportunity to discuss this with your lawyers?

2 THE DEFENDANT: Yes ma'am.

3 THE COURT: And is it your desire to decline that offer from  
4 the State and go forward with your jury trial?

5 THE DEFENDANT: Yes ma'am.

6 THE COURT: Okay. Do you have any questions about that  
7 offer, or it was explained to you by your lawyers?

8 THE DEFENDANT: No, it was explained to me.

9 THE COURT: Okay, all right. So in light of that, any other  
10 issues?

11 MS. WECKERLY: No, Your Honor.

12 THE COURT: Okay. Do you guys want to put that down?

13 MR. BASHOR: Yes.

14 THE COURT: Okay. I just want to make sure we do that  
15 before we bring in the jury. So go ahead, and we will bring in the juror  
16 when you guys are done.

17 THE MARSHAL: They're lined up, ready to go.

18 THE COURT: That's what I like to hear, Frank.

19 THE MARSHAL: As far as I know, there are no judges on this  
20 panel, unless you have some [indiscernible].

21 THE COURT: Stop it.

22 THE MARSHAL: So the first gentleman as a pretty wide  
23 walker to assist him. I'm going to have him come from around here and  
24 then [indiscernible].

25 [Pause]

1 THE COURT: They should be here shortly.

2 [Pause]

3 THE COURT: Okay. I'll hold on. The Marshal will be right  
4 back and then we'll bring in the jury.

5 [Pause]

6 THE COURT: All right. Bring them in Vernon. Thank you sir.

7 [Prospective jurors in at 9:28 a.m.]

8 THE MARSHAL: All present, Your Honor.

9 THE COURT: Okay, You may all be seated. Good morning  
10 ladies and gentlemen. This is the time set for trial in Case No. C-  
11 3139119, the State of Nevada, Plaintiff v. Vernon Newson, Jr., Defendant.  
12 The record will reflect the presence of the Defendant, with his counsel,  
13 the Deputy District Attorneys and all other officers of the Court. Do both  
14 parties stipulate to the presence of the jury panel?

15 MS. WECKERLY: Yes, Your Honor.

16 MR. BASHOR: Yes, Your Honor.

17 THE COURT: Are the parties ready to proceed?

18 MS. WECKERLY: Yes, Your Honor.

19 MR. BASHOR: Yes, Your Honor.

20 THE COURT: Ladies and gentlemen, you are in Department  
21 10 of the 8th Judicial District Court. My name is Tierra Jones, and I am  
22 the presiding judge in this Department. You've been called upon to  
23 serve as a juror in a criminal case. The charge in this case is murder  
24 with use of a deadly weapon. We expect this trial may last  
25 approximately five to six days.

1           Our trials generally run from no earlier than 8:30 in the  
2 morning to no later than 5:30 at night. Ultimately, there will be 14 of you  
3 who will be going forward with us as jurors in this case. In this country,  
4 we place great faith in our citizens as jurors to reach fair and objective  
5 decisions. Part of what you're doing here is you're being good citizens  
6 to this country and good citizens to the Las Vegas community, because  
7 jury duty is a civil responsibility like obeying the laws, voting and paying  
8 taxes.

9           We appreciate the fact that you responded to your jury  
10 summons and showed up willing to do this job, because this is a very  
11 important job. The right to a trial by jury is a right that's provided in the  
12 Constitution, but it's a right that we cannot provide to our citizens  
13 without other citizens like you being willing to come in and respond to  
14 your jury summons and serve as jurors.

15           I hope that you enjoy your experience as a juror and that you  
16 find it rewarding. I've done jury trials as a lawyer, as well as I've done  
17 jury trials as a judge, and I have to tell you all of my jurors have always  
18 found jury services to be very rewarding. I'm going to tell you now  
19 coming out of the gate it's not like what you see on TV. You're not going  
20 to be out of here in 45 minutes like an episode of Law and Order.

21           It's going to take a few days, but all of my jurors have always  
22 found jury service to be rewarding and much different than what they  
23 believe that it's going to be. Even with all that said, I know there's some  
24 of you who are sitting there thinking I still need to answer these  
25 questions any way I can to get out of jury duty. Here's the problem with

1 that mentality.

2 First of all, I want you to think about what would happen if  
3 you were a party to a lawsuit or you were accused of a crime. What kind  
4 of people would you want on your jury. Second of all, you may get out  
5 of service of this jury, but that doesn't mean you're done with jury duty.  
6 If you're not seated as a juror, don't go through the questioning on this  
7 jury, you can go back to jury service because your jury service is not  
8 complete, and you can be resummoned in for another case.

9 This case is going to last approximately five to six days. We  
10 have some cases that last weeks, some cases that last several months.  
11 So if you want to answer questions to get out of jury duty, I just highly  
12 advise to be very careful of what you wish for, because you just might  
13 get it.

14 I want to take this opportunity to introduce you to my court  
15 staff. You guys have already met Officer Hernandez, and he is our  
16 Marshal. His job is to maintain order and security in this courtroom. He  
17 is also my representative to the jury. Anything that you need or any  
18 problems that come up for you during the course of this trial should be  
19 brought to him.

20 But please keep in mind that he cannot talk to you about the  
21 case, and he cannot answer any questions about the case. Also it's very  
22 important to note he does not have the ability to excuse you from jury  
23 service. So if there's a reason for which you can't serve on this jury, like  
24 you have a flight tomorrow, you can't wait until we adjourn for the  
25 evening and tell Officer Hernandez on the way out. He does not have the

1 ability to excuse you, and you'd still be required to report back here  
2 tomorrow.

3 Any reason that you give that you can't serve on this jury has  
4 to be stated in court while all of the parties are present and while I'm on  
5 the bench, because I'm the only person who has the power to excuse  
6 you from jury duty. So when we go through the questioning, if there's a  
7 reason that you believe you can't serve on this jury, that has to be noted  
8 to me. You can't wait and tell Officer Hernandez on your way out.

9 To my far right is Victoria Boyd. She's our court reporter.  
10 She sees that everything that is said during the trial is recorded, so that  
11 we have an accurate legal record of everything we say and do during  
12 this trial. To my immediate right is Terry Berkshire. She's our court  
13 clerk, she swears in the witnesses, marks exhibits, keeps track of  
14 evidence and prepares minutes of the proceedings for the court record.

15 You may also see my assistant Tess Driver and my law clerk  
16 Olivia Campbell in the courtroom time to time. I also have an extern for  
17 the semester. They make everything run behind the scenes while we're  
18 in trial.

19 Now I'm going to ask the State to introduce themselves to  
20 you, read a list of witnesses they may call, and give you a synopsis of  
21 their case. Please pay attention to the names of the witnesses on the list  
22 that they read out. State.

23 MS. WECKERLY: Thank you, Your Honor. Good morning  
24 everyone. My name is Pam Weckerly. My co-counsel is Brandon  
25 Albright, and we work at the District Attorney's Office. The case that

1 you're here for occurred back in December of 2015. It was a murder that  
2 occurred on the I-15 on ramp near Lamb Boulevard. The victim in this  
3 case was a young lady by the name of Anshanette McNeil. In this case,  
4 there's a vehicle involved so there's evidence involving a vehicle and  
5 there's also evidence on the on ramp itself.

6 It's a fairly short trial as the judge mentioned to you, five or  
7 six days. The witnesses that you'll either hear about by name or who  
8 may actually testify from the witness stand include Bruce Hall, Jenae  
9 Hall [phonetic], Zaharia Marshall [phonetic], Reese Winston, August  
10 Corrales, an officer from the Claremont, California Police Department  
11 named Rick Hawkins, and then the next couple of names I'm going to  
12 read are from the North Las Vegas Police Department.

13 And that would be Detective Ben Owens, crime scene analyst  
14 Renee Harder, crime scene analyst Wendy Radke, crime scene analyst  
15 Dana Marks, and a patrol officer by the name of Boris Santana. You'll  
16 also hear from a pathologist from the Clark County Medical Examiner's  
17 Office. Her name is Dr. Lisa Gavin, and then you'll hear from a firearms  
18 expert named Kathy Geil, and a DNA analyst by the name of Allison  
19 Rubino. Thank you.

20 THE COURT: I'm going to now ask counsel for the Defendant  
21 to introduce themselves, their client and give a list of any witnesses they  
22 may call.

23 MR. SHAYGAN-FATEMI: Thank you, Your Honor. Good  
24 morning folks. My name is Kambiz Shaygan. My co-counsel is Ryan  
25 Bashor. We have the pleasure of representing Vernon Newson in this



1 matter. Vernon did shoot and kill a Miss McNeil in this case. At the  
2 conclusion of this trial, we're going to ask you to find him guilty of a  
3 homicide. We adamantly disagree with --

4 MS. WECKERLY: I'm going to object, Your Honor. This is  
5 argument.

6 THE COURT: Mr. Shaygan?

7 MR. SHAYGAN-FATEMI: It's not argument, Your Honor. I'm  
8 introducing ourselves to the jury, and it's going to be done in ten  
9 seconds.

10 THE COURT: Okay. I'll allow it. Go ahead, Mr. Shaygan.

11 MR. SHAYGAN-FATEMI: Thank you. At the conclusion of  
12 this trial, we're going to ask you to find him guilty of a homicide. It's just  
13 not the homicide the State is going to be asking you to find him guilty of,  
14 and we're adamant on that, folks. We look forward for you to hear the  
15 evidence and see all the facts come out during this trial, and at the  
16 conclusion of this trial Mr. Bashor and I are very confident you will  
17 convict Vernon of what he actually did in this case. Thank you so much  
18 for your time this morning, folks.

19 And the witnesses the Defense intends on calling is an  
20 addiction specialist, Dr. Mel Pohl. Thank you.

21 THE COURT: Okay. I'm going to now -- we are now going to  
22 take roll of the jurors. I'm going to ask, Madam Clerk, if you'll please call  
23 the roll of the panel of prospective jurors. When your name is called,  
24 please answer present or here.

25 THE CLERK: Badge number 2544, Gary Dixon.

1 PROSPECTIVE JUROR 004: Here.

2 THE CLERK: Sorry. Badge No. 004, Gary Dixon. Badge  
3 number 008, Nadija Jaeger?

4 PROSPECTIVE JUROR 008: Here.

5 THE CLERK: Badge number 014, Natalie Larsen.

6 PROSPECTIVE JUROR 014: Present.

7 THE CLERK: Badge number 018, Erin Loftis.

8 PROSPECTIVE JUROR 018: Present.

9 THE CLERK: Badge number 024, Daniel Saleba.

10 PROSPECTIVE JUROR 024: Present.

11 THE CLERK: Badge number 025, Zachary Garza.

12 PROSPECTIVE JUROR 025: Here.

13 THE CLERK: Badge number 034, Ronald Staffieri.

14 PROSPECTIVE JUROR 034: Here.

15 THE CLERK: Badge number 048, Miguel Harper Jimenez.

16 MR. JIMENEZ: Here.

17 THE CLERK: Badge number 052, Miriam Martinez.

18 PROSPECTIVE JUROR 052: Here.

19 THE CLERK: Badge number 060, Bon Toland.

20 PROSPECTIVE JUROR 060: Here.

21 THE CLERK: Badge number 063, Stuart Taub.

22 PROSPECTIVE JUROR 063: Here.

23 THE CLERK: Badge number 070, Kelsey Macstravic.

24 PROSPECTIVE JUROR 070: Here.

25 THE CLERK: Badge number 085, Christine Fullido.

1 PROSPECTIVE JUROR 085: Here.  
2 THE CLERK: Badge number 093, Habib Madidi.  
3 PROSPECTIVE JUROR 093: Here.  
4 THE CLERK: Badge number 094, Bernadette Escoto.  
5 PROSPECTIVE JUROR 094: Here.  
6 THE CLERK: Badge number 097, Caroline Grul.  
7 PROSPECTIVE JUROR 097: Here.  
8 THE CLERK: Badge number 098, Maya Fowler.  
9 PROSPECTIVE JUROR 098: Present.  
10 THE CLERK: Badge number 100, Emmanuel Dela-Cruz.  
11 PROSPECTIVE JUROR 100: Here.  
12 THE CLERK: Badge number 101, Darryl Lambert.  
13 PROSPECTIVE JUROR 101: Here.  
14 THE CLERK: Badge number 013, Sean Stiff.  
15 PROSPECTIVE JUROR 013: Here.  
16 THE CLERK: Badge number 112, Lorenzo Ogas.  
17 PROSPECTIVE JUROR 112: Here.  
18 THE CLERK: Badge number 116, Adrian Estrella.  
19 PROSPECTIVE JUROR 116: Here.  
20 THE CLERK: Badge number 131, Douglas Poppa.  
21 PROSPECTIVE JUROR 131: Here.  
22 THE CLERK: Badge number 134, Candice Gravitt.  
23 PROSPECTIVE JUROR 134: Here.  
24 THE CLERK: Badge number 140, Erika Burnett.  
25 PROSPECTIVE JUROR 140: Here.

1 THE CLERK: Badge number 145, Kevin Clarke.  
2 PROSPECTIVE JUROR 145: Here.  
3 THE CLERK: Badge number 150, Elizabeth Gonzalez.  
4 PROSPECTIVE JUROR 150: Here.  
5 THE CLERK: Badge number 156, Sarah Kapel.  
6 PROSPECTIVE JUROR 156: Here.  
7 THE CLERK: Badge number 160, Miguel Morales.  
8 PROSPECTIVE JUROR 160: Present.  
9 THE CLERK: Badge number 166, Leeann Sajkich.  
10 PROSPECTIVE JUROR 166: Here.  
11 THE CLERK: Badge number 183, Steven Casper.  
12 PROSPECTIVE JUROR 183: Here.  
13 THE CLERK: Badge number 194, Erin Jacobsen.  
14 PROSPECTIVE JUROR 194: Here.  
15 THE CLERK: Badge number 205, David Smith.  
16 PROSPECTIVE JUROR 205: Here.  
17 THE CLERK: Badge number 210, Francisco Osorio.  
18 PROSPECTIVE JUROR 210: Here.  
19 THE CLERK: Badge number 216, Laura Sakurai.  
20 PROSPECTIVE JUROR 216: Here.  
21 THE CLERK: Badge number 219, Arthur Cortez.  
22 PROSPECTIVE JUROR 219: Here.  
23 THE CLERK: Badge number 220, Jonathan Tritsch.  
24 PROSPECTIVE JUROR 220: Here.  
25 THE CLERK: Badge number 232, Jason Evers.

1 PROSPECTIVE JUROR 232: Here.

2 THE CLERK: Badge number 234, Sandra Galvez.

3 PROSPECTIVE JUROR 234: Present.

4 THE CLERK: Badge number 241, Julian Medina.

5 PROSPECTIVE JUROR 241: Here.

6 THE CLERK: Badge number 246, Brandon Arellano.

7 PROSPECTIVE JUROR 246: Here.

8 THE CLERK: Badge number 250, Delana Farmer.

9 PROSPECTIVE JUROR 250: Here.

10 THE CLERK: Badge number 257, Adrian Villa.

11 PROSPECTIVE JUROR 257: Here.

12 THE CLERK: Badge number 260, Gail Crowell.

13 PROSPECTIVE JUROR 260: Here.

14 THE CLERK: Badge number 264, Jordan Barcella.

15 PROSPECTIVE JUROR 264: Here.

16 THE CLERK: Badge number 268.

17 THE MARSHAL: We don't have the rest of them there.

18 THE CLERK: I'm sorry?

19 THE MARSHAL: We don't have the rest of them. We only

20 have 45.

21 THE CLERK: Okay.

22 THE COURT: Yeah, we don't have the other ones. Is there

23 anyone here whose name was not called? Okay. Seeing no response,

24 ladies and gentlemen, we are about to begin the jury selection process,

25 and this is the part of the case where the parties and their lawyers have

1 an opportunity to get to know a little bit about you, in order to help them  
2 come to their own conclusions about your ability to be fair and impartial,  
3 so they can decide who they think should be jurors in this particular  
4 case.

5 This process is done under oath. Will you all please stand  
6 and raise your right hand, so the Clerk can administer the oath?

7 [The Clerk swore in the prospective jurors]

8 THE COURT: Okay. Thank you. You may all be seated. The  
9 process will go in this order. First of all, I'm going to ask some general  
10 questions, and these questions will be directed toward everyone in the  
11 room. After these general questions, the focus of my questions will turn  
12 to the 32 of you who are seated directly in front of me, and I will ask  
13 individual questions of those of you who are seated in front of me.

14 Then each of the lawyers will be allowed to ask more specific  
15 questions. The questions that are asked during this process are not  
16 intended to embarrass you or unnecessarily pry into your personal  
17 affairs. But it is important that the parties and their attorneys know  
18 enough about you to make this very important decision.

19 There are no right or wrong answers to the questions that  
20 will be asked of you. The only thing I ask is that you answer the  
21 questions as honestly and completely as you can, because you took an  
22 oath to answer all of these questions truthfully and that is what we are  
23 asking you to do. Remaining silent when you have information you  
24 should disclose is a violation of that oath. If a juror violates this oath, it  
25 may not only result in us having to try the case all over again, but it can

1 also result in penalties against that particular juror.

2 So it's very important to be as honest and complete with  
3 your answers as possible. If you don't understand the question, please  
4 ask for an explanation or clarification. Please do not be offended should  
5 you be excused during this process. Excusing jurors is simply a part of  
6 the procedures designed to assist the parties and their attorneys to select  
7 a fair and impartial jury for this particular case.

8 Once all of the excusals have been done, we will have 14  
9 qualified jurors. Two of the 14 jurors will be designated as alternates,  
10 but that will not be done until the end of the trial, and the 12 remaining  
11 jurors will deliberate the case. I'm now going to ask some questions of  
12 the entire group. If you wish to respond to a question, please raise your  
13 hand and when you're called upon, please stand, give your name and  
14 your badge number before you answer the question so that we have an  
15 accurate record of who it is who's speaking, and your badge numbers  
16 should have been located on the summonses that you were given.

17 Is there anyone who has a disability or a medical issue that  
18 might impact their ability to serve as a juror in this case? Okay sir, the  
19 microphone is coming, whoever's going first.

20 THE MARSHAL: [Indiscernible]

21 PROSPECTIVE JUROR 048: Good morning. My badge  
22 number is 048. My name is Miguel Harper Jimenez.

23 THE COURT: Yes sir.

24 PROSPECTIVE JUROR 048: I just dislocated my back, and  
25 I've got a medical from the Dr. Salva. I've got to go back to the doctor

1 tomorrow.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR 048: I've got a dislocated back and I  
4 shanked a nerve, and I cannot sit for no longer than 20-30 minutes. I  
5 have to get up and walk like right now and take my pills because I have  
6 to be here. But I'm still in pain right now.

7 THE COURT: Okay. Thank you sir.

8 THE MARSHAL: [Indiscernible]

9 PROSPECTIVE JUROR 140: Last name Burnett, badge  
10 number 140. I am not asking to be excused just to go on record, but I am  
11 very hard of hearing and will require the use of --

12 THE COURT: Are those headphones helping you to hear  
13 ma'am?

14 PROSPECTIVE JUROR 140: Yes. I'm perfectly capable to  
15 hear now.

16 THE COURT: Okay, thank you.

17 PROSPECTIVE JUROR 140: Just wanted to go on record.

18 THE COURT: Okay. Thank you very much. Anyone else?

19 Okay. Seeing no response, is there anyone here who's been  
20 convicted of a felony? Seeing no response from the group.

21 We anticipate that this trial is going to last between five and  
22 six days, and when we say five to six days, today counts. So that would  
23 be Tuesday, Wednesday, Thursday, Friday, Monday and possibly  
24 Tuesday of next week.

25 And I recognize that serving on a jury is almost always a



1 personal or financial hardship. So for that reason, financial hardship is  
2 not generally considered an excuse to not serve as a juror. However,  
3 you might be confronted with unique inconveniences or hardship that  
4 would impact your service in this particular trial at this particular time. Is  
5 there anyone here who has an extraordinary reason why he or she  
6 cannot serve as a juror in this case?

7 And just so you know, trial will begin immediately upon the  
8 selection of a jury. Last time I had a lot of jurors say well, are we going  
9 to come back? No. Once we get a jury, trial begins right after that.

10 PROSPECTIVE JUROR 145: Kevin Clarke, 145.

11 THE COURT: 145, okay.

12 PROSPECTIVE JUROR 145: I'm scheduled to close on the  
13 sale of a house on Monday. Scheduled to close on the purchase of a  
14 house on Wednesday of next week.

15 THE COURT: So you are -- you're closing on the sale of a  
16 house on Monday?

17 PROSPECTIVE JUROR 145: Correct.

18 THE COURT: And then closing on another house on  
19 Tuesday, I mean Wednesday, I'm sorry.

20 PROSPECTIVE JUROR 145: Correct.

21 THE COURT: And Wednesday of next week, not tomorrow?

22 PROSPECTIVE JUROR 145: Correct.

23 THE COURT: Okay. Thank you, sir.

24 PROSPECTIVE JUROR 094: Bernadette Escoto, badge  
25 number 0094. I have a medical appointment on the 19th of July, which I

1 have been waiting for six months.

2 THE COURT: Okay. What time is your appointment?

3 PROSPECTIVE JUROR 094: It's at 1:30.

4 THE COURT: Okay. Thank you ma'am. Anybody else have  
5 their hand raised?

6 PROSPECTIVE JUROR 219: Badge number 219. My name is  
7 Arthur Cortez. I will -- I don't -- like it's not really financial, financial  
8 hardship, but me and my --

9 THE COURT: Hold on, hold on, yes sir. Sir, what's your  
10 badge number? 292 is Lawrence --

11 PROSPECTIVE JUROR 219: No, it's 219.

12 THE COURT: Oh, 219.

13 PROSPECTIVE JUROR 219: Yes. Yeah, so it's just me and  
14 my mom to provide for the house, and mainly me because, you know, I  
15 make most of the money right now. So \$40 a day, like it's not going to  
16 cover like the rent and bills and my car payment and all of that.

17 THE COURT: Okay, and where do you work sir?

18 PROSPECTIVE JUROR 219: Amazon.

19 THE COURT: Okay. Thank you sir.

20 PROSPECTIVE JUROR 232: Hi, my name is Jason Evers,  
21 badge 232. I've been unemployed for 13 months, and I finally got a job  
22 offer on the 7th. It is a contractual hourly job, and I would really like to  
23 start it. I've only been at it for four days. In addition, I got a job offer to  
24 do some freelance photography work for tomorrow and Friday as well.  
25 Those times are from 6:00 a.m. to 7:30 a.m. Thank you.

1 THE COURT: Okay. The job that you just -- you started the  
2 job on the 7th?

3 PROSPECTIVE JUROR 232: That is correct, yes.

4 THE COURT: Okay. So you've already started. You've been  
5 working that for four days?

6 PROSPECTIVE JUROR 232: Yeah. It's a contractual job. If  
7 I'm not there, I don't get paid.

8 THE COURT: Okay. Okay. And we will not be in session  
9 between 6:00 and 7:30 in the morning. As much as I would like to, these  
10 people will kill me. I'm here working, but --

11 PROSPECTIVE JUROR 232: Yeah. I may not be able to make  
12 it from the photo shoot to here is part of the problem.

13 THE COURT: Okay. Thank you sir.

14 PROSPECTIVE JUROR 232: It would also keep me from filing  
15 unemployment.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR 257: Hi, my name's Adrian Villa,  
18 badge number 0257, and I do payroll for my company every Tuesdays  
19 and Wednesdays. So there's no other person that can do it, so that's  
20 going to be very hard for me as well.

21 THE COURT: Okay. Thank you sir. Any other responses to  
22 that question?

23 PROSPECTIVE JUROR 004: Hi, Your Honor. I'm Gary Dixon,  
24 004. I have labs on Monday the 19th.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR 004: At 10:00 in the morning, and  
2 then exploratory surgery the following day at Southwest Medical.

3 THE COURT: Okay. Thank you sir.

4 PROSPECTIVE JUROR 004: I would like to hear this case.

5 THE COURT: Thank you sir.

6 THE MARSHAL: You have one more Judge.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR 210: My name is Francisco Osorio,  
9 0210. I speak in English a little bit. I understand sometimes. If you need  
10 me, I want to say. But I let you know like sometime I don't understand  
11 when you're speaking.

12 THE COURT: Okay. Would it be Spanish your native  
13 language sir?

14 PROSPECTIVE JUROR 210: Yeah, I'm Spanish. I understand  
15 sometimes, and I speak in English like when I understand. But like you  
16 know, I want to explain like my --

17 THE COURT: Understood. That was actually my next  
18 question sir. That was going to be the next question. Where do you  
19 work?

20 PROSPECTIVE JUROR 210: I work in maintenance, a  
21 maintenance supervisor for Eddie Gibson.

22 THE COURT: Eddie Gibson?

23 PROSPECTIVE JUROR 210: Eddie Gibson Apartments.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR 210: And I'm Gibson and 215.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 210: Like I say, I'm sometimes -- I  
3 don't speak in English sometimes, you know.

4 THE COURT: I understand sir, I totally understand.

5 PROSPECTIVE JUROR 210: Like I say, if you need me, I'm  
6 still here yeah.

7 THE COURT: Okay. Thank you so much sir.

8 PROSPECTIVE JUROR 210: You're welcome.

9 THE COURT: Okay. So that brings us to our next question.  
10 Is there anyone here who does not speak English fluently? Okay. Seeing  
11 no other response.

12 Is there anyone here who is acquainted with myself or any  
13 member of my court staff? Seeing no response.

14 Is there any of you here who knew each other before you  
15 showed up today? Seeing no response.

16 Is there anyone here who's acquainted with the Defendant or  
17 either of his attorneys? Seeing no response.

18 Is there anyone here who's acquainted with either of the  
19 Deputy District Attorneys? Seeing no response.

20 PROSPECTIVE JUROR 131: Excuse, I've got allergies. Badge  
21 number 131.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR 131: I'm an independent investigative  
24 journalist, and I wrote a few stories mentioning Pamela Weckerly in a  
25 case that she handled a couple of years ago.

1 THE COURT: Okay. Okay sir, do you think that there's  
2 anything about those stories that you wrote that would cause you not to  
3 be able to be fair and impartial in this case?

4 PROSPECTIVE JUROR 131: No, but I'll be honest with you. I  
5 wrote several hundred stories. Some of them were critical of the Clark  
6 County District Attorney's Office, the Las Vegas Metro Police Department  
7 including Sheriff Joseph Lombardo.

8 THE COURT: Okay. But do you think that would prevent you  
9 from being fair and impartial in this case?

10 PROSPECTIVE JUROR 131: No ma'am.

11 THE COURT: Okay. Thank you sir. Anybody else who's  
12 acquainted with any of the District Attorney's Office? Well, my next  
13 question is there anyone here who's acquainted with Steve Wolfson or  
14 any other member of the District Attorney's Office? Okay, seeing no  
15 response to that question. Is there anyone here who's acquainted with  
16 any of the witnesses whose names were read off by the State or by the  
17 Defense?

18 PROSPECTIVE JUROR 131: Your Honor. Ms. Weckerly  
19 mentioned Dr. Gavin.

20 THE COURT: Yes.

21 PROSPECTIVE JUROR 131: She was mentioned in several  
22 stories I did years ago referenced the Las Vegas massacre I believe.

23 THE COURT: Okay, and for the record that was Mr. Poppa,  
24 badge number 131?

25 PROSPECTIVE JUROR 131: Yes.

1 THE COURT: Thank you sir. Is there anyone here who  
2 knows anything about this case, other than what you've heard in the  
3 courtroom today? Seeing no response.

4 Is there anyone here who has any philosophical, religious or  
5 other beliefs that would prevent you from serving as a fair and impartial  
6 juror? Seeing no response.

7 Under our system of criminal justice, there are certain  
8 principles that apply in every criminal trial. Those principles are the  
9 charging document filed in this case is merely an accusation and is not  
10 itself any evidence of guilt. The Defendant is presumed innocent, and  
11 the State must prove the Defendant is guilty beyond a reasonable doubt.  
12 Is there anyone here who does not understand or believe in these  
13 concepts? Seeing no response.

14 Is there anyone here who would have trouble following the  
15 instructions of the law that will be given to you by me, regardless of  
16 whether you think the law is good or bad? Okay, seeing no response.

17 All right. We will be at ease for just one second, and I'll see  
18 the attorneys in chambers, and we'll come right back.

19 [Recess taken from 9:56 a.m. to 10:00 a.m.]

20 THE MARSHAL: Come to order, ladies and gentlemen.

21 THE COURT: Okay. The Court is going to excuse the  
22 following people from jury service in this case.

23 Badge number 004, Mr. Dickson, you are excused from jury  
24 service in this case, so you can go back and follow the Marshal out, sir.  
25 And I'll give you just a second.

1 PROSPECTIVE JUROR 004: Have a good day, ma'am.

2 THE COURT: You, too. Thank you, sir.

3 Badge number 048, Mr. Jimenez, you are excused from jury  
4 service in this case. Badge number 094, Ms. Escoto, you are excused  
5 from jury service in this case.

6 PROSPECTIVE JUROR 094: Thank you, ma'am.

7 THE COURT: Thank you. Okay. Badge number 131, Mr.  
8 Poppa, you are excused from jury service in this case.

9 PROSPECTIVE JUROR 131: Have a nice day, ma'am.

10 THE COURT: Thank you. Badge number 145, Mr. Clarke, you  
11 are excused hearing from jury service in this case. Badge number 210,  
12 Mr. Osorio, you are excused from jury service in this case.

13 PROSPECTIVE JUROR 210: Thank you.

14 THE COURT: Thank you. Badge number 219, Mr. Cortez, you  
15 are excused from jury service in this case. Badge number 232, Mr.  
16 Evers, you are excused from jury service in this case.

17 PROSPECTIVE JUROR 232: Thank you.

18 THE COURT: Thank you. And Badge number 257, Mr. Villa,  
19 you are excused from jury service in this case.

20 Okay. And we are going to call up jurors to replace the seats  
21 that we have. Just hold on a second just so I can catch up. Okay.

22 THE CLERK: Badge number 205, David Smith.

23 THE COURT: Mr. Smith, if you could just come up and take  
24 that very first chair.

25 THE CLERK: Badge number 216, Laura Sakurai.



1 THE COURT: And ma'am, if you could come up and sit in  
2 that second to the last chair on the first row.

3 THE CLERK: Badge number 220, Jonathan Tritsch.

4 THE COURT: And sir, if you could come up and sit in that  
5 middle seat on the second row?

6 THE CLERK: Badge number 234, Sandra Galvez.

7 THE COURT: And ma'am, if you could sit in the middle on  
8 this third row?

9 THE CLERK: Badge number 241, Julian Medina.

10 THE COURT: And sir, if you could come and sit on the end in  
11 this very first row.

12 Okay. Ladies and gentlemen, we are going to begin my  
13 individual questioning for those of you who are seated directly in front of  
14 me. For those of you out there, we still need to pay attention because if  
15 someone is excused from this group you will be called to fill in the seats  
16 in this room.

17 We are going to start with you, Mr. Smith. Mr. Smith, sir,  
18 how long have you lived in Clark County?

19 PROSPECTIVE JUROR 205: The last time around, 22 years  
20 about.

21 THE COURT: Okay. How far did you go in school?

22 PROSPECTIVE JUROR 205: Community college.

23 THE COURT: What did you study?

24 PROSPECTIVE JUROR 205: Just basic.

25 THE COURT: Okay. Are you currently employed?

1 PROSPECTIVE JUROR 205: Yes, ma'am.

2 THE COURT: What type of work to do?

3 PROSPECTIVE JUROR 205: HVAC and I was going to ask to

4 be excused and maybe get something in the winter --

5 THE COURT: Okay.

6 PROSPECTIVE JUROR 205: -- the heat that's out right now --

7 we have so many calls and with me being out of work right now, it's

8 really hurting the business.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR 205: And you know, 110, 115, it's --

11 people are dying out there, so --

12 THE COURT: Oh, I get it sir, I get it. Okay. Are you married

13 or in a significant relationship?

14 PROSPECTIVE JUROR 205: Married.

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

16 PROSPECTIVE JUROR 205: She's a general manager of

17 Capriotti's.

18 THE COURT: Do you have children?

19 PROSPECTIVE JUROR 205: Yes, ma'am.

20 THE COURT: How old are they

21 PROSPECTIVE JUROR 205: One son. He's 12.

22 THE COURT: Okay. Have you ever been a victim of a crime,

23 sir?

24 PROSPECTIVE JUROR 205: Not the victim, no, ma'am.

25 THE COURT: Have you ever been accused of a crime?

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PROSPECTIVE JUROR 205: As a juvenile.

THE COURT: Okay, and what were you accused of?

PROSPECTIVE JUROR 205: I was classified as a nonviolent youth offender.

THE COURT: Okay. Have you had any friends, family members, or close associates who have been the victim of a crime?

PROSPECTIVE JUROR 205: No, ma'am.

THE COURT: Any friends, family members, or close associates who have been accused of a crime?

PROSPECTIVE JUROR 205: No, ma'am.

THE COURT: Have you ever been engaged in law enforcement work?

PROSPECTIVE JUROR 205: No, ma'am.

THE COURT: Do you have any friends, relatives, or close associates who have been involved in law enforcement work?

PROSPECTIVE JUROR 205: No, ma'am, just military.

THE COURT: Have you ever been a juror before?

PROSPECTIVE JUROR 205: No, ma'am.

THE COURT: Do you own a firearm, sir?

PROSPECTIVE JUROR 205: Yes, ma'am.

THE COURT: And what is your experience level?

PROSPECTIVE JUROR 205: Intermediate to advanced.

THE COURT: Okay. Do you believe that people should be allowed to own firearms?

PROSPECTIVE JUROR 205: Yes, ma'am.

1 THE COURT: Have you or anyone closely associated with  
2 you ever been in a romantic relationship that was volatile and abusive?

3 PROSPECTIVE JUROR 205: No, ma'am.

4 THE COURT: Have you ever had any bad experiences with  
5 law enforcement?

6 PROSPECTIVE JUROR 205: Just as a child.

7 THE COURT: Okay. Will that affect your ability to be fair and  
8 impartial in this case?

9 PROSPECTIVE JUROR 205: No.

10 THE COURT: Sir, if there's graphic photos that are  
11 introduced into evidence, will you be able to assess them further  
12 evidentiary value?

13 PROSPECTIVE JUROR 205: Yes, ma'am.

14 THE COURT: If someone is taking a controlled substance, do  
15 believe they could still be the victim of a crime?

16 PROSPECTIVE JUROR 205: Say it again, please?

17 THE COURT: Yes, sir. I know I talk really fast. If someone is  
18 taking a controlled substance, and they're on drugs, do believe they can  
19 still be the victim of a crime?

20 PROSPECTIVE JUROR 205: Yes, ma'am.

21 THE COURT: Court is not like CSI, and you understand that  
22 some of this will be different than what you see on TV?

23 PROSPECTIVE JUROR 205: Yes, ma'am.

24 THE COURT: Some witnesses will be testifying via video.  
25 Can you assess their testimony like any other witness who testifies in

1 person, or would this be distracting to you?

2 PROSPECTIVE JUROR 205: No, that would be fine.

3 THE COURT: Okay. The presumption of innocence is one of  
4 the core principles that a person is innocent until proven guilty. Do you  
5 agree with that?

6 PROSPECTIVE JUROR 205: Yes, ma'am.

7 THE COURT: Do you understand that it is the responsibility  
8 of the State to prove this case beyond a reasonable doubt --

9 PROSPECTIVE JUROR 205: Yes.

10 THE COURT: -- and that person doing the accusing must  
11 prove the case. Do you believe that?

12 PROSPECTIVE JUROR 205: Yes, ma'am.

13 THE COURT: Do believe that it is the defense's responsibility  
14 to prove that the defendant is innocent?

15 PROSPECTIVE JUROR 205: Yes.

16 THE COURT: Do you believe that?

17 PROSPECTIVE JUROR 205: Yes, ma'am.

18 THE COURT: Okay. Why do you believe that?

19 PROSPECTIVE JUROR 205: I'm sorry I must've missed --

20 THE COURT: That's okay. Do you believe that the defendant  
21 has a responsibility to prove that he is innocent, or do you believe that it  
22 is the State's responsibility to prove that he is guilty?

23 PROSPECTIVE JUROR 205: I think the defense should have  
24 something to do with their defense.

25 THE COURT: Okay. Do you understand they have no burden

1 of proof in this case?

2 PROSPECTIVE JUROR 205: I understand that's the law, yes,  
3 ma'am.

4 THE COURT: Yeah. And you understand that based on the  
5 law that I'm going to give to you, if Mr. Bashor, Mr. Shaygan, and Mr.  
6 Newson sat there and played video games during this whole trial that  
7 doesn't eliminate the State from having to prove that he is guilty beyond  
8 a reasonable doubt?

9 PROSPECTIVE JUROR 205: Correct.

10 THE COURT: Do you understand that?

11 PROSPECTIVE JUROR 205: Yes, ma'am.

12 THE COURT: And you understand that burden is completely  
13 on the State?

14 PROSPECTIVE JUROR 205: Yes.

15 THE COURT: Do you understand that the defendant has the  
16 right not to testify, and if he chooses not to testify, will you hold that  
17 against him?

18 PROSPECTIVE JUROR 205: No.

19 THE COURT: Have you or anyone closely associated with  
20 you ever been in a close relationship with someone who's a drug user?

21 PROSPECTIVE JUROR 205: Years ago.

22 THE COURT: Okay. Do you think that will affect if you heard  
23 that someone in this case was a drug user, do you think that would affect  
24 your ability to sit as a fair and impartial juror in this case?

25 PROSPECTIVE JUROR 205: Maybe -- just because of the

1 drugs that she was on before I met her. I'm talking about my wife now.

2 THE COURT: Okay. Do you think that the situation that you  
3 went through with your wife would cause you to possibly not be fair and  
4 impartial in this case?

5 PROSPECTIVE JUROR 205: No, no.

6 THE COURT: You'd be able to judge this case based on the  
7 testimony and evidence you hear here?

8 PROSPECTIVE JUROR 205: Yes.

9 THE COURT: Do you think you're too emotional to sit as a  
10 juror on this type of case?

11 PROSPECTIVE JUROR 205: No.

12 THE COURT: Not all killings are considered the same under  
13 the law. So at the inclusion of this case, I'm going to instruct you as to  
14 the elements of the possible crimes you can consider in your  
15 deliberation. Will you be able to consider all of the elements of all of the  
16 crimes charged --

17 PROSPECTIVE JUROR 205: Yes, ma'am.

18 THE COURT: -- and hold the State to their burden of proving  
19 all of the elements beyond a reasonable doubt?

20 PROSPECTIVE JUROR 205: Yes, ma'am.

21 THE COURT: Thank you, sir. If you could pass the  
22 microphone next to you. And that would be to Ms. Jaeger?

23 PROSPECTIVE JUROR 008: Yeah, Nadija Jaeger.

24 THE COURT: Okay, is it [Yay - ger]?

25 PROSPECTIVE JUROR 008: Yes.

1 THE COURT: Okay, Ms. Jaeger. Ma'am, how long have you  
2 lived in Clark County?

3 PROSPECTIVE JUROR 008: I was born here -- about 20 years.

4 THE COURT: Okay. And how far did you go to school?

5 PROSPECTIVE JUROR 008: I'm in college right now.

6 THE COURT: Okay. What are you studying?

7 PROSPECTIVE JUROR 008: Fine Arts.

8 THE COURT: Okay. Are you currently working?

9 PROSPECTIVE JUROR 008: Yes.

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

11 PROSPECTIVE JUROR 008: I'm a hostess at a restaurant on  
12 the Strip.

13 THE COURT: Okay. Are you married or in a significant  
14 relationship?

15 PROSPECTIVE JUROR 008: No.

16 THE COURT: Do you have any children?

17 PROSPECTIVE JUROR 008: No.

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

19 PROSPECTIVE JUROR 008: I was a victim of sexual assault a  
20 couple years ago.

21 THE COURT: Okay. Was that here in Las Vegas?

22 PROSPECTIVE JUROR 008: Yeah.

23 THE COURT: Was someone arrested for that?

24 PROSPECTIVE JUROR 008: They were taken into custody.

25 THE COURT: Were they prosecuted?



1 PROSPECTIVE JUROR 008: I didn't press charges.

2 THE COURT: Okay. So did the Las Vegas Metropolitan  
3 Police Department investigate that case?

4 PROSPECTIVE JUROR 008: Yes.

5 THE COURT: Okay. And ma'am, is there anything about the  
6 situation that you were involved in that would cause you to believe you  
7 couldn't be fair and impartial in this case?

8 PROSPECTIVE JUROR 008: I believe so.

9 THE COURT: Okay, and why is that?

10 PROSPECTIVE JUROR 008: I would tend to probably side  
11 with the victim.

12 THE COURT: Okay. And do you think you would be able to  
13 judge this case based on the testimony and evidence that you hear in  
14 this case?

15 PROSPECTIVE JUROR 008: Probably.

16 THE COURT: Okay. Have you ever been accused of a crime?

17 PROSPECTIVE JUROR 008: No.

18 THE COURT: So you have any friends, family members, or  
19 close associates that have been accused of a crime?

20 PROSPECTIVE JUROR 008: No.

21 THE COURT: Any friends, family members, or close  
22 associates that have been the victim of a crime?

23 PROSPECTIVE JUROR 008: No.

24 THE COURT: Ma'am, have you or yourself, or anyone close  
25 to you ever been engaged in law-enforcement?

1 PROSPECTIVE JUROR 008: No.

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

3 PROSPECTIVE JUROR 008: No.

4 THE COURT: Do you own a firearm?

5 PROSPECTIVE JUROR 008: No.

6 THE COURT: Do you have any strong beliefs about people

7 who own firearms?

8 PROSPECTIVE JUROR 008: I believe in strict gun control.

9 THE COURT: Okay. But did you believe that people should

10 be allowed to own guns?

11 PROSPECTIVE JUROR 008: To a certain extent.

12 THE COURT: Okay. Have you or anyone closely associated

13 with you ever been in a romantic relationship that was volatile and

14 abusive?

15 PROSPECTIVE JUROR 008: I have, yes.

16 THE COURT: Okay. Do you think that there's anything about

17 that situation that would cause you to believe you couldn't be fair and

18 impartial in this case?

19 PROSPECTIVE JUROR 008: Most likely, yeah.

20 THE COURT: Okay. Have you ever had a bad experience

21 with law enforcement?

22 PROSPECTIVE JUROR 008: Yes.

23 THE COURT: Do you think that would affect your ability to be

24 fair and in this case?

25 PROSPECTIVE JUROR 008: I don't think so.

1 THE COURT: If graphic photos are introduced into evidence,  
2 would you be able to assess them for their evidentiary value?

3 PROSPECTIVE JUROR 008: Yes.

4 THE COURT: If someone is taking a controlled substance, do  
5 you think that they could do still be the victim of a crime?

6 PROSPECTIVE JUROR 008: Yes.

7 THE COURT: Do you understand that Court is not like CSI so  
8 there's not going to be test for everything and it's not going to be exactly  
9 what you see on TV?

10 PROSPECTIVE JUROR 008: Yes.

11 THE COURT: Some witnesses will be testifying via video.  
12 Can you assess their testimony like you can any other witness or would  
13 you -- it affects you that they're on video?

14 PROSPECTIVE JUROR 008: That would be fine.

15 THE COURT: The presumption of innocence is a core  
16 principle that someone is innocent until they're proven guilty. Do you  
17 agree with that?

18 PROSPECTIVE JUROR 008: Yes.

19 THE COURT: Do you understand it is the responsibility of the  
20 State to prove every element of every offense charged beyond a  
21 reasonable doubt. Do you understand that the person doing the  
22 accusing must prove the case --

23 PROSPECTIVE JUROR 008: Yeah.

24 THE COURT: -- do you agree with that?

25 PROSPECTIVE JUROR 008: Yes.

1 THE COURT: Do you understand that the has defendant has  
2 no responsibility to prove anything?

3 PROSPECTIVE JUROR 008: Yes.

4 THE COURT: Would you be able to hold the State to their  
5 burden even if the defendant doesn't put on anything?

6 PROSPECTIVE JUROR 008: Yes.

7 THE COURT: The defendant has the right not to testify. If the  
8 defendant chooses not to testify, will you hold that against him?

9 PROSPECTIVE JUROR 008: No.

10 THE COURT: Have you ever been in a close relationship with  
11 someone who was a drug user?

12 PROSPECTIVE JUROR 008: No.

13 THE COURT: Do you think you're too emotional to sit as a  
14 juror in this type of case?

15 PROSPECTIVE JUROR 008: I have clinically diagnosed  
16 anxiety, so I don't believe that I have the emotional capability to put  
17 somebody's fate in my hands.

18 THE COURT: Okay. Do you understand at the conclusion of  
19 the case, I'm going to instruct you on the elements of the crimes that  
20 were charged and the elements of the crimes that you can consider in  
21 your deliberation? Will you be able to consider all of the crimes?

22 PROSPECTIVE JUROR 008: Yes.

23 THE COURT: Ma'am, is there anything about the nature of  
24 this case that you haven't already told us or anything else that would  
25 cause you to believe you couldn't be fair and impartial in this case?

1 PROSPECTIVE JUROR 008: I have nothing more to say, no.  
2 THE COURT: Can you base your verdict solely on the  
3 evidence presented during this trial and wait to form an opinion until  
4 you've heard all of the evidence?  
5 PROSPECTIVE JUROR 008: Yes.  
6 THE COURT: Can you be fair to both sides?  
7 PROSPECTIVE JUROR 008: I'll try.  
8 THE COURT: Okay. Thank you very much, ma'am. If you  
9 can pass the microphone next to you. Ms. Larsen?  
10 UNIDENTIFIED SPEAKER: Judge, can we approach?  
11 THE COURT: Yes.  
12 [Sidebar at 10:17 a.m., ending at 10:18 a.m., not transcribed]  
13 THE COURT: Okay, Ms. Larsen?  
14 PROSPECTIVE JUROR 014: Yes, ma'am?  
15 THE COURT: Ma'am, how long have you looked in Clark  
16 County?  
17 PROSPECTIVE JUROR 014: 1992.  
18 THE COURT: And how far did you go in school?  
19 PROSPECTIVE JUROR 014: I graduated college.  
20 THE COURT: And what did you study?  
21 PROSPECTIVE JUROR 014: Elementary education.  
22 THE COURT: And are you currently employed?  
23 PROSPECTIVE JUROR 014: Yes.  
24 THE COURT: What type of work are you doing?  
25 PROSPECTIVE JUROR 014: I'm a second-grade teacher.

1 THE COURT: Okay. And are you married or in a significant  
2 relationship?

3 PROSPECTIVE JUROR 014: I am married.

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

5 PROSPECTIVE JUROR 014: He's a security officer.

6 THE COURT: Okay. Do you guys have any children?

7 PROSPECTIVE JUROR 014: No.

8 THE COURT: I'm sorry, I lost -- I try to do this from memory  
9 so I don't keep looking at the screen and then I lose where I am. I'm  
10 sorry. Ma'am, have you ever been the victim of a crime?

11 PROSPECTIVE JUROR 014: No.

12 THE COURT: Have you ever been accused of a crime?

13 PROSPECTIVE JUROR 014: Accused or -- I was accused of  
14 one and everything was dropped.

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

16 PROSPECTIVE JUROR 014: Yes.

17 THE COURT: What were you accused of?

18 PROSPECTIVE JUROR 014: I think was battery.

19 THE COURT: Okay. And did the police respond?

20 PROSPECTIVE JUROR 014: Yes.

21 THE COURT: Were you ever arrested for that?

22 PROSPECTIVE JUROR 014: No.

23 THE COURT: Okay. So the police responded and then  
24 nothing came about it?

25 PROSPECTIVE JUROR 014: Everything was dropped.

1 THE COURT: Okay, do you think there's anything about that  
2 situation that would cause you to believe you couldn't be fair and  
3 impartial in this case?

4 PROSPECTIVE JUROR 014: No.

5 THE COURT: Have you had any friends, family members,  
6 close associates who've been a victim of crime?

7 PROSPECTIVE JUROR 014: Yes.

8 THE COURT: And who was that?

9 PROSPECTIVE JUROR 014: My husband.

10 THE COURT: What was he the victim of?

11 PROSPECTIVE JUROR 014: He was the victim of domestic  
12 abuse -- or domestic violence.

13 THE COURT: And this was in a previous relationship?

14 PROSPECTIVE JUROR 014: It was against his father. His  
15 father --

16 THE COURT: Okay, so he was the victim?

17 PROSPECTIVE JUROR 014: He was the victim.

18 THE COURT: His father was accused of it. When did that  
19 happen?

20 PROSPECTIVE JUROR 014: Oh, [indiscernible] four years  
21 ago.

22 THE COURT: Okay. And that was here in Clark County?

23 PROSPECTIVE JUROR 014: Yes.

24 THE COURT: And was that investigated?

25 PROSPECTIVE JUROR 014: Yes.

1 THE COURT: Okay. Was his father arrested?

2 PROSPECTIVE JUROR 014: Yes.

3 THE COURT: Okay. Was he prosecuted?

4 PROSPECTIVE JUROR 014: All the charges were dropped.

5 THE COURT: Okay. And is there anything about that  
6 situation that will cause you to believe you couldn't be fair and impartial  
7 in this case?

8 PROSPECTIVE JUROR 014: No.

9 THE COURT: Do have any friends, family members, or close  
10 associates besides your father-in-law who have been accused of a  
11 crime?

12 PROSPECTIVE JUROR 014: No.

13 THE COURT: Do you have any friends, family members, or  
14 close associates who are engaged in law enforcement work?

15 PROSPECTIVE JUROR 014: No.

16 THE COURT: Have you ever sat as a juror before?

17 PROSPECTIVE JUROR 014: No.

18 THE COURT: Do you understand that the presumption of  
19 innocence is a core principle that one is innocent until proven guilty. Do  
20 you agree with that?

21 PROSPECTIVE JUROR 014: Yes.

22 THE COURT: It is the responsibility of the State to prove this  
23 beyond a reasonable doubt. Do you agree with that?

24 PROSPECTIVE JUROR 014: Yes.

25 THE COURT: Do you believe that the defendant has any



1 responsibility to prove his innocence?

2 PROSPECTIVE JUROR 014: No.

3 THE COURT: The defendant has a right not to testify. If he  
4 chooses not to testify, will you hold that against him?

5 PROSPECTIVE JUROR 014: No.

6 THE COURT: Have you or anyone closely associated with  
7 you ever been in a relationship with someone who is a drug user?

8 PROSPECTIVE JUROR 014: No.

9 THE COURT: Do you think you're too emotional to sit the  
10 case?

11 PROSPECTIVE JUROR 014: No.

12 THE COURT: Do you understand all killings are not  
13 considered under the same under the law and at the end of the evidence  
14 in this case, I'm going to instruct you on the law that applies this case  
15 that will have more than one crime that you will be able to consider  
16 when you deliberate your verdict. Would you be able to consider all of  
17 those crimes?

18 PROSPECTIVE JUROR 014: Yes.

19 THE COURT: Do you own a firearm?

20 PROSPECTIVE JUROR 014: Yes.

21 THE COURT: What is your experience level?

22 PROSPECTIVE JUROR 014: Intermediate.

23 THE COURT: Do you believe people should be allowed to  
24 own guns?

25 PROSPECTIVE JUROR 014: Yes.

1 THE COURT: Have you or anyone closely associated with  
2 you ever been in a romantic relationship that was volatile and abusive?

3 PROSPECTIVE JUROR 014: No.

4 THE COURT: Have you ever had a bad experience with law  
5 enforcement?

6 PROSPECTIVE JUROR 014: No.

7 THE COURT: This case -- I'm sorry. If graphic photos are be  
8 introduced in this case, will you be able to assess them for their  
9 evidentiary value?

10 PROSPECTIVE JUROR 014: Yes.

11 THE COURT: If someone has taken a controlled substance,  
12 do you believe they can still be the victim of a crime?

13 PROSPECTIVE JUROR 014: Yes.

14 THE COURT: Do you understand that Court is not like CSI so  
15 everything you see here won't be like you see on TV?

16 PROSPECTIVE JUROR 014: Yes.

17 THE COURT: I try to tell you guys that in the beginning, but  
18 it's always something we have to keep saying. Some witnesses will be  
19 testifying via video. Can you assess their testimony like any other  
20 witness who testifies in person, or will it be distracting that they're on  
21 video?

22 PROSPECTIVE JUROR 014: No, I can.

23 THE COURT: Okay. Is there anything about the nature of this  
24 case or anything you've heard here today that would make it difficult for  
25 you to sit as a juror in this case?

1 PROSPECTIVE JUROR 014: No.

2 THE COURT: Can you base your verdict solely on the  
3 evidence presented during this trial and wait to form an opinion until  
4 you've heard all of the evidence?

5 PROSPECTIVE JUROR 014: Yes.

6 THE COURT: Can you refer to both sides?

7 PROSPECTIVE JUROR 014: Yes.

8 THE COURT: Okay. Thank you very much, ma'am. You can  
9 pass the microphone next you. Ms. Loftis?

10 PROSPECTIVE JUROR 018: Yes.

11 THE COURT: Ma'am, how long have you lived in Clark  
12 County?

13 PROSPECTIVE JUROR 018: Fifty-four years.

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

15 PROSPECTIVE JUROR 018: Some college.

16 THE COURT: And what did you study?

17 PROSPECTIVE JUROR 018: General studies.

18 THE COURT: And are you currently employed?

19 PROSPECTIVE JUROR 018: I've been retired almost seven  
20 years.

21 THE COURT: Okay. What type of work did you retire from?

22 PROSPECTIVE JUROR 018: I worked 30 years for the Clark  
23 County Water Reclamation District. I worked in all the different  
24 apartments. I started in customer service and left as IT.

25 THE COURT: Okay. And are you married or in a significant

1 relationship?

2 PROSPECTIVE JUROR 018: No.

3 THE COURT: And do you have any children?

4 PROSPECTIVE JUROR 018: I do not.

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

6 PROSPECTIVE JUROR 018: No.

7 THE COURT: Have you ever been accused of a crime?

8 PROSPECTIVE JUROR 018: No.

9 THE COURT: Any friends, family members, or close  
10 associates who have been the victim of a crime?

11 PROSPECTIVE JUROR 018: No.

12 THE COURT: Any friends, family members, or close  
13 associates who've been accused of a crime?

14 PROSPECTIVE JUROR 018: No.

15 THE COURT: Do you have any friends, family members, or  
16 close associates who work in law enforcement?

17 PROSPECTIVE JUROR 018: No.

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

19 PROSPECTIVE JUROR 018: Yes.

20 THE COURT: And when was that?

21 PROSPECTIVE JUROR 018: I couldn't even begin to tell you  
22 -- years ago.

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

24 PROSPECTIVE JUROR 018: Yes, it was.

25 THE COURT: Was it more than 10 years ago?

1 PROSPECTIVE JUROR 018: Honestly, I have no idea. I've  
2 been called many times for jury duty and only once did I sit.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 018: But that was years ago.

5 THE COURT: Okay, and that was here in Clark County?

6 PROSPECTIVE JUROR 018: Yes.

7 THE COURT: Was it a civil or a criminal case?

8 PROSPECTIVE JUROR 018: Civil.

9 THE COURT: And without telling us what the verdict was,  
10 was the jury able to reach a verdict?

11 PROSPECTIVE JUROR 018: They did reach a verdict.

12 THE COURT: And the foreperson?

13 PROSPECTIVE JUROR 018: I was an alternate.

14 THE COURT: Okay. And it is there anything about that  
15 experience that would cause you to believe that you -- that would make  
16 you not want to sit in this case?

17 PROSPECTIVE JUROR 018: No.

18 THE COURT: Okay. And ma'am, do you own a firearm?

19 PROSPECTIVE JUROR 018: No.

20 THE COURT: Do you believe that people should be allowed  
21 to own firearms?

22 PROSPECTIVE JUROR 018: Yes.

23 THE COURT: Have you or anyone closely associated with  
24 you ever been in a romantic relationship that was volatile and abusive?

25 PROSPECTIVE JUROR 018: No.

1 THE COURT: Have you ever had a bad experience with law  
2 enforcement?

3 PROSPECTIVE JUROR 018: No.

4 THE COURT: If graphic photos are introduced into evidence,  
5 will you be able to assess them for their evidentiary value?

6 PROSPECTIVE JUROR 018: Yes.

7 THE COURT: If someone is taking a controlled substance, do  
8 you believe that they can still be the victim of a crime?

9 PROSPECTIVE JUROR 018: Yes.

10 THE COURT: And do you understand that Court is not like  
11 CSI so everything you see on TV you may not necessarily see in this  
12 case?

13 PROSPECTIVE JUROR 018: Yes.

14 THE COURT: Some witnesses will be testifying via video. It  
15 can you assess their testimony like any other witness who would be here  
16 in person, or will that be distracting to you?

17 PROSPECTIVE JUROR 018: Yes, it will not be a distraction.

18 THE COURT: The presumption of innocence is a core  
19 principle that one is innocent until proven guilty. Do you agree with  
20 that?

21 PROSPECTIVE JUROR 018: Yes.

22 THE COURT: Do you agree that -- you understand that it is  
23 the responsibility of the State to prove this case beyond a reasonable  
24 doubt. Do you agree with that responsibility?

25 PROSPECTIVE JUROR 018: Yes.

1 THE COURT: And do you agree with the understanding the  
2 defendant doesn't have to prove anything, and the defendant has no  
3 responsibility to prove his innocence?

4 PROSPECTIVE JUROR 018: Yes.

5 THE COURT: The defendant has a right not to testify. If he  
6 chooses not to testify, will you hold that against him?

7 PROSPECTIVE JUROR 018: No.

8 THE COURT: Have you or anyone closely associated with  
9 you ever been in a relationship with someone who is a drug user?

10 PROSPECTIVE JUROR 018: Yes.

11 THE COURT: And who is that?

12 PROSPECTIVE JUROR 018: My ex-brother-in-law.

13 THE COURT: Okay. Do you think that there's anything about  
14 that situation that would cause you to believe you couldn't be fair and  
15 impartial in this case?

16 PROSPECTIVE JUROR 018: No.

17 THE COURT: And your ex-brother-in-law was in a  
18 relationship with a drug user?

19 PROSPECTIVE JUROR 018: He was the drug user.

20 THE COURT: Okay. Okay. Do you think that you're too  
21 emotional to sit as a juror in this type of case?

22 PROSPECTIVE JUROR 018: No.

23 THE COURT: You understand that all killings are going to be  
24 considered the same under the law. And at the close of evidence in this  
25 case, I'm going to give you instructions about which crimes you'll be

1 able to consider in your deliberations. Would you be able to consider all  
2 of the crimes based on the instructions that I give to you?

3 PROSPECTIVE JUROR 018: Yes.

4 THE COURT: Thank you very much, ma'am. You can pass  
5 the microphone next to you. Is it Mr. Saleba?

6 PROSPECTIVE JUROR 024: It is, Your Honor. And I just want  
7 to say I have a planned trip leaving Thursday night --

8 THE COURT: Okay.

9 PROSPECTIVE JUROR 024: -- up to Utah.

10 THE COURT: Okay. Were you -- are you flying to Utah?

11 PROSPECTIVE JUROR 024: We're driving.

12 THE COURT: Okay. Did you just remember that you had this  
13 trip?

14 PROSPECTIVE JUROR 024: No. I didn't -- I didn't know that  
15 was part of the early questioning. I thought you were asking different  
16 questions.

17 THE COURT: Oh, no. I was asking if there was any reason  
18 you couldn't serve --

19 PROSPECTIVE JUROR 024: I apologize.

20 THE COURT: Okay. Sir, how long have you lived in Clark  
21 County?

22 PROSPECTIVE JUROR 024: On-and-off for about six years.

23 THE COURT: And where were you before that?

24 PROSPECTIVE JUROR 024: Tennessee and then  
25 Massachusetts.



1 THE COURT: Okay. How far did you go in school?  
2 PROSPECTIVE JUROR 024: Some college.  
3 THE COURT: What did you study?  
4 PROSPECTIVE JUROR 024: Business marketing.  
5 THE COURT: Okay. Are you currently employed?  
6 PROSPECTIVE JUROR 024: I am.  
7 THE COURT: What type of work do you do?  
8 PROSPECTIVE JUROR 024: I'm a director of operations for a  
9 construction company.  
10 THE COURT: Okay. Are you married or in a significant  
11 relationship?  
12 PROSPECTIVE JUROR 024: I am married.  
13 THE COURT: What type of work does your spouse do?  
14 PROSPECTIVE JUROR 024: She's an executive assistant to a  
15 construction company here in Vegas.  
16 THE COURT: Okay. Do you guys have any children?  
17 PROSPECTIVE JUROR 024: We have – I have two with her  
18 and a stepdaughter.  
19 THE COURT: Okay. And how old are the children?  
20 PROSPECTIVE JUROR 024: Twelve, eighteen, and twenty-  
21 six.  
22 THE COURT: Do the 18 and the 26-year-old work?  
23 PROSPECTIVE JUROR 024: They do.  
24 THE COURT: Where do they work?  
25 PROSPECTIVE JUROR 024: My 18-year-old works at Blaze

1 Pizza, and my 26-year-old, she lives in Idaho Falls, and she works for a  
2 marketing company. She does graphic design.

3 THE COURT: Okay. Have you ever been the victim of a  
4 crime?

5 PROSPECTIVE JUROR 024: I have.

6 THE COURT: What were you the victim of?

7 PROSPECTIVE JUROR 024: I was jumped, beat-up in  
8 Boston --

9 THE COURT: Okay.

10 PROSPECTIVE JUROR 024: -- in my early 20s.

11 THE COURT: When did that occur?

12 PROSPECTIVE JUROR 024: It was my 20s -- 20 years ago.

13 THE COURT: Okay. Was someone arrested for that?

14 PROSPECTIVE JUROR 024: Nobody was arrested.

15 THE COURT: But did you report it to the police?

16 PROSPECTIVE JUROR 024: Yes, I did.

17 THE COURT: Okay. Is there anything about that situation  
18 that would cause you to believe you couldn't be fair and impartial in this  
19 case?

20 PROSPECTIVE JUROR 024: No.

21 THE COURT: Have you ever been accused of a crime?

22 PROSPECTIVE JUROR 024: No.

23 THE COURT: Do you have any friends, family members, or  
24 close associates who've been a victim of a crime?

25 PROSPECTIVE JUROR 024: I'm sure I have -- nothing I can

1 think of.

2 THE COURT: Okay. Do you have any friends, family  
3 members, or close associates who have been accused of a crime? No.

4 PROSPECTIVE JUROR 024: No.

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

6 PROSPECTIVE JUROR 024: I have not.

7 THE COURT: Okay. Sir, you understand that the  
8 presumption of innocence is a core principle that one is innocent until  
9 proven guilty. Do you agree with that?

10 PROSPECTIVE JUROR 024: I do.

11 THE COURT: You understand that it is the responsibility of  
12 the State to prove this case beyond a reasonable doubt. Do you agree  
13 with that?

14 PROSPECTIVE JUROR 024: I do.

15 THE COURT: Do you believe that it is the defendant's  
16 responsibility to prove his innocence?

17 PROSPECTIVE JUROR 024: I do not.

18 THE COURT: Do you understand the defendant has a right  
19 not to testify. If he chooses not to testify, will you hold that against him?

20 PROSPECTIVE JUROR 024: I would not.

21 THE COURT: Have you or anyone closely associated with  
22 you ever been in a close relationship with somebody who's a drug user?

23 PROSPECTIVE JUROR 024: Yes.

24 THE COURT: And who was that?

25 PROSPECTIVE JUROR 024: Friends back east.

1 THE COURT: Okay, so you had friends who were in a  
2 relationship with drug users?

3 PROSPECTIVE JUROR 024: I have friends who were drug  
4 users.

5 THE COURT: Okay. And is there anything about the fact that  
6 you had those friends while they were using controlled substances that  
7 would cause you to believe you couldn't be fair and impartial in this  
8 case?

9 PROSPECTIVE JUROR 024: No.

10 THE COURT: Do you think that you may be too emotional to  
11 sit as a juror in this case?

12 PROSPECTIVE JUROR 024: No.

13 THE COURT: Do you understand not all killings are  
14 considered under the same under the law, and at the conclusion of this  
15 case, I'm going to instruct you on the elements of the possible crimes  
16 you can consider in your deliberations. Would you be willing to consider  
17 all of those possible crimes?

18 PROSPECTIVE JUROR 024: Yes.

19 THE COURT: Do you own a firearm?

20 PROSPECTIVE JUROR 024: I do not.

21 THE COURT: Do you believe that people should own  
22 firearms?

23 PROSPECTIVE JUROR 024: Absolutely.

24 THE COURT: Have you or anyone closely associated with  
25 you ever been in a romantic relationship that was volatile and abusive?

1 PROSPECTIVE JUROR 024: Not that I can think of, no.

2 THE COURT: Have you ever had a bad experience in law  
3 enforcement?

4 PROSPECTIVE JUROR 024: My early 20s one time.

5 THE COURT: Okay. Is there anything about that situation  
6 that would affect your ability to be fair and impartial --

7 PROSPECTIVE JUROR 024: No.

8 THE COURT: -- in this case?

9 PROSPECTIVE JUROR 024: No.

10 THE COURT: Is that a no?

11 PROSPECTIVE JUROR 024: No, no, sorry.

12 THE COURT: Okay. If graphic photos are introduced into  
13 evidence, would you be able to assess them for their evidentiary value?

14 PROSPECTIVE JUROR 024: Yes.

15 THE COURT: If someone has taken a controlled substance,  
16 do you believe they can still be the victim of a crime?

17 PROSPECTIVE JUROR 024: Yes.

18 THE COURT: You understand that Court is not like CSI so  
19 there's not necessarily going to be a test for everything, and it won't  
20 necessarily be like what you see on TV?

21 PROSPECTIVE JUROR 024: I understand that.

22 THE COURT: Some witnesses will be testifying via video.  
23 Can you assess their testimony like any other witness who testifies in  
24 person, or would it be distracting to you?

25 PROSPECTIVE JUROR 024: No. Yes, I could.

1 THE COURT: Is there anything with the nature of this case or  
2 anything you've heard here today that would make it difficult for you to  
3 sit as a fair and impartial jury in this case?

4 PROSPECTIVE JUROR 024: No.

5 THE COURT: Can you base your verdict solely on the  
6 evidence presented during this trial and wait to form an opinion until  
7 you've heard all of that evidence?

8 PROSPECTIVE JUROR 024: Yes.

9 THE COURT: Can you be fair to both sides?

10 PROSPECTIVE JUROR 024: Yes.

11 THE COURT: Okay. Thank you very much, sir. If you could  
12 pass the microphone next to you. Mr. Garza?

13 PROSPECTIVE JUROR 025: Yes. Yes, Your Honor.

14 THE COURT: Sir, how long have you lived in Clark County?

15 PROSPECTIVE JUROR 025: Since 2007.

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

17 PROSPECTIVE JUROR 025: High school graduate.

18 THE COURT: Are you currently employed?

19 PROSPECTIVE JUROR 025: Yes.

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

21 PROSPECTIVE JUROR 025: I work as a server in a restaurant.

22 THE COURT: Okay. Are you married or in a significant  
23 relationship?

24 PROSPECTIVE JUROR 025: No.

25 THE COURT: Do you have any children?

1 PROSPECTIVE JUROR 025: No.

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

3 PROSPECTIVE JUROR 025: No, Your Honor.

4 THE COURT: Have you ever been accused of a crime?

5 PROSPECTIVE JUROR 025: No.

6 THE COURT: Do you have any friends, family members, or

7 close associates who've been a victim of a crime?

8 PROSPECTIVE JUROR 025: Yes.

9 THE COURT: Who is that?

10 PROSPECTIVE JUROR 025: Close friends, DUIs.

11 THE COURT: So they've been accused of DUIs or victims of

12 DUI?

13 PROSPECTIVE JUROR 025: Accused of DUIs.

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

15 PROSPECTIVE JUROR 025: Yes.

16 THE COURT: And were they prosecuted for those DUIs?

17 PROSPECTIVE JUROR 025: Yes.

18 THE COURT: And did you follow their cases through the

19 system?

20 PROSPECTIVE JUROR 025: Yes.

21 THE COURT: You did? Is there anything about the

22 circumstances of what they went through with those DUIs cases that

23 would cause you to believe you couldn't be fair and impartial in this

24 case?

25 PROSPECTIVE JUROR 025: No.

1 THE COURT: Do you have any friends, family members, or  
2 close associates who've been victims of a crime?

3 PROSPECTIVE JUROR 025: No.

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

5 PROSPECTIVE JUROR 025: No.

6 THE COURT: Do you own a firearm?

7 PROSPECTIVE JUROR 025: No, Your Honor.

8 THE COURT: Do you believe that people should be allowed  
9 to own firearms?

10 PROSPECTIVE JUROR 025: Yes.

11 THE COURT: Have you or anyone closely associated with  
12 you ever been in a romantic relationship that was volatile and abusive?

13 PROSPECTIVE JUROR 025: No.

14 THE COURT: Have you ever had a bad experience with law  
15 enforcement?

16 PROSPECTIVE JUROR 025: No.

17 THE COURT: If graphic photos are introduced into evidence,  
18 will you be able to assess them for their evidentiary value?

19 PROSPECTIVE JUROR 025: Biological evidence of blood  
20 probably be sensitive to me, but other than that, no.

21 THE COURT: Okay. Well, if you saw some photos that would  
22 include blood because, I mean, there was --

23 PROSPECTIVE JUROR 025: Yes.

24 THE COURT: -- a shooting this case --

25 PROSPECTIVE JUROR 025: Yes, Your Honor.



1 THE COURT: -- so there are going to be photos that do  
2 include blood. Is that something that you would be able to look at and  
3 assess for its evidentiary value?

4 PROSPECTIVE JUROR 025: Probably not to the highest  
5 quality, Your Honor.

6 THE COURT: Okay, and why do you say that?

7 PROSPECTIVE JUROR 025: Because I feel like I would  
8 personally be sensitive to the evidence provided in this case because it is  
9 a murder case.

10 THE COURT: Yeah. Okay. If somebody's taking a controlled  
11 substance, do you believe they could still be a victim?

12 PROSPECTIVE JUROR 025: Yes.

13 THE COURT: You understand that court is not like CSI, so  
14 there's not going to be a test for everything, and you may not necessarily  
15 see everything you see on TV?

16 PROSPECTIVE JUROR 025: Yes.

17 THE COURT: Do you understand some witnesses may be  
18 testifying via video. Would you be able to assess the testimony of these  
19 witnesses like any other witnesses testifying in person --

20 PROSPECTIVE JUROR 025: Yes.

21 THE COURT: -- or would that be distracting for you?

22 PROSPECTIVE JUROR 025: No distraction.

23 THE COURT: The presumption of innocence is a core  
24 principle that one is innocent until proven guilty. Do you agree with that  
25 principle?

1 PROSPECTIVE JUROR 025: Yes.

2 THE COURT: Do you understand that it is the responsibility  
3 of the State to prove this case beyond a reasonable doubt and because  
4 they are the person that's accusing someone of a crime; do you agree  
5 with that?

6 PROSPECTIVE JUROR 025: Yes.

7 THE COURT: Do you understand the defendant has no  
8 responsibility to prove anything, so he does not have to prove his  
9 innocence?

10 PROSPECTIVE JUROR 025: Yes, Your Honor.

11 THE COURT: Do you agree with that?

12 PROSPECTIVE JUROR 025: Yes.

13 THE COURT: The defendant has a right not to testify. If the  
14 defendant chooses not to testify, will you hold that against him?

15 PROSPECTIVE JUROR 025: No.

16 THE COURT: Have you or anyone closely associated with  
17 you ever been in a close relationship with someone was a drug user?

18 PROSPECTIVE JUROR 025: Yes.

19 THE COURT: And who was that?

20 PROSPECTIVE JUROR 025: I person -- I am personally close  
21 with drug users as family members.

22 THE COURT: Okay. And is there anything about the  
23 situations that you've seen involving these individuals that will cause  
24 you to believe you couldn't be fair and impartial in this case?

25 PROSPECTIVE JUROR 025: No.

1 THE COURT: Do you believe that you may be too emotional  
2 to sit as a juror on this type of case?

3 PROSPECTIVE JUROR 025: No.

4 THE COURT: You understand that not all killings are the  
5 same under the law. So at the conclusion of this case I'm going to  
6 instruct you on the elements of the possible crimes that you can consider  
7 in your deliberations. Would you be willing to consider all the crimes I  
8 instruct you on?

9 PROSPECTIVE JUROR 025: Yes, Your Honor.

10 THE COURT: Okay. Sir, is there anything about the nature of  
11 this case or anything you've heard here today that would make it difficult  
12 for you to be a fair and impartial juror in this case?

13 PROSPECTIVE JUROR 025: No, Your Honor.

14 THE COURT: Can you base your verdict solely on evidence  
15 presented at trial and wait to form an opinion until you've heard all of  
16 that evidence?

17 PROSPECTIVE JUROR 025: Yes.

18 THE COURT: Can you be fair to both sides?

19 PROSPECTIVE JUROR 025: Yes.

20 THE COURT: Okay. Thank you very much, sir. You can pass  
21 the microphone next to you. How do you pronounce your name?

22 PROSPECTIVE JUROR 034: It's Staffieri.

23 THE COURT: Staffieri. Sir how long have --

24 UNIDENTIFIED SPEAKER: Your Honor, can we approach?

25 THE COURT: Yes.

1 [Sidebar at 10:34 a.m., ending at 10:35 a.m., not transcribed]  
2 THE COURT: Okay. Mr. Staffieri?  
3 PROSPECTIVE JUROR 034: Yes, ma'am.  
4 THE COURT: How long have you lived in Clark County, sir?  
5 PROSPECTIVE JUROR 034: Since 1981.  
6 THE COURT: Okay. And how far did you go in school?  
7 PROSPECTIVE JUROR 034: High school.  
8 THE COURT: Okay and --  
9 PROSPECTIVE JUROR 034: Graduated.  
10 THE COURT: -- are you currently employed?  
11 PROSPECTIVE JUROR 034: Yes, ma'am.  
12 THE COURT: What type of work do you do?  
13 PROSPECTIVE JUROR 034: I work office services at Bellagio.  
14 THE COURT: Okay. Are you married or in a significant  
15 relationship?  
16 PROSPECTIVE JUROR 034: Yes, I married, and I do have a  
17 stepdaughter.  
18 THE COURT: Okay. And what type of work does your  
19 spouse do?  
20 PROSPECTIVE JUROR 034: She deals at Bellagio.  
21 THE COURT: Okay. And how old is your stepdaughter?  
22 PROSPECTIVE JUROR 034: She is 30.  
23 THE COURT: And what type of work does she do?  
24 PROSPECTIVE JUROR 034: She is a stay-at-home mom.  
25 THE COURT: Okay. Sir, have you ever been the victim of a

1 crime?

2 PROSPECTIVE JUROR 034: No, ma'am.

3 THE COURT: Have you ever been accused of a crime?

4 PROSPECTIVE JUROR 034: No, ma'am.

5 THE COURT: Do you have any friends, family members, or  
6 close associates who've been a victim of a crime?

7 PROSPECTIVE JUROR 034: No.

8 THE COURT: Any friends, family members, or close  
9 associates that have been accused of a crime?

10 PROSPECTIVE JUROR 034: No, ma'am.

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

12 PROSPECTIVE JUROR 034: No.

13 THE COURT: Sir, you understand the presumption of  
14 innocence is a core principle that one is innocent until proven guilty. Do  
15 you agree with that?

16 PROSPECTIVE JUROR 034: Yes, ma'am.

17 THE COURT: It is the responsibility of the State to prove this  
18 case beyond a reasonable doubt. Do you agree with the principle?

19 PROSPECTIVE JUROR 034: Yes.

20 THE COURT: Do you agree with the principle that the  
21 defendant has a responsibility to prove this innocence?

22 PROSPECTIVE JUROR 034: Yes, ma'am.

23 THE COURT: The defendant has the right not to testify. If he  
24 chooses not to testify, will you hold that against him?

25 PROSPECTIVE JUROR 034: No.

1 THE COURT: Have you or anyone closely associated with  
2 you ever been in a relationship with someone who is a drug user?

3 PROSPECTIVE JUROR 034: No, ma'am.

4 THE COURT: Do you think that you may be too emotional to  
5 sit as a juror in this case?

6 PROSPECTIVE JUROR 034: No, ma'am.

7 THE COURT: Do you understand that not all killings are  
8 considered the same under the law? At the conclusion of this case, I will  
9 instruct you on elements of possible crimes you can consider in your  
10 deliberations. Would you be willing to consider all those possible  
11 crimes?

12 PROSPECTIVE JUROR 034: Yes, ma'am.

13 THE COURT: Sir, do you own a firearm?

14 PROSPECTIVE JUROR 034: Yes, ma'am.

15 THE COURT: What is your experience level?

16 PROSPECTIVE JUROR 034: Intermediate.

17 THE COURT: And do you believe that people should be  
18 allowed to own firearms?

19 PROSPECTIVE JUROR 034: Absolutely.

20 THE COURT: Have you or anyone closely associated with  
21 you ever been in a relationship that was volatile and abusive?

22 PROSPECTIVE JUROR 034: No, ma'am.

23 THE COURT: Have you ever had a bad experience with law  
24 enforcement?

25 PROSPECTIVE JUROR 034: No, ma'am.

1 THE COURT: If graphic photos are introduced into evidence,  
2 will you be able to assess them for their evidentiary value?

3 PROSPECTIVE JUROR 034: You know, to be honest, I'm not  
4 sure. I --

5 THE COURT: Okay.

6 PROSPECTIVE JUROR 034: -- I'm not sure.

7 THE COURT: Okay, and why do you say that?

8 PROSPECTIVE JUROR 034: I don't -- I don't -- I've got a weak  
9 stomach when it comes to graphic things.

10 THE COURT: Okay. Okay. And if someone is taking a  
11 controlled substance, do you believe that they can still be a victim?

12 PROSPECTIVE JUROR 034: Yes.

13 THE COURT: And sir, you understand that Court is not  
14 necessarily going to be like an episode of CSI. There's not a test that can  
15 be determined for everything. You can't go back and pull back  
16 somebody's eyelids and see what was the last thing they saw. We can't  
17 do any of that. Do you understand that?

18 PROSPECTIVE JUROR 034: I understand that.

19 THE COURT: Okay. Some witnesses may be testifying via  
20 video. Can you assess that testimony like any other witness who  
21 testifies a person, or would that be distracting to you?

22 PROSPECTIVE JUROR 034: No, it would be fine.

23 THE COURT: Okay. Sir, is there anything about the nature of  
24 this case or anything you've heard here today that would make it difficult  
25 for you to sit as a fair and impartial juror in this case?

1 PROSPECTIVE JUROR 034: No, I think I'd be okay.

2 THE COURT: Can you base your verdict solely on the  
3 evidence presented at trial and wait to form an opinion until you've  
4 heard all of the evidence?

5 PROSPECTIVE JUROR 034: Yeah. To hear it all, yes.

6 THE COURT: Can you be fair to both sides?

7 PROSPECTIVE JUROR 034: Yes, ma'am.

8 THE COURT: Okay. If you can pass the microphone. Is it --  
9 hold on, just -- I've got to turn the page -- Ms. Sakurai?

10 PROSPECTIVE JUROR 216: Yes.

11 THE COURT: Okay, Ms. Sakurai. Ma'am, how long have you  
12 lived in Clark County?

13 PROSPECTIVE JUROR 216: Twenty-six years.

14 THE COURT: Twenty-six years?

15 PROSPECTIVE JUROR 216: Uh-huh.

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

17 PROSPECTIVE JUROR 216: Business college.

18 THE COURT: Okay. Are you currently employed?

19 PROSPECTIVE JUROR 216: I work part-time at Las Vegas  
20 Jerky at the Plaza. It's a shop -- it's a jerky shop.

21 THE COURT: Okay.

22 UNIDENTIFIED SPEAKER: I'm sorry, Your Honor. Can you  
23 ask the juror to repeat that?

24 THE COURT: Okay.

25 UNIDENTIFIED SPEAKER: I couldn't hear it.



1 THE COURT: Ma'am, could you repeat that for us  
2 PROSPECTIVE JUROR 216: I work part-time at Las Vegas  
3 Jerky. It's a small shop at the Plaza Hotel.  
4 UNIDENTIFIED SPEAKER: Thank you.  
5 PROSPECTIVE JUROR 216: It's a customer service.  
6 THE COURT: Okay. Are you married or in a significant  
7 relationship?  
8 PROSPECTIVE JUROR 216: I'm married.  
9 THE COURT: What type of work does your spouse do?  
10 PROSPECTIVE JUROR 216: My husband is disabled --  
11 THE COURT: Okay.  
12 PROSPECTIVE JUROR 216: So that's why I work part-time,  
13 and I take care of him part-time.  
14 THE COURT: Okay. Do you guys have any children?  
15 PROSPECTIVE JUROR 216: I have a daughter  
16 THE COURT: How old is she?  
17 PROSPECTIVE JUROR 216: 26 years old.  
18 THE COURT: How old is she?  
19 PROSPECTIVE JUROR 216: Twenty-six.  
20 THE COURT: Okay. What type of work does she do?  
21 PROSPECTIVE JUROR 216: She works in marketing at  
22 Redbox.  
23 THE COURT: Okay. Have you ever been the victim of a  
24 crime?  
25 PROSPECTIVE JUROR 216: No.

1 THE COURT: Have you ever been accused of a crime?

2 PROSPECTIVE JUROR 216: No.

3 THE COURT: Do you have any friends, family members, or  
4 close associates who've been the victim of crime?

5 PROSPECTIVE JUROR 216: No.

6 THE COURT: Any friends, family members, or close  
7 associates who've been accused of a crime?

8 PROSPECTIVE JUROR 216: No.

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

10 PROSPECTIVE JUROR 216: No.

11 THE COURT: Do you own a firearm?

12 PROSPECTIVE JUROR 216: No.

13 THE COURT: Do you believe that people should own -- be  
14 allowed to own firearms?

15 PROSPECTIVE JUROR 216: Yes.

16 THE COURT: Have you or anyone closely associated with  
17 you ever been in a romantic relationship that was volatile and abusive?

18 PROSPECTIVE JUROR 216: No.

19 THE COURT: Have you ever had a bad experience with law  
20 enforcement?

21 PROSPECTIVE JUROR 216: No.

22 THE COURT: If graphic photos are introduced into evidence,  
23 will you be able to assess them for their evidentiary value?

24 PROSPECTIVE JUROR 216: Yes.

25 THE COURT: If someone has taken a controlled substance,

1 do you believe they can still be the victim of a crime?

2 PROSPECTIVE JUROR 216: Yes.

3 THE COURT: Do you understand that Court is not like CSI --  
4 there's not necessarily going to be a test for everything?

5 PROSPECTIVE JUROR 216: Yes.

6 THE COURT: Okay. So you understand that the questions  
7 will be asked as to what is possible, and then we're limited as to what we  
8 have here, not necessarily everything that they can do on CSI, The First  
9 48, and all those shows?

10 PROSPECTIVE JUROR 216: Yeah.

11 THE COURT: Okay. Do you understand that some witnesses  
12 will be testifying via video? Can you assess their testimony like any  
13 other witness who testifies in person, or would this be distracting to  
14 you?

15 PROSPECTIVE JUROR 216: It won't be distracting to me.

16 THE COURT: Okay. The presumption of innocence is a core  
17 principle that one is innocent until proven guilty. Do you agree with  
18 that?

19 PROSPECTIVE JUROR 216: Yeah.

20 THE COURT: It is the responsibility of the State to prove the  
21 case beyond a reasonable doubt because they are the one who is  
22 charging someone with a crime. Do you agree with that?

23 PROSPECTIVE JUROR 216: Yeah.

24 THE COURT: You understand that the defendant doesn't  
25 have the responsibility to prove his innocence. Do you understand that?

1 PROSPECTIVE JUROR 216: Yes.

2 THE COURT: You understand the defendant has the right not  
3 to testify, and if he chooses not to testify, will you hold that against him?

4 PROSPECTIVE JUROR 216: No.

5 THE COURT: Have you or anyone closely associated with  
6 you ever been in a close relationship with someone who is a drug user?

7 PROSPECTIVE JUROR 216: No.

8 THE COURT: Do you think that you're too emotional to sit as  
9 a juror in this particular case?

10 PROSPECTIVE JUROR 216: No.

11 THE COURT: You understand that not all killings are  
12 considered the same under the law. So at the conclusion of this case, I  
13 will instruct you as to the elements of the possible crimes you can  
14 consider in your deliberations. Would you be able to consider all of  
15 those possible crimes?

16 PROSPECTIVE JUROR 216: Yes.

17 THE COURT: I'm sorry?

18 PROSPECTIVE JUROR 216: Yeah.

19 THE COURT: Ma'am, is there anything about the nature of  
20 this case or anything you've heard here today that would make it difficult  
21 for you to sit as a fair and impartial juror in this case?

22 PROSPECTIVE JUROR 216: No.

23 THE COURT: Can you base your verdict solely on the  
24 evidence presented at trial and wait to form an opinion until you've  
25 heard all of the evidence?

1 PROSPECTIVE JUROR 216: Yeah.  
2 THE COURT: Can you be fair to both sides?  
3 PROSPECTIVE JUROR 216: Yeah.  
4 THE COURT: Okay. Thank you very much. If you can pass  
5 the microphone next to you. Ms. Martinez?  
6 PROSPECTIVE JUROR 052: Yes.  
7 THE COURT: Ma'am, how long have you lived in Clark  
8 County?  
9 PROSPECTIVE JUROR 052: Born and raised.  
10 THE COURT: I'm sorry?  
11 PROSPECTIVE JUROR 052: Born and raised.  
12 THE COURT: Okay, and I know it's improper to ask a lady her  
13 age.  
14 PROSPECTIVE JUROR 052: Twenty --  
15 THE COURT: How far did you go in school?  
16 PROSPECTIVE JUROR 052: College.  
17 THE COURT: And what did you study?  
18 PROSPECTIVE JUROR 052: Psychology.  
19 THE COURT: Okay. Are you currently employed?  
20 PROSPECTIVE JUROR 052: Yes.  
21 THE COURT: What type of work are you currently doing?  
22 PROSPECTIVE JUROR 052: I work at the bank.  
23 THE COURT: Okay. Are you married or in a significant  
24 relationship?  
25 PROSPECTIVE JUROR 052: Married.

1 THE COURT: What type of work does your spouse do?  
2 PROSPECTIVE JUROR 052: He works at a warehouse?  
3 THE COURT: Do you guys have any children?  
4 PROSPECTIVE JUROR 052: No.  
5 THE COURT: Have you ever been the victim of a crime?  
6 PROSPECTIVE JUROR 052: Yes.  
7 THE COURT: What were you the victim of?  
8 PROSPECTIVE JUROR 052: Domestic violence.  
9 THE COURT: Okay, and when was that?  
10 PROSPECTIVE JUROR 052: Three years ago.  
11 THE COURT: And that was here in Las Vegas?  
12 PROSPECTIVE JUROR 052: Yes.  
13 THE COURT: Did you report that to the police?  
14 PROSPECTIVE JUROR 052: Yes.  
15 THE COURT: Was someone arrested for that?  
16 PROSPECTIVE JUROR 052: No.  
17 THE COURT: Is there anything about that situation that  
18 would cause you to believe you couldn't be fair and impartial in this  
19 case?  
20 PROSPECTIVE JUROR 052: No.  
21 THE COURT: Have you ever been accused of a crime?  
22 PROSPECTIVE JUROR 052: No.  
23 THE COURT: Do you have any friends, family members, or  
24 close associates who've been the victim of a crime?  
25 PROSPECTIVE JUROR 052: Not that I can think of right now.

1 THE COURT: Any friends, family members, or close  
2 associates who've been accused of a crime?

3 PROSPECTIVE JUROR 052: Yeah, friends.

4 THE COURT: Okay, and what were they accused of?

5 PROSPECTIVE JUROR 052: I believe he was accused of -- I  
6 want to say being an accessory to a murder.

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

8 PROSPECTIVE JUROR 052: Yes.

9 THE COURT: Was he arrested for that?

10 PROSPECTIVE JUROR 052: Yes.

11 THE COURT: Did you follow this case to the court system?

12 PROSPECTIVE JUROR 052: No.

13 THE COURT: You did not?

14 PROSPECTIVE JUROR 052: No.

15 THE COURT: Is there anything about that situation that  
16 would cause you to believe you couldn't be fair and impartial in this  
17 case?

18 PROSPECTIVE JUROR 052: No.

19 THE COURT: Have you ever sat as a juror before?

20 PROSPECTIVE JUROR 052: No.

21 THE COURT: Do you own a firearm?

22 PROSPECTIVE JUROR 052: No.

23 THE COURT: Do you believe people should be allowed to  
24 own firearms?

25 PROSPECTIVE JUROR 052: Yes.

1 THE COURT: Have you or anyone closely associated with  
2 you ever been in a romantic relationship that was volatile and abusive?

3 PROSPECTIVE JUROR 052: Yes.

4 THE COURT: And besides yourself, is there someone else?

5 PROSPECTIVE JUROR 052: Yeah, sister.

6 THE COURT: Okay. And did you go through that experience  
7 with her?

8 PROSPECTIVE JUROR 052: Yeah.

9 THE COURT: Is there anything about that experience that  
10 would cause you to believe you couldn't be fair and impartial in this  
11 case?

12 PROSPECTIVE JUROR 052: No.

13 THE COURT: Okay. Have you ever had a bad experience  
14 with law enforcement?

15 PROSPECTIVE JUROR 052: No.

16 THE COURT: If graphic photos are introduced into evidence,  
17 will you be able to assess them for their evidentiary value?

18 PROSPECTIVE JUROR 052: Yes.

19 THE COURT: If someone is taking a controlled substance, do  
20 you believe they can still be the victim of a crime?

21 PROSPECTIVE JUROR 052: No.

22 THE COURT: You don't believe they could be a victim of a  
23 crime?

24 PROSPECTIVE JUROR 052: No.

25 THE COURT: Okay. Do you understand that Court is not like



1 CSI?

2 PROSPECTIVE JUROR 052: Yes.

3 THE COURT: Okay. Do you understand that some witnesses  
4 will be testifying via video? Would you give their testimony the same  
5 credibility as you would give everybody else, or would that be distracting  
6 to you?

7 PROSPECTIVE JUROR 052: No, I would still be able to.

8 THE COURT: You understand the presumption of innocence  
9 is a core principle that one is innocent until they are proven guilty. Do  
10 you agree with that?

11 PROSPECTIVE JUROR 052: Yes.

12 THE COURT: Do you understand it's the responsibility of the  
13 State to prove this case beyond a reasonable doubt because they are the  
14 ones doing the accusing. Do you agree with that?

15 PROSPECTIVE JUROR 052: Yes.

16 THE COURT: Do you agree with the principal the defendant  
17 has no responsibility to prove his innocence?

18 PROSPECTIVE JUROR 052: Yeah.

19 THE COURT: The defendant has a right not to testify. If he  
20 chooses not to testify, will you hold that against him?

21 PROSPECTIVE JUROR 052: No.

22 THE COURT: Have you ever been in a close relationship with  
23 someone who is a drug user?

24 PROSPECTIVE JUROR 052: No.

25 THE COURT: Do you have any friends, family members, or

1 close associates who have?

2 PROSPECTIVE JUROR 052: Probably friends of family.

3 THE COURT: Okay. Did you go through that situation with  
4 them?

5 PROSPECTIVE JUROR 052: No.

6 THE COURT: Okay. Is there anything about possibly  
7 knowing they were in a relationship with someone who is a drug user  
8 that would cause you to believe you couldn't be fair and impartial in this  
9 case?

10 PROSPECTIVE JUROR 052: No.

11 THE COURT: Do you think that you may be too emotional to  
12 sit as a juror in this case?

13 PROSPECTIVE JUROR 052: No.

14 THE COURT: Not all killings are the same under the law. So  
15 at the conclusion of this case, I'm going to instruct you as to the  
16 elements of the possible crimes you can consider in your deliberations.  
17 Would you be able to consider all of the possible crimes?

18 PROSPECTIVE JUROR 052: Yes.

19 THE COURT: I'm sorry, ma'am. Is there anything about the  
20 nature of this case or anything you've heard here today that would make  
21 it difficult for you to sit as a fair and impartial juror in this case?

22 PROSPECTIVE JUROR 052: No.

23 UNIDENTIFIED SPEAKER: Your Honor, can we approach for  
24 one second?

25 THE COURT: Yes.

1 [Sidebar at 10:46 a.m., ending at 10:46 a.m., not transcribed]

2 THE COURT: Okay. Just one second. Okay ma'am, I just  
3 have a couple more questions and then we are going to take a recess.  
4 Okay. Can you base your verdict solely on the evidence presented at  
5 trial and wait to form an opinion until you've heard all of the evidence?

6 PROSPECTIVE JUROR 052: Yes.

7 THE COURT: And ma'am, can you be fair to both sides?

8 PROSPECTIVE JUROR 052: Yes.

9 THE COURT: All right. Thank you very much. We are going  
10 to -- okay. We are going to take a brief recess.

11 During this recess, you must not discuss or communicate  
12 with anyone, including fellow jurors and anyone regarding the case or its  
13 merits, either by voice, phone, email, text, Internet or other means of  
14 communication or social media. You must not read, watch or listen to  
15 any news or media accounts or commentary about this case.

16 You must not do any research such as consulting  
17 dictionaries, using the Internet or using reference materials. You must  
18 not make any investigations as to the theory of the case, recreate any  
19 aspect of the case or in any other way investigate or learn about the case  
20 on your own, and you must form or express any opinion regarding this  
21 case until it's submitted to you.

22 Ladies and gentlemen, it is 10:50. We will be in recess until  
23 11:10.

24 THE MARSHAL: All rise.

25 [Recess taken from 10:47 a.m. to 10:48 a.m.]

1 [Outside the presence of the prospective jurors]

2 THE COURT: Okay. May the record reflect we are outside  
3 the presence of our jury. We did have a couple of challenges, so we will  
4 start. The Defense made a challenge on Badge number 008 Ms. Jaeger.  
5 Defense?

6 MR. BASHOR: Judge, it's just I don't think this is the right  
7 case for her, given some of her life experiences. She used the phrase  
8 "she would tend to side with the victim." She's been in an abusive  
9 relationship. She suffers from anxiety. While a lot of the evidence in this  
10 case is going to be undisputed, it is quite graphic and for those reasons  
11 that she -- and she also said that she may not be emotionally capable  
12 and gave the quotes "I'll try." I'm just, I'm not confident that she would  
13 be fair and impartial in this case.

14 THE COURT: State?

15 MS. WECKERLY: Yeah. I mean I have -- I actually wrote the  
16 language "to try." I got the sense that this isn't probably the right case  
17 for her.

18 THE COURT: All right. I'm going to grant the defense's  
19 excusal of her and we're going to excuse her. Defense also had a  
20 challenge regarding Badge number 025, Mr. Garza.

21 MR. BASHOR: And, Judge, again, in this particular case  
22 there's quite a bit of blood. He's blood sensitive. There is factual  
23 disputes as to where shots were made, where they landed and that sort  
24 of thing. I don't think there's a photo that we admit, admitted the last  
25 trial. There might be a few that didn't have blood in it somewhere.

1 Again, I just don't believe it's the appropriate case for somebody in his  
2 position.

3 THE COURT: State?

4 MS. WECKERLY: The State has no objection, Your Honor, to  
5 him.

6 THE COURT: Okay. So he'll be excused, and State, you had  
7 an objection to Badge number 052, Ms. Martinez.

8 MS. WECKERLY: Yes, Your Honor. I think she's -- in some  
9 ways her background is similar to 008, Ms. Yaeger. There was domestic  
10 violence kind of not only with her personally, which we noted with Ms.  
11 Yaeger, but also with her sister. But the thing that struck the State was  
12 that she, at least I heard it twice, said that you could not be the victim of  
13 a crime, or she couldn't consider someone the victim of a crime if they  
14 had used a controlled substance.

15 I thought the Court did ask a clarification question, and she  
16 still stuck to that answer, and, you know, of course, that's not an  
17 appropriate -- or well under the law, that isn't consistent with that. And  
18 so for that reason the State questions her ability to be fair and impartial.

19 MR. BASHOR: We'll submit it, Judge.

20 THE COURT: Okay. I'll excuse her as well. And while I have  
21 you guys here and we are outside the presence of the jury, we have  
22 Badge number 024 who forgot, I guess, that he had the planned trip to  
23 Utah, but now he remembers that he does. What is everybody's position  
24 regarding him?

25 MS. WECKERLY: I'll submit it to the Court. I mean he, you

1 know, like the rest of the answers he gave okay answers, so I don't feel  
2 like he necessarily made it up. Obviously the Court did cover that at the  
3 very beginning but --

4 THE COURT: And I always, I mean I always question myself,  
5 because I literally the last two jury trials, I've literally had the jurors say  
6 after, so I thought we weren't coming back for two weeks to start the  
7 trial. So people started telling me they had plans in three weeks when I  
8 said the trial was going to go a week.

9 So it's just like I just -- and you know, we've all been doing  
10 this for a substantial period of time, everyone in this room and still, you  
11 know, you could do this case all over again tomorrow and get  
12 completely different responses. So I just never know if it's me, I never  
13 know if it's them but I -- Mr. Bashor, anything you want to add? Because  
14 I do agree with the State that he answered all of the other questions  
15 properly, so I don't know if just maybe he didn't understand if you have a  
16 hardship. I'm actually thinking about adding the question about do you  
17 have travel plans. But I don't want to open Pandora's Box because I  
18 drive to Southern California. I would drive to Utah, so we don't even  
19 have proof. Whereas if people are flying, I make them show their plane  
20 tickets to the Marshal. So I don't want to open that box but --

21 MR. BASHOR: Judge, yeah, I agree. His behavior didn't  
22 exhibit that he was going out of his way to get out of jury service. But I  
23 don't want him being frustrated if you were to have to cancel a trip or  
24 something like that so --

25 THE COURT: No, I agree. So what I'm going to do, and

1 there's always a method to my madness, and I never want to send the  
2 message this is what it takes to get out of jury duty. So what we are  
3 going to do just for scheduling purposes, everybody we agree to is going  
4 to be excused, but when we bring them back, I'm going to question them  
5 until about closer to 12:00 or 11:50, 12:00, and then right before we let  
6 them go I will let these jurors go, because I just don't want to say --

7 MR. BASHOR: Okay.

8 THE COURT: -- hey, this is what you need to say to get out of  
9 jury selection.

10 MR. BASHOR: I understand.

11 THE COURT: Okay. And in regard, one other thing I want to  
12 do while we're outside the presence, Mr. Shaygan, when you introduced  
13 yourself to the jury right before Ms. Weckerly objected, you discussed  
14 the fact that it's not in dispute that Mr. Newson had shot the victim in  
15 this case. Is that something that you guys had discussed? I know that  
16 the, what is it, the Hernandez case has technically been overruled so I do  
17 not have to question Mr. Newson about that. However, I do always like  
18 to make a record if there is going to be a concession.

19 MR. SHAYGAN-FATEMI: Yes, Your Honor. We are  
20 conceding to that.

21 THE COURT: Okay. So Mr. Newson, you discussed with  
22 your lawyers?

23 THE DEFENDANT: No, we did not or say that, what he said.  
24 We did not discuss that.

25 THE COURT: Okay. So is part of your --

1 THE DEFENDANT: I'm not comfortable with that being said  
2 to the jury, amongst picking them, that what my attorney said. We  
3 haven't discussed that.

4 THE COURT: Okay. Now are you guys going to argue that  
5 you didn't shoot her?

6 THE DEFENDANT: No, that's not the argument.

7 THE COURT: Okay. So that's not going to be the argument  
8 in closing?

9 THE DEFENDANT: That's not the argument.

10 THE COURT: And you understand that to not be the  
11 argument that you guys are going to argue?

12 THE DEFENDANT: Yeah.

13 THE COURT: Okay. I'm not going to ask anyone from the  
14 Defense team or you to divulge what your defense strategy is going to  
15 be, because you guys don't have to do that. But it is your understanding  
16 as we sit here today, neither of these people -- Mr. Shaygan or Mr.  
17 Bashor is not going to make the argument you are not the person who  
18 shot her?

19 THE DEFENDANT: Yeah.

20 THE COURT: Okay, okay. But so what you're saying is you  
21 just didn't know it was going to be said that early on in the trial?

22 THE DEFENDANT: Yes.

23 THE COURT: Is that what you're saying?

24 THE DEFENDANT: Yes.

25 THE COURT: Okay. I don't want to misquote you, but I just



1 wanted to make sure. Okay. But that is something that you guys -- and I  
2 did not review all of the transcripts of this case, because I did not want to  
3 be exposed to everything that had already been introduced into  
4 evidence. I wanted this to be a fresh trial, we can all start out fresh. So I  
5 don't know what the defense was at the last trial. I know the reason why  
6 this case is back from the Supreme Court, because I did read the remand  
7 order.

8 But and I'm not going to ask you guys right now. But I just  
9 wanted to make sure that you understood that's not going to be your  
10 argument, but you just did not know it was going to be said that early  
11 on. Is that fair?

12 THE DEFENDANT: Yes ma'am.

13 THE COURT: Okay. Anything else you guys want to add to  
14 that record?

15 MS. WECKERLY: No. I mean I assume Mr. Newson's in  
16 agreement with that, and the only reason why I raised that, Your Honor,  
17 is I cannot remember the case, but we just argued this issue,  
18 notwithstanding the fact that Hernandez was over --

19 THE COURT: Was overruled? Yeah.

20 MS. WECKERLY: --overruled like within the last month.

21 THE COURT: Okay.

22 MS. WECKERLY: So I assume he's in agreement with that  
23 strategy.

24 THE COURT: So that's why I clarified, and you all are in  
25 agreement with the trial strategy you guys are going with, which is that

1 you're not going to argue that you didn't shoot her. You're going to  
2 make a different argument for your defense?

3 THE DEFENDANT: Yes, yes.

4 THE COURT: And you guys have discussed that, and you  
5 agreed to that?

6 THE DEFENDANT: Yes ma'am.

7 THE COURT: Okay.

8 MS. WECKERLY: Thank you, Your Honor.

9 THE COURT: All right. Anything else we need to do while  
10 we're outside the presence of the jury?

11 MR. BASHOR: No, Your Honor.

12 MS. WECKERLY: No.

13 THE COURT: Okay. So you guys will have the rest of the  
14 time if you guys want to use the restroom or whatever.

15 [Recess taken from 10:56 a.m. to 11:14 a.m.]

16 THE MARSHAL: All rise for the jury.

17 [Prospective jurors in at 11:15 a.m.]

18 THE MARSHAL: Panel member 10, Ms. Von Tolen, she had  
19 advised me outside that she has not been interested in any proceedings.

20 THE COURT: Oh okay. Well I'm not [indiscernible].

21 THE MARSHAL: All present and accounted for, Your Honor.

22 THE COURT: Okay. You may all be seated. We are back on  
23 the record in C-313919, State of Nevada v. Vernon Newson, Jr. May the  
24 record reflect the Defendant is present with his lawyers, Deputy District  
25 Attorneys on behalf of the State. Do both parties stipulate to the

1 presence of our jury panel?

2 MS. WECKERLY: Yes, Your Honor.

3 MR. BASHOR: Yes, Your Honor.

4 THE COURT: Okay, and if we could pass the microphone to  
5 Badge No. 063, Juror No. 10, Ms. Tolen.

6 PROSPECTIVE JUROR 063: Yes.

7 THE COURT: Okay. Ma'am, how long have you lived in Clark  
8 County?

9 PROSPECTIVE JUROR 063: I'm living for 36.

10 THE COURT: 36 years?

11 PROSPECTIVE JUROR 063: Yeah.

12 THE COURT: Okay. How far did you go in school?

13 PROSPECTIVE JUROR 063: I went to school in my country.

14 THE COURT: Okay, where is that?

15 PROSPECTIVE JUROR 063: In Korea.

16 THE COURT: Okay. How far did you go in school in Korea?

17 PROSPECTIVE JUROR 063: Junior high school.

18 THE COURT: Okay. Do you work?

19 PROSPECTIVE JUROR 063: Yes.

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

21 PROSPECTIVE JUROR 063: I'm working casino dealer.

22 THE COURT: Okay, you're a dealer at the casino?

23 PROSPECTIVE JUROR 063: Yes.

24 THE COURT: How long have you had that job?

25 PROSPECTIVE JUROR 063: I had that job 30 years.

1 THE COURT: Okay. You've been there for 30 years?  
2 PROSPECTIVE JUROR 063: Yes.  
3 THE COURT: Okay. Are you married?  
4 PROSPECTIVE JUROR 063: Yes, but right now I'm a widow.  
5 THE COURT: Okay. Do you have children?  
6 PROSPECTIVE JUROR 063: Yes.  
7 THE COURT: How old are they?  
8 PROSPECTIVE JUROR 063: She's 35.  
9 THE COURT: Okay, and does she work?  
10 PROSPECTIVE JUROR 063: Yes.  
11 THE COURT: What does she do?  
12 PROSPECTIVE JUROR 063: She's working police  
13 department.  
14 THE COURT: The police department?  
15 PROSPECTIVE JUROR 063: Yes.  
16 THE COURT: Here?  
17 PROSPECTIVE JUROR 063: Yeah, Vegas.  
18 THE COURT: Okay. She works for Metro?  
19 PROSPECTIVE JUROR 063: No. She just working office.  
20 THE COURT: But she works in the office?  
21 PROSPECTIVE JUROR 063: Yes.  
22 THE COURT: But is it for the Las Vegas Metropolitan Police  
23 Department?  
24 PROSPECTIVE JUROR 063: Yes.  
25 THE COURT: Okay. So she works in the office at Metro. Do

1 you ever talk to her about her cases?  
2 PROSPECTIVE JUROR 063: No.  
3 THE COURT: No?  
4 PROSPECTIVE JUROR 063: No.  
5 THE COURT: Is that a no?  
6 PROSPECTIVE JUROR 063: What case? I don't understand.  
7 THE COURT: Do you talk to her about work?  
8 PROSPECTIVE JUROR 063: Oh, she talk -- she don't talk  
9 working place.  
10 THE COURT: She doesn't talk about work?  
11 PROSPECTIVE JUROR 063: Yes.  
12 THE COURT: Okay. Ma'am, have you ever been the victim of  
13 a crime?  
14 PROSPECTIVE JUROR 063: No. I never heard of that.  
15 THE COURT: Okay. Have you ever been accused of a crime?  
16 PROSPECTIVE JUROR 063: I don't understand that.  
17 THE COURT: Do you understand the questions that I'm  
18 asking you?  
19 PROSPECTIVE JUROR 063: A lot of thing I don't understand.  
20 THE COURT: Okay. What's your native language?  
21 PROSPECTIVE JUROR 063: My language is Korean.  
22 THE COURT: Okay. Is that what you mostly speak?  
23 PROSPECTIVE JUROR 063: Yes.  
24 THE COURT: Okay. Ma'am, can you pass the microphone  
25 next to you to Mr. Taub, and we'll come back to you, okay?

1 PROSPECTIVE JUROR 063: Okay. Thank you.  
2 THE COURT: Thank you. Mr. Taub?  
3 PROSPECTIVE JUROR 063: Yes.  
4 THE COURT: Sir, how long have you lived in Clark County?  
5 PROSPECTIVE JUROR 063: 20 plus years.  
6 THE COURT: How far did you go in school?  
7 PROSPECTIVE JUROR 063: Bachelor's degree.  
8 THE COURT: What did you study?  
9 PROSPECTIVE JUROR 063: History and business.  
10 THE COURT: And are you currently employed?  
11 PROSPECTIVE JUROR 063: Yes.  
12 THE COURT: What type of work do you do?  
13 PROSPECTIVE JUROR 063: Management.  
14 THE COURT: Okay. Are you married or in a significant  
15 relationship?  
16 PROSPECTIVE JUROR 063: Married.  
17 THE COURT: What type of work does your spouse do?  
18 PROSPECTIVE JUROR 063: Currently unemployed.  
19 THE COURT: Okay. What type of work did she previously  
20 do?  
21 PROSPECTIVE JUROR 063: Jewelry sales.  
22 THE COURT: Okay. Have you -- do you have any children?  
23 PROSPECTIVE JUROR 063: Yes. All grown. All stepkids.  
24 THE COURT: Okay, and what type of work do they do?  
25 PROSPECTIVE JUROR 063: Oldest is security officer, middle

1 one's a banker and the last one works in retail.

2 THE COURT: Okay. Have you ever been the victim of a  
3 crime?

4 PROSPECTIVE JUROR 063: Yes.

5 THE COURT: What were you the victim of?

6 PROSPECTIVE JUROR 063: I had a gun pointed at me at  
7 robbery.

8 THE COURT: Okay. Was that here in Las Vegas?

9 PROSPECTIVE JUROR 063: Yes.

10 THE COURT: Okay, and when did that happen?

11 PROSPECTIVE JUROR 063: Twenty plus years ago.

12 THE COURT: Okay. Did you report that to the police?

13 PROSPECTIVE JUROR 063: Yes.

14 THE COURT: Did they respond?

15 PROSPECTIVE JUROR 063: Yes.

16 THE COURT: And was someone arrested for that?

17 PROSPECTIVE JUROR 063: Not aware.

18 THE COURT: Okay. But you never got called to court or  
19 anything?

20 PROSPECTIVE JUROR 063: No.

21 THE COURT: Is there anything about that situation that  
22 would cause you to believe you couldn't be fair and impartial in this  
23 case?

24 PROSPECTIVE JUROR 063: No.

25 THE COURT: Have you ever been accused of a crime?

1 PROSPECTIVE JUROR 063: No.

2 THE COURT: Do you have any friends, family members or  
3 close associates who've been a victim of a crime?

4 PROSPECTIVE JUROR 063: Yes.

5 THE COURT: Who's that?

6 PROSPECTIVE JUROR 063: My wife.

7 THE COURT: What was your wife the victim of?

8 PROSPECTIVE JUROR 063: Domestic violence from a prior  
9 relationship.

10 THE COURT: Okay, okay. So did you know her at the time?

11 PROSPECTIVE JUROR 063: Yes.

12 THE COURT: Okay, and do you know, did she report that to  
13 the police?

14 PROSPECTIVE JUROR 063: Yes.

15 THE COURT: Was anyone arrested for that?

16 PROSPECTIVE JUROR 063: Yes.

17 THE COURT: Okay. Did you follow the case through the  
18 system?

19 PROSPECTIVE JUROR 063: Yes.

20 THE COURT: Okay. Is there anything about that situation  
21 that would cause you to believe you couldn't be fair and impartial in this  
22 case?

23 PROSPECTIVE JUROR 063: No.

24 THE COURT: Do you have any friends, family members or  
25 close associates who've been accused of a crime?



1 PROSPECTIVE JUROR 063: Yes.

2 THE COURT: Who's that?

3 PROSPECTIVE JUROR 063: I have friends that one went to  
4 jail just from a long time ago, that he messed up. I'm not sure of the  
5 situation, but I met him later on in life after he was out.

6 THE COURT: Okay, and is there anything about those  
7 circumstances that would cause you to believe you couldn't be fair and  
8 impartial in this case?

9 PROSPECTIVE JUROR 063: No.

10 THE COURT: Have you ever sat as a juror before?

11 PROSPECTIVE JUROR 063: No.

12 THE COURT: Do you own a firearm sir?

13 PROSPECTIVE JUROR 063: Yes.

14 THE COURT: What is your experience level?

15 PROSPECTIVE JUROR 063: Medium to expert.

16 THE COURT: Do you believe that people should be allowed  
17 to own firearms?

18 PROSPECTIVE JUROR 063: Yes.

19 THE COURT: Have you or anyone closely associated with  
20 you ever been in a romantic relationship that was volatile and abusive?

21 PROSPECTIVE JUROR 063: Yes, when my wife --

22 THE COURT: Okay. Any other situation that you haven't  
23 previously disclosed?

24 PROSPECTIVE JUROR 063: No.

25 THE COURT: Okay. Have you ever had a bad experience

1 with law enforcement?

2 PROSPECTIVE JUROR 063: Never.

3 THE COURT: If graphic photos are introduced into evidence,  
4 will you be able to assess them for their evidentiary value?

5 PROSPECTIVE JUROR 063: Yes.

6 THE COURT: If someone is taking a controlled substance, do  
7 you believe they could still be the victim of a crime?

8 PROSPECTIVE JUROR 063: Yes.

9 THE COURT: You understand that Court is not like CSI.  
10 There's not necessarily going to be testing for everything?

11 PROSPECTIVE JUROR 063: Yes.

12 THE COURT: Okay, and you've already been here longer  
13 than episode of CSI?

14 PROSPECTIVE JUROR 063: Yes.

15 THE COURT: Some witnesses in this case may be testifying  
16 via video. Can you assess their testimony like other witnesses who will  
17 testify in person, or would it be distracting for you?

18 PROSPECTIVE JUROR 063: I'd be fine with it.

19 THE COURT: The presumption of innocence is a core  
20 principle that one is innocent until proven guilty. Do you agree with this  
21 principle?

22 PROSPECTIVE JUROR 063: Yes.

23 THE COURT: Do you understand that is it the responsibility  
24 of the State of Nevada to prove their case beyond a reasonable doubt  
25 because they're the person accusing someone of a crime?

1 PROSPECTIVE JUROR 063: Yes.

2 THE COURT: Do you agree with that?

3 PROSPECTIVE JUROR 063: Yes.

4 THE COURT: Yes. Do you understand that the Defendant  
5 does not have the responsibility to prove his innocence. Do you agree  
6 with that?

7 PROSPECTIVE JUROR 063: Yes.

8 THE COURT: The Defendant has a right not to testify. If the  
9 Defendant chooses not to testify, will you hold that against him?

10 PROSPECTIVE JUROR 063: No.

11 THE COURT: Has you or anyone closely associated with you  
12 ever been in a close relationship with someone who's a drug user?

13 PROSPECTIVE JUROR 063: Yes, friends and family.

14 THE COURT: You have friends and family?

15 PROSPECTIVE JUROR 063: Uh-huh.

16 THE COURT: Okay, and is there anything about the  
17 situations with your friends and family that would cause you to believe  
18 you couldn't be fair and impartial in this case?

19 PROSPECTIVE JUROR 063: No.

20 THE COURT: Do you believe you may be too emotional to sit  
21 as a juror in this case?

22 PROSPECTIVE JUROR 063: No.

23 THE COURT: You understand not all killings are considered  
24 the same under the law. So at the conclusion of this case, I will instruct  
25 you as to the elements of the possible crimes you can consider in your

1 deliberation. Would you be able to consider all of these crimes and  
2 consider whether the state has proven them beyond a reasonable doubt?

3 PROSPECTIVE JUROR 063: Yes.

4 THE COURT: Is there anything about the nature of this case  
5 or anything you've heard here today that would make it difficult for you  
6 to sit as a juror in this case?

7 PROSPECTIVE JUROR 063: No.

8 THE COURT: Can you base your verdict solely on the  
9 evidence presented at trial and wait to form an opinion until you've  
10 heard all of that evidence?

11 PROSPECTIVE JUROR 063: Yes.

12 THE COURT: Can you be fair to both sides?

13 PROSPECTIVE JUROR 063: Yes.

14 THE COURT: Okay, thank you very much sir. You can pass  
15 the microphone next to you, and sir I do not want to butcher your last  
16 name. How do you pronounce your last name?

17 PROSPECTIVE JUROR 070: Macstravic.

18 THE COURT: Macstravic, okay. Sir, how long have you lived  
19 in Clark County?

20 PROSPECTIVE JUROR 070: Four years.

21 THE COURT: Four years?

22 PROSPECTIVE JUROR 070: Yes.

23 THE COURT: Where were you before that?

24 PROSPECTIVE JUROR 070: Arizona.

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

1 PROSPECTIVE JUROR 070: Associates.  
2 THE COURT: What did you study?  
3 PROSPECTIVE JUROR 070: Culinary arts.  
4 THE COURT: Culinary arts?  
5 PROSPECTIVE JUROR 070: Yes.  
6 THE COURT: Okay. Are you currently employed?  
7 PROSPECTIVE JUROR 070: Yes.  
8 THE COURT: What type of work do you do?  
9 PROSPECTIVE JUROR 070: Chef.  
10 THE COURT: Okay. Are you married or in a significant  
11 relationship?  
12 PROSPECTIVE JUROR 070: Married.  
13 THE COURT: What type of work does your spouse do?  
14 PROSPECTIVE JUROR 070: Pharmacy tech.  
15 THE COURT: Do you have any children?  
16 PROSPECTIVE JUROR 070: Yes.  
17 THE COURT: How old are your children?  
18 PROSPECTIVE JUROR 070: Twelve.  
19 THE COURT: Twelve?  
20 PROSPECTIVE JUROR 070: Both.  
21 THE COURT: Okay. Sir, have you ever been the victim of a  
22 crime?  
23 PROSPECTIVE JUROR 070: No.  
24 THE COURT: Have you ever been accused of a crime?  
25 PROSPECTIVE JUROR 070: Yes.

1 THE COURT: What were you accused of?  
2 PROSPECTIVE JUROR 070: A misdemeanor.  
3 THE COURT: Okay, what was the misdemeanor?  
4 PROSPECTIVE JUROR 070: It was theft when I was 20 years  
5 old.  
6 THE COURT: Okay, okay. And were you prosecuted for that?  
7 PROSPECTIVE JUROR 070: I just had to go to court and pay  
8 a fine.  
9 THE COURT: Okay, and is there anything about that situation  
10 that would cause you to believe you couldn't be fair and impartial in this  
11 case?  
12 PROSPECTIVE JUROR 070: No.  
13 THE COURT: Do you have any friends, family members or  
14 close associates who've been a victim of a crime?  
15 PROSPECTIVE JUROR 070: No.  
16 THE COURT: Any friends, family members or close  
17 associates who've been accused of a crime?  
18 PROSPECTIVE JUROR 070: No.  
19 THE COURT: Have you ever been as a juror before?  
20 PROSPECTIVE JUROR 070: No.  
21 THE COURT: Do you own a firearm sir?  
22 PROSPECTIVE JUROR 070: Yes.  
23 THE COURT: What is your experience level?  
24 PROSPECTIVE JUROR 070: Intermediate.  
25 THE COURT: Okay. Do you believe that people should be

1 allowed to own firearms?

2 PROSPECTIVE JUROR 070: Yes.

3 THE COURT: Have you or anyone closely associated with  
4 you ever been in a romantic relationship that was volatile and abusive?

5 PROSPECTIVE JUROR 070: No.

6 THE COURT: Okay. Have you ever had a bad experience  
7 with law enforcement?

8 PROSPECTIVE JUROR 070: No.

9 THE COURT: If graphic photos are introduced into evidence,  
10 will you be able to assess them for their evidentiary value?

11 PROSPECTIVE JUROR 070: Yes.

12 THE COURT: If someone is taking a controlled substance, do  
13 you believe they could still be the victim of a crime?

14 PROSPECTIVE JUROR 070: Yes.

15 THE COURT: Do you understand that Court is not like CSI,  
16 and you may not necessarily see testing for everything you think you  
17 should be able to test for?

18 PROSPECTIVE JUROR 070: Yes.

19 THE COURT: You understand some witnesses will be  
20 testifying via video. Can you assess their testimony like other witnesses  
21 who testifies in person, or would it be distracting for you?

22 PROSPECTIVE JUROR 070: That's fine.

23 THE COURT: The presumption of innocence is a core  
24 principle that one is innocent until proven guilty. Do you agree with  
25 that?

1 PROSPECTIVE JUROR 070: Yes.

2 THE COURT: It is the responsibility of the State to prove this  
3 case to you beyond a reasonable doubt in our system, because that's the  
4 person who's doing the accusing of the crime. Do you agree with that?

5 PROSPECTIVE JUROR 070: Yes.

6 THE COURT: Do you believe -- do you agree with the fact  
7 that the Defendant does not have the responsibility to prove his  
8 innocence?

9 PROSPECTIVE JUROR 070: Yes.

10 THE COURT: The Defendant has a right not to testify. If the  
11 Defendant chooses not to testify, would you hold that against him?

12 PROSPECTIVE JUROR 070: No.

13 THE COURT: Have you or anyone closely associated with  
14 you ever been in a close relationship with someone who was a drug  
15 user?

16 PROSPECTIVE JUROR 070: No.

17 THE COURT: Do you think you may be too emotional to sit  
18 as a juror in this case?

19 PROSPECTIVE JUROR 070: No.

20 THE COURT: Not all killings are considered the same under  
21 the law. So at the conclusion of this case, I will instruct you as to the  
22 elements of the possible crimes you can consider in your deliberations.  
23 Would you be able to consider all of these crimes?

24 PROSPECTIVE JUROR 070: Yes.

25 THE COURT: Is there anything about the nature of this case



1 or anything you've heard here today that would make it difficult for you  
2 to sit as a fair and impartial juror in this case?

3 PROSPECTIVE JUROR 070: No.

4 THE COURT: Can you base your verdict solely on the  
5 evidence presented at trial and wait to form an opinion until you've  
6 heard all of that evidence?

7 PROSPECTIVE JUROR 070: Yes.

8 THE COURT: Can you be fair to both sides?

9 PROSPECTIVE JUROR 070: Yes.

10 THE COURT: Okay. Thank you, sir. Is it Ms. Fullido?

11 MS. FALLIDO: Yes ma'am.

12 THE COURT: Okay. Ma'am, how long have you been in  
13 Clark County?

14 PROSPECTIVE JUROR 085: Six years.

15 THE COURT: And where were you before that?

16 PROSPECTIVE JUROR 085: California.

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

18 PROSPECTIVE JUROR 085: Community college.

19 THE COURT: Okay. What did you study?

20 PROSPECTIVE JUROR 085: Psychology.

21 THE COURT: And are you currently employed?

22 PROSPECTIVE JUROR 085: Yes.

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

24 PROSPECTIVE JUROR 085: Warehouse manager.

25 THE COURT: Do you have -- are you married or in a

1 significant relationship?

2 PROSPECTIVE JUROR 085: No.

3 THE COURT: Do you have any children?

4 PROSPECTIVE JUROR 085: No.

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

6 PROSPECTIVE JUROR 085: No.

7 THE COURT: Have you ever been accused of a crime?

8 PROSPECTIVE JUROR 085: No.

9 THE COURT: Do you have any friends, family members or

10 close associates who've been a victim of a crime?

11 PROSPECTIVE JUROR 085: No.

12 THE COURT: Any friends, family members or close

13 associates who've been accused of a crime?

14 PROSPECTIVE JUROR 085: Yes.

15 THE COURT: Who's that?

16 PROSPECTIVE JUROR 085: My friend.

17 THE COURT: What was your friend accused of?

18 PROSPECTIVE JUROR 085: Assault with a weapon.

19 THE COURT: Okay. Where was that?

20 PROSPECTIVE JUROR 085: In California.

21 THE COURT: Okay. When did that happen?

22 PROSPECTIVE JUROR 085: 2008.

23 THE COURT: Okay. Was your friend arrested for that?

24 PROSPECTIVE JUROR 085: Yes.

25 THE COURT: And prosecuted?

1 PROSPECTIVE JUROR 085: Yes.

2 THE COURT: Did you follow the case through the court  
3 system?

4 PROSPECTIVE JUROR 085: Yes.

5 THE COURT: Okay. Is there anything about that situation  
6 that would cause you to believe you couldn't be fair and impartial in this  
7 case?

8 PROSPECTIVE JUROR 085: No.

9 THE COURT: Have you ever sat as a juror before?

10 PROSPECTIVE JUROR 085: No.

11 THE COURT: Do you own a firearm?

12 PROSPECTIVE JUROR 085: No.

13 THE COURT: Do you believe that people should be allowed  
14 to own firearms?

15 PROSPECTIVE JUROR 085: Yes.

16 THE COURT: Have you or anyone closely associated with  
17 you ever been in a romantic relationship that was volatile and abusive?

18 PROSPECTIVE JUROR 085: No.

19 THE COURT: Have you ever had a bad experience with law  
20 enforcement?

21 PROSPECTIVE JUROR 085: No.

22 THE COURT: If graphic photos are introduced into evidence,  
23 excuse me, will you be able to assess them for their evidentiary value?

24 PROSPECTIVE JUROR 085: Yes.

25 THE COURT: If someone is taking a controlled substance, do

1 you believe they can still be the victim of a crime?

2 PROSPECTIVE JUROR 085: Yes.

3 THE COURT: Do you understand that Court is not like CSI?

4 PROSPECTIVE JUROR 085: Yes.

5 THE COURT: You understand some witnesses will be  
6 testifying via video. Can you assess their testimony like any other  
7 witness who testifies in person, or would it be distracting for you?

8 PROSPECTIVE JUROR 085: No distractions.

9 THE COURT: The presumption of innocence is a core  
10 principle that one is innocent until proven guilty. Do you agree with this  
11 principle?

12 PROSPECTIVE JUROR 085: Yes.

13 THE COURT: It is the responsibility of the State to prove the  
14 case to you beyond a reasonable doubt, because they are the person  
15 accusing someone of the crime. Do you agree with that?

16 PROSPECTIVE JUROR 085: Yes.

17 THE COURT: Do you agree with the premise that the  
18 Defendant does not have the responsibility to prove his innocence?

19 PROSPECTIVE JUROR 085: Yes.

20 THE COURT: The Defendant has a right not to testify. If a  
21 Defendant chooses not to testify, would you hold that against him?

22 PROSPECTIVE JUROR 085: No.

23 THE COURT: Have you or anyone closely associated with  
24 you ever been in a close relationship with someone who was a drug  
25 user?

1 PROSPECTIVE JUROR 085: Yes.

2 THE COURT: And who was that?

3 PROSPECTIVE JUROR 085: Close friends.

4 THE COURT: Okay. They were -- they were drug users or in  
5 a relationship with someone who's a drug user?

6 PROSPECTIVE JUROR 085: They were drug users.

7 THE COURT: Okay. Do you think there's anything about the  
8 situations with your friends that would cause you to believe that you  
9 couldn't be fair and impartial in this case?

10 PROSPECTIVE JUROR 085: No.

11 THE COURT: Do you think you may be too emotional to sit  
12 as a juror in this case?

13 PROSPECTIVE JUROR 085: No.

14 THE COURT: Do you understand that not all killings are  
15 considered the same under the law. So at the conclusion of this case, I  
16 will instruct you as to the elements of the possible crimes you can  
17 consider in your deliberations. Would you be able to consider all of the  
18 possible crimes?

19 PROSPECTIVE JUROR 085: Yes.

20 THE COURT: Is there anything about the nature of this case  
21 or anything you've heard here today that would make it difficult for you  
22 to sit as a fair and impartial juror in this case?

23 PROSPECTIVE JUROR 085: No.

24 THE COURT: Can you base your verdict solely on the  
25 evidence presented during this trial and wait to form an opinion until

1 you've heard all of the evidence?

2 PROSPECTIVE JUROR 085: Yes.

3 THE COURT: Ma'am, can you be fair to both sides?

4 PROSPECTIVE JUROR 085: Yes.

5 THE COURT: Okay, thank you very much. You could pass  
6 the microphone next to you. Is it Mr. Madidi?

7 PROSPECTIVE JUROR 093: Yes ma'am.

8 THE COURT: So how long have you been in Clark County?

9 PROSPECTIVE JUROR 093: All my life, 28 years.

10 THE COURT: Okay, 28 years. And how far did you go in  
11 school?

12 PROSPECTIVE JUROR 093: Community college, Associate  
13 degree in Criminal Justice.

14 THE COURT: Okay. And did you do anything after that with  
15 your Criminal Justice degree?

16 PROSPECTIVE JUROR 093: No ma'am.

17 THE COURT: Okay. Are you currently employed?

18 PROSPECTIVE JUROR 093: I am, yes.

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

20 PROSPECTIVE JUROR 093: I'm a security officer for the Aria  
21 and Vdara Hotel.

22 THE COURT: Okay. Are you married or in a significant  
23 relationship?

24 PROSPECTIVE JUROR 093: No ma'am.

25 THE COURT: Do you have any children?

1 PROSPECTIVE JUROR 093: No ma'am.

2 THE COURT: Sir, have you ever been the victim of a crime?

3 PROSPECTIVE JUROR 093: No ma'am.

4 THE COURT: Have you ever been accused of a crime?

5 PROSPECTIVE JUROR 093: No ma'am.

6 THE COURT: Do you have any friends, family members or

7 close associates who've been the victim of a crime?

8 PROSPECTIVE JUROR 093: Yes.

9 THE COURT: And who is that?

10 PROSPECTIVE JUROR 093: My mother.

11 THE COURT: Okay. What was your mother the victim of?

12 PROSPECTIVE JUROR 093: Assault by my father.

13 THE COURT: Okay, and was that reported to the police?

14 PROSPECTIVE JUROR 093: No ma'am.

15 THE COURT: Okay. Did you witness this?

16 PROSPECTIVE JUROR 093: No, I did not.

17 THE COURT: Okay. Is there anything about that situation

18 that would cause you to believe you couldn't be fair and impartial in this

19 case?

20 PROSPECTIVE JUROR 093: No ma'am.

21 THE COURT: Do you have any friends, family members or

22 close associates who've been accused of a crime?

23 PROSPECTIVE JUROR 093: Other than my father, no.

24 THE COURT: Okay. Have you ever sat as a juror before?

25 PROSPECTIVE JUROR 093: No ma'am.

1 THE COURT: Do you own a firearm?

2 PROSPECTIVE JUROR 093: No, ma'am.

3 THE COURT: Do you believe that people should be allowed  
4 to own firearms?

5 PROSPECTIVE JUROR 093: Yes, responsibly.

6 THE COURT: Have you or anyone closely associated with  
7 you ever been in a romantic relationship that was volatile and abusive?

8 PROSPECTIVE JUROR 093: Other than my mother and  
9 father?

10 THE COURT: Yes.

11 PROSPECTIVE JUROR 093: No, ma'am.

12 THE COURT: Have you ever had a bad experience with law  
13 enforcement?

14 PROSPECTIVE JUROR 093: No, ma'am.

15 THE COURT: If graphic photos are introduced into evidence,  
16 will you be able to assess them for their evidentiary value?

17 PROSPECTIVE JUROR 093: Yes, ma'am.

18 THE COURT: If someone is taking a controlled substance, do  
19 you believe they can still be the victim of a crime?

20 PROSPECTIVE JUROR 093: Yes, ma'am.

21 THE COURT: Do you understand that Court is not like CSI?

22 PROSPECTIVE JUROR 093: Yes, ma'am, of course.

23 THE COURT: Some witnesses will be testifying via video.  
24 Can you assess their testimony like any other witness who testifies in  
25 person, or would that be distracting for you?



1 PROSPECTIVE JUROR 093: No, it would fine, Your Honor.

2 THE COURT: The presumption of innocence is the core  
3 principle that one is innocent until proven guilty. Do you agree with that  
4 principle?

5 PROSPECTIVE JUROR 093: Yes, Your Honor.

6 THE COURT: It is the responsibility of the State to prove this  
7 case to you beyond a reasonable doubt, because they are the person  
8 that's accusing someone of the crime. Do you agree with that principle?

9 PROSPECTIVE JUROR 093: Yes, Your Honor.

10 THE COURT: Do you agree with the principle that the  
11 Defendant does not have a responsibility to prove his innocence?

12 PROSPECTIVE JUROR 093: Yes, Your Honor.

13 THE COURT: The Defendant has a right not to testify. If the  
14 Defendant chooses not to testify, will you hold that against him?

15 PROSPECTIVE JUROR 093: No.

16 THE COURT: Has anyone -- have you yourself or anyone  
17 closely associated with you ever been in a close relationship with  
18 someone who was a drug user?

19 PROSPECTIVE JUROR 093: In a relationship, Your Honor?

20 THE COURT: Yes.

21 PROSPECTIVE JUROR 093: No, ma'am.

22 THE COURT: Do you believe you are too emotional to sit as  
23 a juror in this case?

24 PROSPECTIVE JUROR 093: No.

25 THE COURT: Not all killings are considered the same under

1 the law. At the conclusion of this case, I will instruct you as to the  
2 elements of the possible crimes you can consider in your deliberation.  
3 Would you be able to consider all of the possible crimes to consider  
4 whether the State has proven them beyond a reasonable doubt?

5 PROSPECTIVE JUROR 093: Yes, Your Honor.

6 THE COURT: Is there anything about the nature of this case  
7 or anything you've heard here today that would make it difficult for you  
8 to sit as a fair and impartial juror in this case?

9 PROSPECTIVE JUROR 093: No, I don't believe so, Your  
10 Honor.

11 THE COURT: Can you base your verdict solely on the  
12 evidence presented during this trial and wait to form an opinion until  
13 you've heard all of the evidence?

14 PROSPECTIVE JUROR 093: Yes, Your Honor.

15 THE COURT: Can you be fair to both sides?

16 PROSPECTIVE JUROR 093: Yes, Your Honor.

17 THE COURT: Okay, thank you very much sir. If you could  
18 pass the microphone next to you? How do you pronounce your last  
19 name sir?

20 PROSPECTIVE JUROR 220: Tritsch.

21 THE COURT: Tritsch. Sir, how long have you lived in Clark  
22 County?

23 PROSPECTIVE JUROR 220: Five years.

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

25 PROSPECTIVE JUROR 220: I graduated college.

1 THE COURT: And what did you study?  
2 PROSPECTIVE JUROR 220: Mass Media, Communication,  
3 History and Political Science.  
4 THE COURT: Okay, and are you currently employed?  
5 PROSPECTIVE JUROR 220: Yes, ma'am.  
6 THE COURT: What type of work do you do?  
7 PROSPECTIVE JUROR 220: I am a TV sports anchor.  
8 THE COURT: Okay, and are you married or in a significant  
9 relationship?  
10 PROSPECTIVE JUROR 220: No.  
11 THE COURT: Do you have any children?  
12 PROSPECTIVE JUROR 220: I do not.  
13 THE COURT: Sir, have you ever been the victim of a crime?  
14 PROSPECTIVE JUROR 220: Had my car stolen.  
15 THE COURT: Okay. When was that?  
16 PROSPECTIVE JUROR 220: Three years ago.  
17 THE COURT: Okay. Did you report that to the police?  
18 PROSPECTIVE JUROR 220: I did.  
19 THE COURT: Was anyone arrested?  
20 PROSPECTIVE JUROR 220: Yes.  
21 THE COURT: Okay, and was that person prosecuted?  
22 PROSPECTIVE JUROR 220: Yes.  
23 THE COURT: And did you follow the case through the  
24 system?  
25 PROSPECTIVE JUROR 220: I was notified.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 220: That it went through.

3 THE COURT: Okay. Is there anything about that situation  
4 that would cause you to believe you couldn't be fair and impartial in this  
5 case?

6 PROSPECTIVE JUROR 220: No.

7 THE COURT: Sir, have you ever been accused of a crime?

8 PROSPECTIVE JUROR 220: Nope.

9 THE COURT: Do you have any friends, family members or  
10 close associates who've been the victim of a crime?

11 PROSPECTIVE JUROR 220: No.

12 THE COURT: Any friends, family members or close  
13 associates who've been accused of a crime?

14 PROSPECTIVE JUROR 220: No.

15 THE COURT: Have you ever sat as a juror before?

16 PROSPECTIVE JUROR 220: No.

17 THE COURT: Do you own a firearm sir?

18 PROSPECTIVE JUROR 220: No.

19 THE COURT: Do you believe that people should be allowed  
20 to own firearms?

21 PROSPECTIVE JUROR 220: Yes.

22 THE COURT: Have you or anyone closely associated with  
23 you ever been in a romantic relationship that was volatile and abusive?

24 PROSPECTIVE JUROR 220: No.

25 THE COURT: Have you ever had a bad experience with law

1 enforcement?

2 PROSPECTIVE JUROR 220: No.

3 THE COURT: If graphic photos are introduced into evidence,  
4 will you be able to assess them for their evidentiary value?

5 PROSPECTIVE JUROR 220: Yes.

6 THE COURT: If someone is taking a controlled substance, do  
7 you believe they can still be the victim of a crime?

8 PROSPECTIVE JUROR 220: Yes.

9 THE COURT: Do you understand that Court is not like CSI,  
10 and you may not see everything you believe you would see on TV?

11 PROSPECTIVE JUROR 220: Yes.

12 THE COURT: Some witnesses will be testifying via video.  
13 Can you assess that testimony like other witness who testify in person,  
14 or would that be distracting for you?

15 PROSPECTIVE JUROR 220: It would not be.

16 THE COURT: The presumption of innocence is the core  
17 principle that one is innocent until proven guilty. Do you agree with  
18 that?

19 PROSPECTIVE JUROR 220: Yes.

20 THE COURT: It is the responsibility of the State to prove this  
21 case to you beyond a reasonable doubt, because they are the one  
22 accusing someone of a crime. Do you agree with that principle?

23 PROSPECTIVE JUROR 220: Yes.

24 THE COURT: Do you agree with the principle that the  
25 Defendant does not have a responsibility to prove his innocence?

1 PROSPECTIVE JUROR 220: Yes.

2 THE COURT: The Defendant has a right not to testify. If the  
3 Defendant chooses not to testify, will you hold that against him?

4 PROSPECTIVE JUROR 220: No.

5 THE COURT: Have you yourself or anyone closely associated  
6 with you ever been in a relationship with someone who was a drug user?

7 PROSPECTIVE JUROR 220: No.

8 THE COURT: Do you think you're too emotional to sit as a  
9 juror in this case?

10 PROSPECTIVE JUROR 220: No.

11 THE COURT: Not all killings are considered the same under  
12 the law. At the conclusion of this case, I will instruct you as to the  
13 elements of the possible crimes you can consider in your deliberations.  
14 Will you be able to consider all of the possible crimes?

15 PROSPECTIVE JUROR 220: Yes.

16 THE COURT: Is there anything about the nature of this case  
17 or anything you've heard here today that would make it difficult for you  
18 to sit as a fair and impartial juror in this case?

19 PROSPECTIVE JUROR 220: I work for a news station.

20 THE COURT: Okay. But you think that would cause you  
21 problems of being fair and impartial?

22 PROSPECTIVE JUROR 220: No, but it is a public job.

23 THE COURT: Okay. Sir, can you base your verdict solely on  
24 the evidence presented during this trial and wait to form an opinion until  
25 you've heard all of the evidence?

1 PROSPECTIVE JUROR 220: Yes.

2 THE COURT: Can you be fair to both sides?

3 PROSPECTIVE JUROR 220: Yes.

4 THE COURT: Okay, thank you sir. You can pass the

5 microphone next to you. Is it Ms. Gruel?

6 PROSPECTIVE JUROR 097: Yes.

7 MR. BASHOR: Judge, could we approach?

8 THE COURT: Yes.

9 [Sidebar at 11:36 a.m., ending at 11:36 a.m., not transcribed]

10 THE COURT: Okay, is it Ms. Grul?

11 PROSPECTIVE JUROR 097: Yes.

12 THE COURT: Ma'am, how long have you lived in Clark

13 County?

14 PROSPECTIVE JUROR 097: 51 years.

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

16 PROSPECTIVE JUROR 097: High school.

17 THE COURT: And are you currently employed?

18 PROSPECTIVE JUROR 097: Unemployed.

19 THE COURT: Okay. Did you previously have work?

20 PROSPECTIVE JUROR 097: Yes. Conventions with the

21 Teamsters Union.

22 THE COURT: Okay. Are you married or in a significant

23 relationship?

24 PROSPECTIVE JUROR 097: Married.

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

1 PROSPECTIVE JUROR 097: Conventions, Teamsters.  
2 THE COURT: And do you guys have any children?  
3 PROSPECTIVE JUROR 097: Yes, two girls.  
4 THE COURT: How old are they?  
5 PROSPECTIVE JUROR 097: 19 and 14.  
6 THE COURT: Okay. Does the 19 year-old work?  
7 PROSPECTIVE JUROR 097: No, full time college.  
8 THE COURT: Okay. What is she studying?  
9 PROSPECTIVE JUROR 097: English Teacher.  
10 THE COURT: Okay, and have you ever been the victim of a  
11 crime ma'am?  
12 PROSPECTIVE JUROR 097: Myself, no.  
13 THE COURT: Have you ever been accused of a crime?  
14 PROSPECTIVE JUROR 097: No.  
15 THE COURT: Any friends, family members or close  
16 associates who've been the victim of a crime?  
17 PROSPECTIVE JUROR 097: Yes. My mother, my sister  
18 burglarized. Their home was burglarized twice.  
19 THE COURT: Okay. Was that here in Las Vegas?  
20 PROSPECTIVE JUROR 097: Yes, ma'am.  
21 THE COURT: Okay, and was that reported to the police?  
22 PROSPECTIVE JUROR 097: Yes, ma'am.  
23 THE COURT: And was somebody apprehended and  
24 arrested?  
25 PROSPECTIVE JUROR 097: No, ma'am.



1 THE COURT: Okay. Is there anything about that situation  
2 that would cause you to believe that you couldn't be fair and impartial in  
3 this case?

4 PROSPECTIVE JUROR 097: No.

5 THE COURT: Do you have any friends, family members or  
6 close associates who have been accused of a crime?

7 PROSPECTIVE JUROR 097: No.

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

9 PROSPECTIVE JUROR 097: No.

10 THE COURT: Do you own a firearm, ma'am?

11 PROSPECTIVE JUROR 097: Yes.

12 THE COURT: What is your experience level?

13 PROSPECTIVE JUROR 097: Very novice.

14 THE COURT: Okay. Do you believe that people should be  
15 allowed to own firearms?

16 PROSPECTIVE JUROR 097: Yes.

17 THE COURT: Have you or anyone closely associated with  
18 you ever been in a romantic relationship that was volatile and abusive?

19 PROSPECTIVE JUROR 097: Yes, my little brother and my  
20 older sister

21 THE COURT: Okay. Have you ever had a bad experience  
22 with law enforcement?

23 PROSPECTIVE JUROR 097: No.

24 THE COURT: If graphic photos are introduced into the  
25 evidence, will you be able to assess them for their evidentiary value?

1 PROSPECTIVE JUROR 097: Yes.

2 THE COURT: If someone is taking a controlled substance,  
3 can they still be the victim of a crime?

4 PROSPECTIVE JUROR 097: Yes.

5 THE COURT: You understand that Court is not necessarily  
6 like CSI, and this is not going to be like a TV show?

7 PROSPECTIVE JUROR 097: Yes.

8 THE COURT: Some witnesses will be testifying via video.  
9 Can you assess that testimony like other witness who will testify in  
10 person, or would this be distracting for you?

11 PROSPECTIVE JUROR 097: It will not be distracting.

12 THE COURT: The presumption of innocence is the core  
13 principle that one is innocent until proven guilty. Do you agree with  
14 that?

15 PROSPECTIVE JUROR 097: Yes.

16 THE COURT: It is the responsibility of the State to prove this  
17 case to you beyond a reasonable doubt, because they are the person  
18 who's charging someone with a crime. Do you agree with that principle?

19 PROSPECTIVE JUROR 097: Yes.

20 THE COURT: Do you agree with the principle that it is the  
21 Defendant -- it is not the Defendant's responsibility to prove his  
22 innocence?

23 PROSPECTIVE JUROR 097: I agree it's not a responsibility,  
24 but they should be part of it.

25 THE COURT: Okay. But do you understand that they don't

1 have to be?

2 PROSPECTIVE JUROR 097: Yes.

3 THE COURT: And so if they decided not to ask anyone any  
4 questions and a Defendant decided not to testify, would you hold that  
5 against him?

6 PROSPECTIVE JUROR 097: No.

7 THE COURT: Okay, so you wouldn't hold it against him if he  
8 chose not to testify?

9 PROSPECTIVE JUROR 097: No.

10 THE COURT: Have you or anyone closely associated with  
11 you ever been in a relationship with someone who was a drug user?

12 PROSPECTIVE JUROR 097: Myself.

13 THE COURT: Okay, and based on that experience, do you  
14 believe that you can be fair and impartial in this case?

15 PROSPECTIVE JUROR 097: Yes.

16 THE COURT: Okay. Do you think you're too emotional to sit  
17 as a juror in this case?

18 PROSPECTIVE JUROR 097: No.

19 THE COURT: You understand that not all killings are  
20 considered the same under the law, and at the end of the evidence in this  
21 case, I'm going to instruct you on the law and the elements of the  
22 possible crimes that you can consider in your deliberations. Would you  
23 be able to consider all of those possible crimes?

24 PROSPECTIVE JUROR 097: Yes.

25 THE COURT: Ma'am, is there anything about the nature of

1 this case or anything you've heard here today that would make it difficult  
2 for you to be a fair and impartial juror in this case?

3 PROSPECTIVE JUROR 097: No.

4 THE COURT: Can you base your verdict solely on the  
5 evidence presented during this trial and wait to form an opinion until  
6 you've heard all of the evidence?

7 PROSPECTIVE JUROR 097: Yes.

8 THE COURT: Can you be fair to both sides?

9 PROSPECTIVE JUROR 097: Yes.

10 THE COURT: Okay ma'am, thank you very much, and you  
11 can pass the microphone next to you. Ms. Fowler?

12 PROSPECTIVE JUROR 098: Yeah.

13 THE COURT: Ma'am, how long have you lived in Clark  
14 County?

15 PROSPECTIVE JUROR 098: I was born here, so 20 years.

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

17 PROSPECTIVE JUROR 098: I'm currently in college.

18 THE COURT: What are you studying?

19 PROSPECTIVE JUROR 098: Biology.

20 THE COURT: Are you currently employed?

21 PROSPECTIVE JUROR 098: Yes.

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

23 PROSPECTIVE JUROR 098: I am a dietitian at a nursing  
24 home, and then I also babysit for a family in my neighborhood.

25 THE COURT: Okay. Are you married or in a significant

1 relationship?

2 PROSPECTIVE JUROR 098: No.

3 THE COURT: Do you have any children?

4 PROSPECTIVE JUROR 098: No.

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

6 PROSPECTIVE JUROR 098: No.

7 THE COURT: Have you ever been accused of a crime?

8 PROSPECTIVE JUROR 098: No.

9 THE COURT: Do you have any friends, family members or

10 close associates who've been the victim of a crime?

11 PROSPECTIVE JUROR 098: No.

12 THE COURT: Any friends, family members or close

13 associates who've been accused of a crime?

14 PROSPECTIVE JUROR 098: No.

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

16 PROSPECTIVE JUROR 098: No.

17 THE COURT: Do you own a firearm?

18 PROSPECTIVE JUROR 098: No.

19 THE COURT: Do you believe people should be allowed to

20 own firearms?

21 PROSPECTIVE JUROR 098: Responsibly, yes.

22 THE COURT: Have you or anyone closely associated with

23 you ever been in a romantic relationship that was volatile and abusive?

24 PROSPECTIVE JUROR 098: No.

25 THE COURT: Have you ever had a bad experience with law

1 enforcement?

2 PROSPECTIVE JUROR 098: No.

3 THE COURT: If graphic photos are introduced into evidence,  
4 will you be able to assess them for their evidentiary value?

5 PROSPECTIVE JUROR 098: Yes.

6 THE COURT: If someone is taking a controlled substance, do  
7 you believe they can still be the victim of a crime?

8 PROSPECTIVE JUROR 098: Yes.

9 THE COURT: Do you understand that Court is not like CSI,  
10 and you may not necessarily see everything that you'd see on TV?

11 PROSPECTIVE JUROR 098: Yeah.

12 THE COURT: Some witnesses will be testifying via video.  
13 Can you assess that testimony like other witness who testifies in person,  
14 or would that be distracting for you?

15 PROSPECTIVE JUROR 098: No, it won't be distracting.

16 THE COURT: The presumption of innocence is the core  
17 principle that one is innocent until proven guilty. Do you agree with that  
18 principle?

19 PROSPECTIVE JUROR 098: Yes.

20 THE COURT: It is the responsibility of the State to prove this  
21 case to you beyond a reasonable doubt, because they're the person  
22 accusing someone of a crime. Do you agree with that principle?

23 PROSPECTIVE JUROR 098: Yeah.

24 THE COURT: Do you agree with the principle it is not the  
25 Defendant's responsibility to prove his innocence?

1 PROSPECTIVE JUROR 098: Yes.

2 THE COURT: The Defendant has a right not to testify. If he  
3 chooses not to testify, will you hold that against him?

4 PROSPECTIVE JUROR 098: No.

5 THE COURT: Have you yourself or anyone closely associated  
6 with you ever been in a close relationship with someone who was a drug  
7 user?

8 PROSPECTIVE JUROR 098: No.

9 THE COURT: Do you believe you're too emotional to sit as a  
10 juror on this type of case?

11 PROSPECTIVE JUROR 098: No.

12 THE COURT: You understand not all killings are considered  
13 the same under the law. At the conclusion of this case, you will be  
14 instructed as to the elements of the possible crimes you can consider in  
15 your deliberation. Would you be able to consider all of the crimes?

16 PROSPECTIVE JUROR 098: Yeah.

17 THE COURT: Is there anything about the nature of this case  
18 or anything you've heard here today that would make it difficult for you  
19 to sit as a fair and impartial juror in this case?

20 PROSPECTIVE JUROR 098: No.

21 THE COURT: Can you base your verdict solely on the  
22 evidence presented during this trial, and wait to form an opinion until  
23 you've heard all of that evidence?

24 PROSPECTIVE JUROR 098: Yes.

25 THE COURT: Ma'am, can you be fair to both sides?

1 PROSPECTIVE JUROR 098: Yes.

2 THE COURT: Okay. You can pass the microphone next to  
3 you. Is it Mr. Dela-Cruz?

4 PROSPECTIVE JUROR 100: Yes, ma'am.

5 THE COURT: Sir, how long have you lived in Clark County?

6 PROSPECTIVE JUROR 100: Nineteen years.

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

8 PROSPECTIVE JUROR 100: I graduated 1998 in the  
9 Philippines as mechanical engineering.

10 THE COURT: Okay, and are you currently employed?

11 PROSPECTIVE JUROR 100: Yes, ma'am.

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

13 PROSPECTIVE JUROR 100: I started working at the  
14 engineering company two months ago.

15 THE COURT: Okay. Are you married or in a significant  
16 relationship?

17 PROSPECTIVE JUROR 100: Yes, ma'am.

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

19 PROSPECTIVE JUROR 100: She's a nurse practitioner.

20 THE COURT: Do you have any children?

21 PROSPECTIVE JUROR 100: Yes, I have two.

22 THE COURT: How old are they?

23 PROSPECTIVE JUROR 100: 18 and 16.

24 THE COURT: Okay. Does the 18 year-old work?

25 PROSPECTIVE JUROR 100: She's going to Baylor to pursue



1 her medical career.

2 THE COURT: Okay, all right. Sir, have you ever been the  
3 victim of a crime?

4 PROSPECTIVE JUROR 100: No.

5 THE COURT: Have you ever been accused of a crime?

6 PROSPECTIVE JUROR 100: No.

7 THE COURT: Do you have any friends, family members or  
8 close associates who've been the victim of a crime?

9 PROSPECTIVE JUROR 100: No.

10 THE COURT: Any friends, family members or close  
11 associates who've been accused of a crime?

12 PROSPECTIVE JUROR 100: I have my brother, but that was  
13 long time ago. He used to be a cop in Philippines.

14 THE COURT: Your brother?

15 PROSPECTIVE JUROR 100: I used to have a cop -- my  
16 brother used to be a cop.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 100: And he was dismissed, and I  
19 don't know about the case right now, but that was a long time ago.

20 THE COURT: Okay. Is there anything about your brother's  
21 situation that would cause you to believe you couldn't be fair and  
22 impartial in this case?

23 PROSPECTIVE JUROR 100: I don't think so.

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

25 PROSPECTIVE JUROR 100: No.

1 THE COURT: Sir, do you own a firearm sir?

2 PROSPECTIVE JUROR 100: No.

3 THE COURT: Do you believe people should be allowed to  
4 own firearms?

5 PROSPECTIVE JUROR 100: Responsibly, yes.

6 THE COURT: Have you or anyone closely associated with  
7 you ever been in a romantic relationship that was volatile and abusive?

8 PROSPECTIVE JUROR 100: No.

9 THE COURT: Have you ever had a bad experience with law  
10 enforcement?

11 PROSPECTIVE JUROR 100: No.

12 THE COURT: If graphic photos are introduced into evidence,  
13 will you be able to assess them for their evidentiary value?

14 PROSPECTIVE JUROR 100: Yes, ma'am.

15 THE COURT: If someone is taking a controlled substance, do  
16 you believe they could still be the victim of a crime?

17 PROSPECTIVE JUROR 100: Yes.

18 THE COURT: Do you understand that Court is not like CSI, so  
19 you may not necessarily see all the testing and everything that they do  
20 on TV. It's not even possible in the real world?

21 PROSPECTIVE JUROR 100: Yes.

22 THE COURT: Okay. Some witnesses will be testifying via  
23 video. Can you assess their testimony like other witnesses who will be  
24 testifying in person, or would that be distracting for you?

25 PROSPECTIVE JUROR 100: No.

1 THE COURT: You'd be able to assess their testimony the  
2 same?

3 PROSPECTIVE JUROR 100: Yes, ma'am.

4 THE COURT: The presumption of innocence is the core  
5 principle that one is innocent until proven guilty. Do you agree with this  
6 principle?

7 PROSPECTIVE JUROR 100: Yes, ma'am.

8 THE COURT: It is the responsibility of the State to prove this  
9 case to you beyond a reasonable doubt. The person -- because they are  
10 the person accusing someone of a crime. Do you agree with that  
11 principle?

12 PROSPECTIVE JUROR 100: Yes, ma'am.

13 THE COURT: Do you agree with the principle that the  
14 Defendant does not have a responsibility to prove his innocence?

15 PROSPECTIVE JUROR 100: Yes, ma'am.

16 THE COURT: The Defendant has a right not to testify. If he  
17 chooses not to testify, would you hold that against him?

18 PROSPECTIVE JUROR 100: Yes, ma'am.

19 THE COURT: You would?

20 PROSPECTIVE JUROR 100: No, ma'am, sorry.

21 THE COURT: Okay, so you wouldn't hold it against him?

22 PROSPECTIVE JUROR 100: No.

23 THE COURT: Okay. Have you or anyone closely associated  
24 with you ever been in a relationship with someone who was a drug user?

25 PROSPECTIVE JUROR 100: No.

1 THE COURT: Do you think you may too emotional to sit as a  
2 juror in this case?

3 PROSPECTIVE JUROR 100: No, ma'am.

4 THE COURT: Not all killings are considered the same under  
5 the law. At the conclusion of this case, I will instruct you as to the  
6 elements of the possible crimes you can consider in your deliberations.  
7 Would you be able to consider all of these crimes?

8 PROSPECTIVE JUROR 100: No.

9 THE COURT: Okay, you wouldn't be able to?

10 PROSPECTIVE JUROR 100: No.

11 THE COURT: Why not?

12 PROSPECTIVE JUROR 100: Can you repeat the question  
13 please?

14 THE COURT: That's okay. I know that that question is very  
15 convoluted, okay. So what's going to happen is at the end of the  
16 evidence and the closing arguments in this case, well prior to that, I'm  
17 going to -- prior to closing arguments, I'm going to read you the  
18 instructions on the law in the State of Nevada.

19 And the law in the State of Nevada is just because there was  
20 a killing, that doesn't mean it's murder. There are other charges for  
21 which you can consider. Would you be willing to consider all of those  
22 charges?

23 PROSPECTIVE JUROR 100: I'm having had time to  
24 understand.

25 THE COURT: I get it. It's very, okay. So would you be able

1 to consider all of the charges that I instruct you on the law for?

2 PROSPECTIVE JUROR 100: Yes.

3 THE COURT: Okay. So if I instruct you on the law, you  
4 would be able to consider all of those?

5 PROSPECTIVE JUROR 100: Yes, ma'am.

6 THE COURT: All right. Sir, is there anything about the  
7 nature of this case or anything you've heard here today that would make  
8 it difficult for you to sit as a fair and impartial juror in this case?

9 PROSPECTIVE JUROR 100: No.

10 THE COURT: Can you base your verdict solely on the  
11 evidence presented during this trial, and wait to form an opinion until  
12 you've heard all of the evidence?

13 PROSPECTIVE JUROR 100: Yes, ma'am.

14 THE COURT: And sir, can you be fair to both sides?

15 PROSPECTIVE JUROR 100: Yes, ma'am.

16 THE COURT: Okay, thank you very much. Counsel, can you  
17 approach?

18 [Sidebar at 11:46 a.m., ending at 11:47 a.m., not transcribed]

19 THE COURT: Okay. Ladies and gentlemen, I did realize that  
20 we have another trial going on in the building, and I don't want you guys  
21 to be -- I mean to be in a super-long line to have your lunch just because  
22 we didn't take a break at the appropriate time. So I know you guys have  
23 only been in here a few minutes -- I know you guys have been here  
24 since 9:00, so I am going to give everybody a lunch break.

25 But before we go to our lunch break, the following jurors are

1 going to be excused. Badge number 008, Ms. Jaeger, you are excused  
2 from jury service in this case. Badge number zero -- and you can --  
3 you're free to step out. Badge number 024, Mr. Saleba, you are excused  
4 from jury service in this case. Badge number 025, Mr. Garza, you are  
5 excused from jury service in this case. Badge number 052, Ms. Martinez,  
6 you are excused from jury service in this case, and Badge number 060,  
7 Ms. Toland.

8 PROSPECTIVE JUROR 060: Yes.

9 THE COURT: You are excused from jury service in this case.

10 PROSPECTIVE JUROR 060: Okay, thank you.

11 THE COURT: All right. So for the rest of you, we are going  
12 to take our lunch break and it is 12 o'clock. But I'm going to give you an  
13 hour and a half to go to lunch.

14 During this recess, you must not discuss or communicate  
15 with anyone, including fellow jurors in any way regarding the case or its  
16 merits, either by voice phone, email, text, Internet or other means of  
17 communication or social media.

18 You must not read, watch or listen to any news or media  
19 accounts or commentary about this case. You must not do any research  
20 such as consult a dictionary, using the Internet or using reference  
21 materials. You must not make any investigation, test the theory of the  
22 case, recreate any aspect of the case or any other way investigate or  
23 learn about the case on your own, and you must form or express any  
24 opinion regarding this case until it's submitted to you.

25 Ladies and gentlemen, it's 11:55. We will be in recess until

1 1:30.

2 THE MARSHAL: All rise for the jury. Ladies and gentlemen  
3 of the jury [indiscernible].

4 [Prospective jurors out at 11:55 a.m.]

5 [Outside the presence of the prospective jurors]

6 THE COURT: Okay. Now that we are outside the presence  
7 of our jury, and we have new matters outside the presence. I just want  
8 to make a record really quick in regards to Badge number 060, who's the  
9 person in Slot number 10 on the jury, and I apologize to you guys. The  
10 Marshal did tell me when they first came in that she said she was having  
11 difficulty in understanding.

12 But since she was the next person that I was going to  
13 question, I went ahead and questioned her, and it did appear to me  
14 during my questioning of her that she was not understanding what I was  
15 saying. So the Court did ask the parties if anyone objected to excusing  
16 her, because I don't believe that English is her -- I know English is not her  
17 native language, and I don't believe that being the dealer in a casino  
18 enables her to understand legal concepts.

19 I do think based on the information in this case, there are  
20 legal issues in this case that I don't believe that she would be able to  
21 understand based upon the language barrier. So I did not have any  
22 objections from the parties to excusing her; is that correct?

23 MS. WECKERLY: That's correct, Your Honor.

24 MR. BASHOR: Yes, Your Honor.

25 THE COURT: Anything else outside the presence?

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

2 THE COURT: All right. So we'll be back at 1:30.

3 [Recess taken from 11:51 a.m. to 1: 36 p.m.]

4 [Prospective jurors in at 1:36 p.m.]

5 THE MARSHAL: All present and/or accounted for, Your

6 Honor.

7 THE COURT: Okay, you may be seated. We are back on the

8 record in C-313919, State of Nevada v. Vernon Newson, Jr. May the

9 record reflect Mr. Newson is present with his attorney. Deputy District

10 Attorneys on behalf of the State. Do both parties stipulate to the

11 presence of our jurors?

12 MS. WECKERLY: Yes, Your Honor.

13 THE COURT: Okay.

14 MR. BASHOR: Yes, Your Honor.

15 THE COURT: Madam Clerk, if you could call up the next juror

16 in order?

17 THE CLERK: Badge number 246, Branden Arellano.

18 THE COURT: And sir, if you could just come on up and take

19 that second chair on the back row.

20 THE CLERK: Badge number 250, Delana Farmer.

21 THE MARSHAL: Oh you know what? That's probably better.

22 THE COURT: And ma'am, if you could come up and take that

23 fifth chair on the back row.

24 THE CLERK: Badge number 260, Gail Crowell.

25 THE COURT: And ma'am, if you could come up and take the



1 chair next to Ms. Farmer?

2 THE CLERK: Badge number 264, Jordan Bacarella.

3 THE COURT: Okay, and sir if you could take that last seat on  
4 the end. Okay, and ladies and gentlemen, I am going to resume my  
5 questioning as soon as I get to the correct page in my notes, and Mr.  
6 Lambert, I believe we were with you sir.

7 Okay, Mr. Lambert, badge number 101. Sir, how long have  
8 you lived in Clark County?

9 PROSPECTIVE JUROR 101: Approximately eight years.

10 THE COURT: Eight years?

11 PROSPECTIVE JUROR 101: Correct.

12 THE COURT: Where were you before that sir?

13 PROSPECTIVE JUROR 101: Hawaii.

14 THE COURT: Okay, and how far did you go in school?

15 PROSPECTIVE JUROR 101: College.

16 THE COURT: And sir, are you currently employed?

17 PROSPECTIVE JUROR 101: Self-employed.

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

19 PROSPECTIVE JUROR 101: Real estate investment.

20 THE COURT: Okay. Are you married or in a significant  
21 relationship?

22 PROSPECTIVE JUROR 101: Married.

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

24 PROSPECTIVE JUROR 101: Homemaker.

25 THE COURT: Do you guys have any children?

1 PROSPECTIVE JUROR 101: No.

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

3 PROSPECTIVE JUROR 101: Home theft.

4 THE COURT: Okay, when were you the victim of that?

5 PROSPECTIVE JUROR 101: Approximately 16 years ago.

6 THE COURT: Okay, and where was that, in Hawaii?

7 PROSPECTIVE JUROR 101: Correct.

8 THE COURT: Okay. Did you report that to the police?

9 PROSPECTIVE JUROR 101: Yes.

10 THE COURT: And was somebody arrested?

11 PROSPECTIVE JUROR 101: Nope.

12 THE COURT: Is there anything about that situation that

13 would cause you to believe you couldn't be fair and impartial in this

14 case?

15 PROSPECTIVE JUROR 101: Nope.

16 THE COURT: Okay. Sir, have you ever been accused of a

17 crime?

18 PROSPECTIVE JUROR 101: Nope.

19 THE COURT: Do you have any friends, family members or

20 close associates who've been the victim of a crime?

21 PROSPECTIVE JUROR 101: Well, my wife would have been

22 victim of the home theft as well.

23 THE COURT: Because you have -- she was in the home with

24 you at the time?

25 PROSPECTIVE JUROR 101: Correct.

1 THE COURT: Okay. Anyone else sir?

2 PROSPECTIVE JUROR 101: Nope.

3 THE COURT: Any friends, family members or close

4 associates who have been accused of a crime?

5 PROSPECTIVE JUROR 101: No.

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

7 PROSPECTIVE JUROR 101: No.

8 THE COURT: Sir, do you own a firearm ma'am?

9 PROSPECTIVE JUROR 101: No, I do not.

10 THE COURT: Do you believe people should be allowed to

11 own firearms?

12 PROSPECTIVE JUROR 101: Yes.

13 THE COURT: Sir, have you or anyone closely associated with

14 you ever been in a romantic relationship that was volatile and abusive?

15 PROSPECTIVE JUROR 101: Nope.

16 THE COURT: Okay. Have you ever had a bad experience

17 with law enforcement?

18 PROSPECTIVE JUROR 101: No.

19 THE COURT: If graphic photos are introduced into evidence

20 in this trial, will you be able to assess them for their evidentiary value?

21 PROSPECTIVE JUROR 101: Yes.

22 THE COURT: If someone is taking a controlled substance,

23 can they still be the victim of a crime?

24 PROSPECTIVE JUROR 101: Yes.

25 THE COURT: And sir, you understand that Court is not like

1 CSI, and may not be everything that you see on TV?

2 PROSPECTIVE JUROR 101: Correct.

3 THE COURT: Some witnesses will be testifying via video.

4 Can you assess that testimony like any other witness who testifies in  
5 person?

6 PROSPECTIVE JUROR 101: Yes, I can.

7 THE COURT: Would this be distracting for you in any way?

8 PROSPECTIVE JUROR 101: No problem.

9 THE COURT: Sir, the presumption of innocence is the core  
10 principle that one is innocent until proven guilty. Do you agree with this  
11 principle?

12 PROSPECTIVE JUROR 101: Yes, I do.

13 THE COURT: You understand that it is the responsibility of  
14 the State to prove this case to you beyond a reasonable doubt. Do you  
15 agree with that principle?

16 PROSPECTIVE JUROR 101: Yes.

17 THE COURT: Do you believe -- agree with the principle that it  
18 is not the Defendant's responsibility to prove his innocence?

19 PROSPECTIVE JUROR 101: Yes.

20 THE COURT: The Defendant has a right not to testify. If he  
21 chooses not to testify, will you hold that against him?

22 PROSPECTIVE JUROR 101: No.

23 THE COURT: Have you or anyone closely associated with  
24 you ever been in a close relationship with someone who was a drug  
25 user?

1 PROSPECTIVE JUROR 101: No.

2 THE COURT: Do you think you're too emotional to sit as a  
3 juror in this case?

4 PROSPECTIVE JUROR 101: No.

5 THE COURT: Not all killings are considered the same under  
6 the law. At the conclusion of this case, I will instruct you on the  
7 elements of the possible crimes that you will be allowed to consider in  
8 your deliberation. Would you be able to consider all of those crimes?

9 PROSPECTIVE JUROR 101: Yes.

10 THE COURT: Sir, is there anything about the nature of this  
11 case or anything you've heard here today that would cause you to  
12 believe you couldn't be fair and impartial in this case?

13 PROSPECTIVE JUROR 101: Nope.

14 THE COURT: Can you base your verdict in this case solely on  
15 the evidence and testimony presented, and wait to form an opinion until  
16 you've heard all of the evidence?

17 PROSPECTIVE JUROR 101: Yes, I can.

18 THE COURT: Can you be fair to both sides?

19 PROSPECTIVE JUROR 101: Yes.

20 THE COURT: Okay, thank you very much sir. You can pass  
21 the microphone next to you. Mr. Stiff?

22 PROSPECTIVE JUROR 103: All right.

23 THE COURT: Sir, your badge number is 103?

24 PROSPECTIVE JUROR 103: Correct.

25 THE COURT: How long have you lived in Clark County?

1 PROSPECTIVE JUROR 103: Since I was three, so about 17  
2 years by now.

3 THE COURT: Okay, and how far did you go in school?

4 PROSPECTIVE JUROR 103: High school graduate.

5 THE COURT: Are you currently employed?

6 PROSPECTIVE JUROR 103: Yes.

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

8 PROSPECTIVE JUROR 103: I work at a card shop, sales retail.

9 THE COURT: Okay. Are you married or in a significant  
10 relationship?

11 PROSPECTIVE JUROR 103: Negative.

12 THE COURT: Do you have any children?

13 PROSPECTIVE JUROR 103: No.

14 THE COURT: So have you ever been the victim of a crime?

15 PROSPECTIVE JUROR 103: No.

16 THE COURT: Have you ever been accused of a crime?

17 PROSPECTIVE JUROR 103: No.

18 THE COURT: Do you have any friends, family members or  
19 close associates who've been the victim of a crime?

20 PROSPECTIVE JUROR 103: No.

21 THE COURT: Any friends, family members or close  
22 associates who have been accused of a crime?

23 PROSPECTIVE JUROR 103: No.

24 THE COURT: Sir, have you ever been a juror before?

25 PROSPECTIVE JUROR 103: No.

1 THE COURT: Do you own a firearm ma'am?

2 PROSPECTIVE JUROR 103: No.

3 THE COURT: Do you believe people should be allowed to  
4 own firearms?

5 PROSPECTIVE JUROR 103: Partially.

6 THE COURT: Okay, and when you say "partially," what do  
7 you mean by that?

8 PROSPECTIVE JUROR 103: Depends on circumstances,  
9 people to people.

10 THE COURT: Okay. Have you or anyone closely associated  
11 with you ever been in a romantic relationship that was volatile and  
12 abusive?

13 PROSPECTIVE JUROR 103: No.

14 THE COURT: Have you ever had a bad experience with law  
15 enforcement?

16 PROSPECTIVE JUROR 103: No.

17 THE COURT: If graphic photos are introduced into evidence  
18 in this trial, will you be able to assess them for their evidentiary value?

19 PROSPECTIVE JUROR 103: Yes.

20 THE COURT: If someone is taking a controlled substance, do  
21 you believe they can still be the victim of a crime?

22 PROSPECTIVE JUROR 103: Yes.

23 THE COURT: Do you understand that Court is not like CSI or  
24 any of the TV shows that you may have watched?

25 PROSPECTIVE JUROR 103: Yes.

1 THE COURT: Some witnesses will be testifying via video.  
2 Can you assess their testimony like other witnesses who testify in  
3 person?

4 PROSPECTIVE JUROR 103: Yes.

5 THE COURT: Would this be distracting for you?

6 PROSPECTIVE JUROR 103: No.

7 THE COURT: Sir, the presumption of innocence is the core  
8 principle that one is innocent until proven guilty. Is this a core principle  
9 that you agree with?

10 PROSPECTIVE JUROR 103: Yeah.

11 THE COURT: It is the responsibility of the State to prove a  
12 case beyond a reasonable doubt because they are the person accusing  
13 someone of a crime. Is that a principle that you agree with?

14 PROSPECTIVE JUROR 103: Yes.

15 THE COURT: Do you agree with the principle that it is not the  
16 Defendant's responsibility to prove his innocence?

17 PROSPECTIVE JUROR 103: Yes.

18 THE COURT: The Defendant has a right not to testify. If the  
19 Defendant chooses not to testify, will you hold that against him?

20 PROSPECTIVE JUROR 103: No.

21 THE COURT: Have you or anyone closely associated with  
22 you ever had a close relationship with someone who was a drug user?

23 PROSPECTIVE JUROR 103: Yes.

24 THE COURT: And who was that?

25 PROSPECTIVE JUROR 103: Family and then friends, and also



1 the partners of friends.

2 THE COURT: Okay. and is there anything about that situation  
3 or those situations that would cause you to believe you couldn't be fair  
4 and impartial in this case?

5 PROSPECTIVE JUROR 103: I do not believe so.

6 THE COURT: Okay. Do you think you may be too emotional  
7 to sit as a juror in this case?

8 PROSPECTIVE JUROR 103: No.

9 THE COURT: You understand not all killings are considered  
10 the same under the law. At the conclusion of this case, I will instruct you  
11 on the elements of the possible crimes you can consider in your  
12 deliberation. Do you understand that?

13 PROSPECTIVE JUROR 103: Yes.

14 THE COURT: And will you able to consider all of the possible  
15 crimes that you are instructed on?

16 PROSPECTIVE JUROR 103: Yes.

17 THE COURT: Sir, is there anything about the nature of this  
18 case or anything you've heard here today that would make it difficult for  
19 you to sit as a fair and impartial juror in this case?

20 PROSPECTIVE JUROR 103: No.

21 THE COURT: Can you base your verdict solely on the  
22 evidence presented during this trial, and wait to form an opinion until  
23 you've heard all of the evidence?

24 PROSPECTIVE JUROR 103: Yes.

25 THE COURT: Can you be fair to both sides?

1 PROSPECTIVE JUROR 103: Yep.

2 THE COURT: Thank you, sir. If you can pass the microphone  
3 next to you. Is it Mr. Ogas?

4 PROSPECTIVE JUROR 112: Yes, ma'am.

5 THE COURT: Sir, how long have you lived in Clark County?

6 PROSPECTIVE JUROR 112: Four years.

7 THE COURT: And where were you before?

8 PROSPECTIVE JUROR 112: El Paso.

9 THE COURT: Okay. How far did you go in school?

10 PROSPECTIVE JUROR 112: Some college.

11 THE COURT: What did you study?

12 PROSPECTIVE JUROR 112: Basic Electronics.

13 THE COURT: Okay. Are you currently employed?

14 PROSPECTIVE JUROR 112: Yes, ma'am.

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

16 PROSPECTIVE JUROR 112: I'm a Director of Service for  
17 Maintenance.

18 THE COURT: Okay. Are you married or in a significant  
19 relationship?

20 PROSPECTIVE JUROR 112: Yes.

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

22 PROSPECTIVE JUROR 112: She's a school teacher.

23 THE COURT: Okay. Sir, do you have any children?

24 PROSPECTIVE JUROR 112: Yes, ma'am, four.

25 THE COURT: And how old are they?

1 PROSPECTIVE JUROR 112: 31, 27, 22 and 16.  
2 THE COURT: Okay. Do the adult children have jobs?  
3 PROSPECTIVE JUROR 112: Yes, ma'am.  
4 THE COURT: What type of work do they do?  
5 PROSPECTIVE JUROR 112: Oldest is a daycare worker.  
6 Son's in the military in Germany, and my daughter is a college student in  
7 Texas.  
8 THE COURT: Okay. What is she studying?  
9 PROSPECTIVE JUROR 112: Something for criminal law.  
10 THE COURT: Okay, and do you ever get to talk to her about  
11 her studies?  
12 PROSPECTIVE JUROR 112: No, not really.  
13 THE COURT: Okay, and your son is in the military. What  
14 branch of the military?  
15 PROSPECTIVE JUROR 112: Army.  
16 THE COURT: Okay. Have you ever been the victim of a  
17 crime sir?  
18 PROSPECTIVE JUROR 112: Yes.  
19 THE COURT: What were you the victim of?  
20 PROSPECTIVE JUROR 112: Drunk driver hit me and my  
21 family as we were driving down the highway.  
22 THE COURT: When did that happen?  
23 PROSPECTIVE JUROR 112: About seven years ago.  
24 THE COURT: Okay. Was that in El Paso?  
25 PROSPECTIVE JUROR 112: Yes, ma'am.

1 THE COURT: Sir, was that reported to the police?  
2 PROSPECTIVE JUROR 112: Yes, ma'am, it sure was.  
3 THE COURT: Did they arrest anyone?  
4 PROSPECTIVE JUROR 112: Absolutely.  
5 THE COURT: Okay, and did that -- that person was  
6 prosecuted?  
7 PROSPECTIVE JUROR 112: No, they let him go freely.  
8 THE COURT: Okay. Did you follow the case at all?  
9 PROSPECTIVE JUROR 112: Yep, every step of the way so --  
10 THE COURT: Okay. Is there anything about that situation  
11 that would cause you to believe you couldn't be fair and impartial in this  
12 case?  
13 PROSPECTIVE JUROR 112: I kind of have a disdain for the  
14 system altogether.  
15 THE COURT: Okay, and that was because of the experience  
16 that you had in Texas?  
17 PROSPECTIVE JUROR 112: Absolutely.  
18 THE COURT: Okay, and do you think that you would be able  
19 to sit in this case and base your verdict solely on the evidence and  
20 testimony presented during this case?  
21 PROSPECTIVE JUROR 112: I don't see why I wouldn't be.  
22 THE COURT: Okay. Have you ever been accused of a crime?  
23 PROSPECTIVE JUROR 112: Yes ma'am.  
24 THE COURT: What were you accused of?  
25 PROSPECTIVE JUROR 112: Aggravated assault, domestic

1 family violence.

2 THE COURT: Where was this?

3 PROSPECTIVE JUROR 112: Aggravated assault was in New  
4 Mexico. Domestic family violence was in El Paso.

5 THE COURT: Okay, and when did the aggravated assault  
6 occur?

7 PROSPECTIVE JUROR 112: I was 17-18 years old in New  
8 Mexico, Roswell.

9 THE COURT: Okay, and the domestic violence?

10 PROSPECTIVE JUROR 112: El Paso.

11 THE COURT: Okay, and were you prosecuted for either of  
12 those crimes?

13 PROSPECTIVE JUROR 112: Was taken to court and, of  
14 course, everything was dismissed.

15 THE COURT: Okay. And sir, is there anything about those  
16 situations that you have that would cause you to believe you couldn't be  
17 fair and impartial in this case?

18 PROSPECTIVE JUROR 112: No.

19 THE COURT: Do you have any friends, family members or  
20 close associates who have been the victim of a crime?

21 PROSPECTIVE JUROR 112: Not really, just my family.

22 THE COURT: Okay. What were they the victims of?

23 PROSPECTIVE JUROR 112: The hit and run or the accident  
24 from a drunk driver.

25 THE COURT: Because they were in the vehicle with you?

1 PROSPECTIVE JUROR 112: Yeah.

2 THE COURT: Sir, do you have any friends, family members  
3 or close associates who have been accused of a crime?

4 PROSPECTIVE JUROR 112: No.

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

6 PROSPECTIVE JUROR 112: No.

7 THE COURT: Do you own a firearm?

8 PROSPECTIVE JUROR 112: Yes, ma'am.

9 THE COURT: What is your experience level?

10 PROSPECTIVE JUROR 112: It is intermediate expert.

11 THE COURT: Okay. Do you believe people should be  
12 allowed to own firearms?

13 PROSPECTIVE JUROR 112: Absolutely.

14 THE COURT: Okay. Have you or anyone closely associated  
15 with you ever been in a romantic relationship that was volatile and  
16 abusive?

17 PROSPECTIVE JUROR 112: I was -- grew up in a domestic  
18 family violence situation as a little boy so --

19 THE COURT: Okay. And is there anything about that  
20 situation that would cause you to believe that you couldn't be fair and  
21 impartial in this case?

22 PROSPECTIVE JUROR 112: No, ma'am.

23 THE COURT: Have you ever had a bad experience with law  
24 enforcement other than what you've already mentioned?

25 PROSPECTIVE JUROR 112: Several.

1 THE COURT: Okay, and will that in any way affect your  
2 ability to be a juror in this case?

3 PROSPECTIVE JUROR 112: No, ma'am.

4 THE COURT: If graphic photos are introduced into evidence,  
5 will you be able to assess them for their evidentiary value?

6 PROSPECTIVE JUROR 112: Yes, ma'am.

7 THE COURT: If someone is taking a controlled substance, do  
8 you believe they can still be the victim of a crime?

9 PROSPECTIVE JUROR 112: Yes, ma'am.

10 THE COURT: Do you understand that Court is not like CSI or  
11 any of the TV shows, so you may not see everything that you would  
12 expect?

13 PROSPECTIVE JUROR 112: Yes, ma'am.

14 THE COURT: Some witnesses will be testifying in this case  
15 via video. Can you assess their testimony like other witnesses who  
16 testify in person?

17 PROSPECTIVE JUROR 112: I kind of struggle with that one a  
18 little bit.

19 THE COURT: Okay. Why do you say that?

20 PROSPECTIVE JUROR 112: Number one, you can get a feel  
21 and a vibe from a person, you know. I don't think you can get that same  
22 sensation or same feeling from video.

23 THE COURT: Okay. But would you give their testimony the  
24 same credibility?

25 PROSPECTIVE JUROR 112: I'd consider it. I don't know that I

1 could totally trust it or believe it, you know. Video can be manipulated  
2 so --

3 THE COURT: No, sir, it would be live.

4 PROSPECTIVE JUROR 112: Oh, okay.

5 THE COURT: And like literally, like we do court -- after the  
6 COVID pandemic hit, we had to change the way we do business.

7 PROSPECTIVE JUROR 112: Okay.

8 THE COURT: We do court via -- like literally when this case  
9 was on calendar --

10 PROSPECTIVE JUROR 112: In that case --

11 THE COURT: Hold on sir, hold on. Only one of us can talk at  
12 a time. Okay. Like literally last week we had all these lawyers. They're  
13 on video. I'm sitting here, they can hear me, I can hear them. If I ask a  
14 question, they respond. Like it's all done on video, kind of like Zoom.  
15 It's just our own version of Zoom that we call Blue Jeans. But it's  
16 basically, it's live. We're not recording anyone's testimony. It's there in  
17 another place and we're here.

18 PROSPECTIVE JUROR 112: In that case, I can -- I can accept  
19 it.

20 THE COURT: Okay, and would that be distracting to you at  
21 all?

22 PROSPECTIVE JUROR 112: No, I don't think it will be. Now  
23 that you explained it in that light.

24 THE COURT: Yeah. They'll be on these two big TVs, and  
25 we'll all be communicating with them on the TV.



1 PROSPECTIVE JUROR 112: Yeah, okay.

2 THE COURT: The presumption of innocence is the core  
3 principle that the person is innocent until proven guilty. Is that a  
4 principle that you agree with?

5 PROSPECTIVE JUROR 112: Absolutely.

6 THE COURT: It's the responsibility of the State to prove the  
7 case beyond a reasonable doubt, because they're the person accusing  
8 someone of a crime. Is that a principle you agree with?

9 PROSPECTIVE JUROR 112: Yes, ma'am.

10 THE COURT: Do you believe that it's -- do you agree with  
11 the principle that it is not the Defendant's responsibility to prove his  
12 innocence?

13 PROSPECTIVE JUROR 112: Yes, ma'am.

14 THE COURT: The Defendant has a right not to testify. If he  
15 chooses not to testify, will you hold that against him?

16 PROSPECTIVE JUROR 112: No, ma'am.

17 THE COURT: Have you or anyone closely associated with  
18 you ever been in a close relationship with someone who was a drug  
19 user?

20 PROSPECTIVE JUROR 112: No.

21 THE COURT: Do you believe you may be too emotional to sit  
22 as a juror in this type of case?

23 PROSPECTIVE JUROR 112: No, ma'am.

24 THE COURT: Not all killings are considered the same under  
25 the law. At the conclusion of this case, I will instruct you on the

1 elements of the possible crimes you can consider in your deliberation.

2 Will you be able to consider all of the possible crimes that I instruct you  
3 on?

4 PROSPECTIVE JUROR 112: Yes, ma'am.

5 THE COURT: Is there anything about the nature of this case  
6 or anything you've heard here today that would make it difficult for you  
7 to sit as a fair and impartial juror in this case?

8 PROSPECTIVE JUROR 112: No, ma'am.

9 THE COURT: Can you base your verdict solely on the  
10 evidence presented during this trial, and wait to form an opinion until  
11 you've heard all the evidence?

12 PROSPECTIVE JUROR 112: Yes, ma'am.

13 THE COURT: Sir, can you be fair to both sides?

14 PROSPECTIVE JUROR 112: Yes, ma'am.

15 THE COURT: All right, thank you sir. You could pass the  
16 microphone next to you. Mr. Estrella?

17 PROSPECTIVE JUROR 116: Yes.

18 THE COURT: Sir, how long have you lived in Clark County?

19 PROSPECTIVE JUROR 116: More than 20 years.

20 THE COURT: I'm sorry?

21 PROSPECTIVE JUROR 116: More than 20 years.

22 THE COURT: More than 20 years. How far did you go in  
23 school?

24 PROSPECTIVE JUROR 116: Some college.

25 THE COURT: What did you study?

1 PROSPECTIVE JUROR 116: Psychology.  
2 THE COURT: Sir, are you currently employed?  
3 PROSPECTIVE JUROR 116: Yes.  
4 THE COURT: What type of work do you do?  
5 PROSPECTIVE JUROR 116: I am a bartender in Caesar's.  
6 THE COURT: Okay. Are you married or in a significant  
7 relationship?  
8 PROSPECTIVE JUROR 116: Married.  
9 THE COURT: What type of work does your spouse do?  
10 PROSPECTIVE JUROR 116: She works for oncology, medical  
11 assistant.  
12 THE COURT: Okay. Do you have any children?  
13 PROSPECTIVE JUROR 116: Yes, three.  
14 THE COURT: How old are they?  
15 PROSPECTIVE JUROR 116: So it's 8, 11 and my daughter will  
16 be born in September.  
17 THE COURT: Okay. Sir, have you ever been the victim of a  
18 crime?  
19 PROSPECTIVE JUROR 116: It's a loaded question, because it  
20 kind of goes hand in hand with the second question you asked.  
21 THE COURT: Okay, okay. Have you ever been accused of a  
22 crime?  
23 PROSPECTIVE JUROR 116: Yeah.  
24 THE COURT: Okay. So go ahead and tell us about it.  
25 PROSPECTIVE JUROR 116: DUI.

1 THE COURT: Yes.

2 PROSPECTIVE JUROR 116: But it was because --

3 THE COURT: Oh just one second. Let me just stop you, just

4 so we're following you. So were you accused of a DUI or were you the

5 victim of someone --

6 PROSPECTIVE JUROR 116: After yeah, someone else hit me.

7 THE COURT: Okay. So a drunk driver hit you?

8 PROSPECTIVE JUROR 116: Yeah, but I was also drunk.

9 THE COURT: Okay, okay.

10 PROSPECTIVE JUROR 116: Or drinking.

11 THE COURT: Okay. When did this happen?

12 PROSPECTIVE JUROR 116: More than six years ago I think.

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

14 PROSPECTIVE JUROR 116: Yes.

15 THE COURT: Okay. Was either party arrested?

16 PROSPECTIVE JUROR 116: I don't think so.

17 THE COURT: No?

18 PROSPECTIVE JUROR 116: No.

19 THE COURT: Okay. Sir, is there anything about that

20 situation that would cause you to believe that you couldn't be fair and

21 impartial in this case?

22 PROSPECTIVE JUROR 116: No.

23 THE COURT: Have you been accused of any other crimes?

24 PROSPECTIVE JUROR 116: No.

25 THE COURT: Do you have any friends, family members or

1 close associates who've been accused of a crime?

2 PROSPECTIVE JUROR 116: A brother for theft.

3 THE COURT: Okay, and where did that happen?

4 PROSPECTIVE JUROR 116: Here in Vegas.

5 THE COURT: When was that?

6 PROSPECTIVE JUROR 116: Oh, early 2000s.

7 THE COURT: Okay, and was he arrested for that?

8 PROSPECTIVE JUROR 116: Yes.

9 THE COURT: Did you follow his case through the system?

10 PROSPECTIVE JUROR 116: Not really. I was young.

11 THE COURT: Okay. I'm sorry, what was the last thing you

12 said?

13 PROSPECTIVE JUROR 116: I was young, not really.

14 THE COURT: Okay. Is there anything about the nature of this

15 case -- of that situation that would cause you to believe you couldn't be

16 fair and impartial in this case?

17 PROSPECTIVE JUROR 116: No.

18 THE COURT: Okay. Sir, do you have any friends, family

19 members or close associates who were the victim of a crime?

20 PROSPECTIVE JUROR 116: Yes.

21 THE COURT: Who was that?

22 PROSPECTIVE JUROR 116: Robbery, my parents.

23 THE COURT: Your parents?

24 PROSPECTIVE JUROR 116: Uh-huh, just like --

25 THE COURT: Okay. So your parents were victims of

1 robbery?

2 PROSPECTIVE JUROR 116: -- home burglary, yeah.

3 THE COURT: When did that occur?

4 PROSPECTIVE JUROR 116: Early 2000s.

5 THE COURT: Was there here in Las Vegas as well?

6 PROSPECTIVE JUROR 116: Yes.

7 THE COURT: Is that a yes?

8 PROSPECTIVE JUROR 116: Yes.

9 THE COURT: Okay. Sir, so you were real young at that time.

10 Did you -- was that reported to the police do you know?

11 PROSPECTIVE JUROR 116: I believe they came out, but

12 nothing ever came of it.

13 THE COURT: Okay. Is there anything about that situation

14 that would cause you to believe you couldn't be fair and impartial in this

15 case?

16 PROSPECTIVE JUROR 116: No.

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

18 PROSPECTIVE JUROR 116: No.

19 THE COURT: Sir, do you own a firearm?

20 PROSPECTIVE JUROR 116: Yes.

21 THE COURT: What is your experience level?

22 PROSPECTIVE JUROR 116: Intermediate.

23 THE COURT: Do you believe people should be allowed to

24 own firearms?

25 PROSPECTIVE JUROR 116: Yes.

1 THE COURT: Sir, have you or anyone closely associated with  
2 you ever been in a romantic relationship that was volatile or abusive?

3 PROSPECTIVE JUROR 116: Not a romantic, but assault by  
4 my wife.

5 THE COURT: Okay. Your wife was assaulted?

6 PROSPECTIVE JUROR 116: Uh-huh.

7 THE COURT: By who?

8 PROSPECTIVE JUROR 116: Her brother.

9 THE COURT: Okay, so it was a domestic violence situation?

10 PROSPECTIVE JUROR 116: Yeah, yeah.

11 THE COURT: Was her brother arrested?

12 PROSPECTIVE JUROR 116: Yes.

13 THE COURT: Was he prosecuted?

14 PROSPECTIVE JUROR 116: Yes.

15 THE COURT: In Las Vegas?

16 PROSPECTIVE JUROR 116: Yes.

17 THE COURT: Is there anything about that situation that  
18 would cause you to believe you couldn't be fair and impartial in this  
19 case?

20 PROSPECTIVE JUROR 116: No.

21 THE COURT: Have you ever had a bad experience with law  
22 enforcement?

23 PROSPECTIVE JUROR 116: No.

24 THE COURT: If graphic photos are introduced into evidence  
25 in this trial, will you be able to assess them for their evidentiary value?

1 PROSPECTIVE JUROR 116: Yes.

2 THE COURT: If someone is taking a controlled substance, do  
3 you believe they can still be the victim of a crime?

4 PROSPECTIVE JUROR 116: Yes.

5 THE COURT: You understand that Court may not appear like  
6 CSI or any of the crime shows that you see on TV? Are you okay with  
7 that?

8 PROSPECTIVE JUROR 116: Yeah.

9 THE COURT: Some witnesses will be testifying via video.  
10 Can you assess their testimony like other witnesses who are testifying in  
11 person?

12 PROSPECTIVE JUROR 116: Yes.

13 THE COURT: And would that be distracting to you?

14 PROSPECTIVE JUROR 116: No.

15 THE COURT: The presumption of innocence is the core  
16 principle that one is innocent until proven guilty. Do you agree with that  
17 principle?

18 PROSPECTIVE JUROR 116: Yes.

19 THE COURT: It is the responsibility of the State to prove the  
20 case to you beyond a reasonable doubt, because they are the person  
21 accusing someone of committing a crime. Do you agree with that  
22 principle?

23 PROSPECTIVE JUROR 116: Yes.

24 THE COURT: Do you agree with the principle that the  
25 Defendant does not have a responsibility to prove his innocence?



1 PROSPECTIVE JUROR 116: Yes.

2 THE COURT: The Defendant has a right not to testify. If he  
3 chooses not to testify, will you hold that against him?

4 PROSPECTIVE JUROR 116: No.

5 THE COURT: Have you or anyone closely associated with  
6 you ever been in a close relationship with someone who was a drug  
7 user?

8 PROSPECTIVE JUROR 116: Yes.

9 THE COURT: And who was that?

10 PROSPECTIVE JUROR 116: My wife's brother.

11 THE COURT: Okay. He was on drugs?

12 PROSPECTIVE JUROR 116: Yes.

13 THE COURT: Okay, and was he on drugs at the time of the  
14 assault with her?

15 PROSPECTIVE JUROR 116: Yes.

16 THE COURT: Okay. Is there anything about the fact that you  
17 knew about that situation with him that would cause you to believe you  
18 couldn't be fair and impartial in this case?

19 PROSPECTIVE JUROR 116: No.

20 THE COURT: Do you think you may be too emotional to sit  
21 as a juror in this case?

22 PROSPECTIVE JUROR 116: No. That was before my time.

23 THE COURT: Okay, so you and your wife weren't married at  
24 the time?

25 PROSPECTIVE JUROR 116: No, no, no. This is just --

1 THE COURT: Okay. She told you about it?

2 PROSPECTIVE JUROR 116: Exactly, and this is -- yeah, he's  
3 already out so yeah.

4 THE COURT: Okay. Not all killings are considered the same  
5 under the law. At the conclusion of this case, I will instruct you as to the  
6 elements of the possible crimes you can consider in your deliberations.  
7 Will you be able to consider all of the possible crimes that I instruct you  
8 on?

9 PROSPECTIVE JUROR 116: Yes.

10 THE COURT: Is there anything about the nature of this case  
11 or anything you've heard here today that would make it difficult for you  
12 to sit as a fair and impartial juror in this case?

13 PROSPECTIVE JUROR 116: No.

14 THE COURT: Can you base your verdict solely on the  
15 evidence presented during this trial, and wait to form an opinion until  
16 you've heard all of that evidence?

17 PROSPECTIVE JUROR 116: Yes.

18 THE COURT: Sir, can you be fair to both sides?

19 PROSPECTIVE JUROR 116: Of course.

20 THE COURT: Okay. Thank you very much sir. You could  
21 pass the microphone next to you. Is it Ms. Galvez?

22 PROSPECTIVE JUROR 234: Yes.

23 THE COURT: Ma'am, how long have you lived in Clark  
24 County?

25 PROSPECTIVE JUROR 234: More than 20 years.

1 THE COURT: I'm sorry?  
2 PROSPECTIVE JUROR 234: 24 years.  
3 THE COURT: And how far did you go in school?  
4 PROSPECTIVE JUROR 234: 11th grade.  
5 THE COURT: Are you currently working?  
6 PROSPECTIVE JUROR 234: Yes, I am.  
7 THE COURT: What type of work do you do?  
8 PROSPECTIVE JUROR 234: Barista, Mandalay Bay.  
9 THE COURT: Okay, a barista? Okay. Are you married or in a  
10 significant relationship?  
11 PROSPECTIVE JUROR 234: I'm married.  
12 THE COURT: What type of work does your spouse do?  
13 PROSPECTIVE JUROR 234: He work El Cortez.  
14 THE COURT: Where is he at work at?  
15 PROSPECTIVE JUROR 234: El Cortez.  
16 THE COURT: Okay. Do you guys have any children?  
17 PROSPECTIVE JUROR 234: Yes.  
18 THE COURT: How old are they?  
19 PROSPECTIVE JUROR 234: 23, 17 and 11.  
20 THE COURT: Does the 23 year-old have work?  
21 PROSPECTIVE JUROR 234: Yes.  
22 THE COURT: What type of work does she do?  
23 PROSPECTIVE JUROR 234: She work at the Mob Museum.  
24 THE COURT: Okay. And ma'am, have you ever been the  
25 victim of a crime?

1 PROSPECTIVE JUROR 234: No.

2 THE COURT: Have you ever been accused of a crime?

3 PROSPECTIVE JUROR 234: No.

4 THE COURT: Do you have any friends, family members or

5 close associates who've been the victim of a crime?

6 PROSPECTIVE JUROR 234: No.

7 THE COURT: Any friends, family members or close

8 associates who've been accused of a crime?

9 PROSPECTIVE JUROR 234: No.

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

11 PROSPECTIVE JUROR 234: No.

12 THE COURT: Do you own a firearm?

13 PROSPECTIVE JUROR 234: No.

14 THE COURT: Do you believe people should be allowed to

15 own firearms?

16 PROSPECTIVE JUROR 234: No.

17 THE COURT: You don't believe anyone should be allowed to

18 own a firearm?

19 PROSPECTIVE JUROR 234: Umm --

20 THE COURT: Okay. Have you or anyone closely associated

21 with you ever been in a romantic relationship that was volatile and

22 abusive?

23 PROSPECTIVE JUROR 234: No.

24 THE COURT: Have you ever had a bad experience with law

25 enforcement?

1 PROSPECTIVE JUROR 234: No

2 THE COURT: If graphic photos are introduced into evidence,  
3 will you be able to assess them for their evidentiary value?

4 PROSPECTIVE JUROR 234: Yes.

5 THE COURT: If someone is taking a controlled substance, do  
6 you believe they can still be the victim of a crime?

7 PROSPECTIVE JUROR 234: No.

8 THE COURT: Okay. You don't believe that they can?

9 PROSPECTIVE JUROR 234: I do. Can you repeat the  
10 question please?

11 THE COURT: No problem. If someone has taken a controlled  
12 substance or someone is on drugs, do you believe they can still be the  
13 victim of a crime?

14 PROSPECTIVE JUROR 234: Yes.

15 THE COURT: Okay. You understand that Court may not be  
16 like CSI or any of the TV shows that you're used to seeing, so this may  
17 not be the same experience?

18 PROSPECTIVE JUROR 234: Yes.

19 THE COURT: Do you understand that?

20 PROSPECTIVE JUROR 234: Yes.

21 THE COURT: Are you okay with that?

22 PROSPECTIVE JUROR 234: Yes.

23 THE COURT: Okay. Some witnesses will be testifying via  
24 video. Can you assess their testimony like any other witnesses who  
25 testify in person?

1 PROSPECTIVE JUROR 234: Yes.

2 THE COURT: Would this be distracting to you in any way?

3 PROSPECTIVE JUROR 234: No.

4 THE COURT: The presumption of innocence is the core  
5 principle that one is innocent until proven guilty. Is this a principle that  
6 you agree with?

7 PROSPECTIVE JUROR 234: Yes.

8 THE COURT: It is the responsibility of the State to prove this  
9 case to you beyond a reasonable doubt. Is that a principle that you  
10 agree with?

11 PROSPECTIVE JUROR 234: Yes.

12 THE COURT: Do you agree with the principle that the  
13 Defendant is not required to prove his innocence to you?

14 PROSPECTIVE JUROR 234: Can you repeat it please?

15 THE COURT: Yes. Do you agree with the principle that the  
16 Defendant is not required to prove his innocence?

17 PROSPECTIVE JUROR 234 Yes.

18 THE COURT: The State is required to prove his guilt.

19 PROSPECTIVE JUROR 234: Oh, yes.

20 THE COURT: Do you agree with that?

21 PROSPECTIVE JUROR 234: Yes.

22 THE COURT: The Defendant has a right not to testify. If the  
23 Defendant chooses not to testify, will you hold this against him?

24 PROSPECTIVE JUROR 234: No.

25 THE COURT: Have you or anyone closely associated with

1 you ever been in a close relationship with someone who was a drug  
2 user?

3 PROSPECTIVE JUROR 234: No.

4 THE COURT: Do you believe you may be too emotional to sit  
5 as a juror in this case on this type of case?

6 PROSPECTIVE JUROR 234: No.

7 THE COURT: Not all killings are considered the same under  
8 the law. At the conclusion of this case, I will instruct you as to the  
9 elements of the possible crimes you can consider in your deliberations.  
10 Will you be able to consider all possible crimes if the State proves the  
11 elements beyond a reasonable doubt?

12 PROSPECTIVE JUROR 234: Yes.

13 THE COURT: Can you -- is there anything about the nature of  
14 this case or anything you've heard here today that would make it difficult  
15 for you to sit as a fair and impartial juror in this case?

16 PROSPECTIVE JUROR 234: No.

17 THE COURT: Can you base your verdict solely on the  
18 evidence presented during this trial, and wait to form an opinion until  
19 you've heard all of that evidence?

20 PROSPECTIVE JUROR 234: Yes.

21 THE COURT: Ma'am, can you be fair to both sides?

22 PROSPECTIVE JUROR 234: Yes.

23 THE COURT: Okay. Thank you very much. You can pass the  
24 microphone next to you. Is it Ms. Gravitt?

25 PROSPECTIVE JUROR 134: Yes.

1 THE COURT: Ma'am, how long have you lived in Clark  
2 County?  
3 PROSPECTIVE JUROR 134: 48 years.  
4 THE COURT: I'm sorry?  
5 THE CLERK: Is the mic on?  
6 THE COURT: I don't know. Is there a green light on the side?  
7 PROSPECTIVE JUROR 134: 48 years.  
8 THE COURT: Okay, and how far did you go in school?  
9 PROSPECTIVE JUROR 134: Master's degree.  
10 THE COURT: And what did you study?  
11 PROSPECTIVE JUROR 134: Journalism.  
12 THE COURT: Okay. I don't think that mic is on. Is there a  
13 green light on the side? And what did you study, I'm sorry?  
14 PROSPECTIVE JUROR 134: Journalism.  
15 THE COURT: Okay, and ma'am are you married or in a  
16 significant relationship?  
17 PROSPECTIVE JUROR 134: Married.  
18 THE COURT: What type of work does your spouse do?  
19 PROSPECTIVE JUROR 134: He's a business owner.  
20 THE COURT: Okay. What type of business does he own?  
21 PROSPECTIVE JUROR 134: He owns a collection agency and  
22 a decal company, sports decals.  
23 THE COURT: Decals, okay. And what type of work do you  
24 do?  
25 PROSPECTIVE JUROR 134: I'm a teacher.



1 THE MARSHAL: We should change the battery on that if  
2 you're going to do this.

3 PROSPECTIVE JUROR 134: I can talk loud.

4 THE COURT: Okay. She already moved on impatiently, she  
5 just got here. Don't worry. We have plenty of batteries, right John?

6 THE MARSHAL: Yes.

7 THE COURT: Okay. Okay, is that better?

8 PROSPECTIVE JUROR 134: Yes. Can you hear me?

9 THE COURT: Yes. And what type of work do you do ma'am?

10 PROSPECTIVE JUROR 134: I'm a journalism teacher.

11 THE COURT: Okay, and do you guys have any children?

12 PROSPECTIVE JUROR 134: Yes, two.

13 THE COURT: How old are they?

14 PROSPECTIVE JUROR 134: 26 and 24.

15 THE COURT: Okay, do they work?

16 PROSPECTIVE JUROR 134: Yes.

17 THE COURT: What type of work do they --

18 PROSPECTIVE JUROR 134: My daughter's a news anchor,  
19 and my son is a music agent.

20 THE COURT: A music agent?

21 PROSPECTIVE JUROR 134: Yeah.

22 THE COURT: Okay. Ma'am, have you ever been the victim of  
23 a crime?

24 PROSPECTIVE JUROR 134: No.

25 THE COURT: Have you ever been accused of a crime?

1 PROSPECTIVE JUROR 134: No.

2 THE COURT: Do you have any friends, family members or  
3 close associates who've been the victim of a crime?

4 PROSPECTIVE JUROR 134: No.

5 THE COURT: Any friends, family members or close  
6 associates who've been accused of a crime?

7 PROSPECTIVE JUROR 134: No.

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

9 PROSPECTIVE JUROR 134: No.

10 THE COURT: Ma'am, do you own a firearm?

11 PROSPECTIVE JUROR 134: I personally don't, but my  
12 husband does.

13 THE COURT: Okay. Do you believe people should be  
14 allowed to own firearms?

15 PROSPECTIVE JUROR 134: Yes.

16 THE COURT: Okay. Have you or anyone closely associated  
17 with you ever been in a romantic relationship that was volatile and  
18 abusive?

19 PROSPECTIVE JUROR 134: No.

20 THE COURT: Have you ever had a bad experience with law  
21 enforcement?

22 PROSPECTIVE JUROR 134: No.

23 THE COURT: If graphic photos are introduced into evidence,  
24 will you be able to assess them for their evidentiary value?

25 PROSPECTIVE JUROR 134: Yes.

1 THE COURT: If someone is taking a controlled substance,  
2 can you believe that -- do you believe they can still be the victim of a  
3 crime?

4 PROSPECTIVE JUROR 134: Yes.

5 THE COURT: Do you understand that Court is not CSI, and it  
6 may not be exactly like the experience you see on TV?

7 PROSPECTIVE JUROR 134: Yes, ma'am.

8 THE COURT: Some witnesses will be testifying via video.  
9 Can you assess their testimony like other witnesses who testify in  
10 person?

11 PROSPECTIVE JUROR 134: Yes.

12 THE COURT: Would this be distracting for you?

13 PROSPECTIVE JUROR 134: No.

14 THE COURT: The presumption of innocence is the core  
15 principle that one is innocent until proven guilty. Do you agree with this  
16 principle?

17 PROSPECTIVE JUROR 134: Yes.

18 THE COURT: It is the responsibility of the State to prove this  
19 case to you beyond a reasonable doubt in our system, because they are  
20 the person accusing someone of a crime. Do you agree with that  
21 principle?

22 PROSPECTIVE JUROR 134: Yes.

23 THE COURT: Do you agree with the principle that it is not the  
24 Defendant's responsibility to prove his innocence?

25 PROSPECTIVE JUROR 134: Yes.

1 THE COURT: The Defendant has a right not to testify. If the  
2 Defendant chooses to exercise that right and not testify, will you hold it  
3 against him?

4 PROSPECTIVE JUROR 134: No.

5 THE COURT: Do you -- have you or anyone closely  
6 associated with you ever been in a close relationship with someone who  
7 was a drug user?

8 PROSPECTIVE JUROR 134: Yes.

9 THE COURT: And when was that?

10 PROSPECTIVE JUROR 134: My younger brother is a drug  
11 abuser.

12 THE COURT: Okay, and so you -- you witnessed him going  
13 through this?

14 PROSPECTIVE JUROR 134: Okay. Is there anything about  
15 the situations that you've experience with your younger brother that  
16 would cause you to believe you couldn't be fair and impartial in this  
17 case?

18 PROSPECTIVE JUROR 134: No.

19 THE COURT: Do you believe you may be too emotional to sit  
20 as a juror in this case on this case?

21 PROSPECTIVE JUROR 134: No.

22 THE COURT: Do you understand that not all killings are  
23 considered the same under the law. So at the conclusion of this case, I  
24 will instruct you as to the elements of the possible crimes you can  
25 consider in your deliberations. Would you be able to consider all of

1 those crimes?

2 PROSPECTIVE JUROR 134: Yes, Your Honor.

3 THE COURT: Can you -- is there anything about the nature of  
4 this case or anything you've heard here today that would make it difficult  
5 for you to sit as a fair and impartial juror in this case?

6 PROSPECTIVE JUROR 134: No, ma'am.

7 THE COURT: Can you base your verdict solely on the  
8 evidence presented during this trial, and wait to form an opinion until  
9 you've heard all of the evidence?

10 PROSPECTIVE JUROR 134: Yes, ma'am.

11 THE COURT: Can you be fair to both sides?

12 PROSPECTIVE JUROR 134: Yes.

13 THE COURT: Thank you very much ma'am. If you can pass  
14 the microphone next to you. Ms. Burnett, badge number 140. Ms.  
15 Burnett, are you able to hear everything with the headphones?

16 PROSPECTIVE JUROR 140: Yes, ma'am.

17 THE COURT: Okay. Ma'am, how long have you lived in Clark  
18 County?

19 PROSPECTIVE JUROR 140: About four years now.

20 THE COURT: Where were you before that?

21 PROSPECTIVE JUROR 140: Charleston, South Carolina.

22 THE COURT: Okay, and how far did you go in school?

23 PROSPECTIVE JUROR 140: Some college.

24 THE COURT: What did you study?

25 PROSPECTIVE JUROR 140: Psychology.

1 THE COURT: Are you currently employed?  
2 PROSPECTIVE JUROR 140: Yes.  
3 THE COURT: What type of work do you do?  
4 PROSPECTIVE JUROR 140: Customer service tech support.  
5 THE COURT: Are you married or in a significant  
6 relationship?  
7 PROSPECTIVE JUROR 140: Significant relationship.  
8 THE COURT: What type of work does your spouse do?  
9 PROSPECTIVE JUROR 140: He's an international corporate  
10 lawyer based out of Dublin, Ireland.  
11 THE COURT: Okay, and do you have any children?  
12 PROSPECTIVE JUROR 140: No. I mean yes, oh my God.  
13 Him and I, no.  
14 THE COURT: Don't worry, we won't tell.  
15 PROSPECTIVE JUROR 140: Sorry.  
16 THE COURT: Your secret's safe with me and the 60 other  
17 people that are here today.  
18 PROSPECTIVE JUROR 140: I have six children. It went from  
19 zero to six.  
20 THE COURT: Oh man, living your best life on jury duty.  
21 PROSPECTIVE JUROR 140: Oh, my God. Okay.  
22 THE COURT: That's okay. How old are they?  
23 PROSPECTIVE JUROR 140: They're 23. He is a sous chef.  
24 20, mostly full-time college student currently working at Target for the  
25 summer, 18 is a CNA, 16 not working. Okay. Oh wait, four kids.

1 THE COURT: That's four.

2 PROSPECTIVE JUROR 140: Then 9 and 8, and then just --  
3 okay.

4 THE COURT: Okay. Ma'am, have you ever been the victim of  
5 a crime?

6 PROSPECTIVE JUROR 140: Yes.

7 THE COURT: What were you the victim of?

8 PROSPECTIVE JUROR 140: Kidnapping and sexual assault.

9 THE COURT: When did that occur?

10 PROSPECTIVE JUROR 140: In 1993, when I was 16.

11 THE COURT: Okay. Where did that occur?

12 PROSPECTIVE JUROR 140: In Glendale, Arizona.

13 THE COURT: Okay. Was that reported to the police?

14 PROSPECTIVE JUROR 140: Yes.

15 THE COURT: Was anyone arrested for that?

16 PROSPECTIVE JUROR 140: Yes.

17 THE COURT: Were they prosecuted?

18 PROSPECTIVE JUROR 140: Yes.

19 THE COURT: And did you follow the case through the  
20 system?

21 PROSPECTIVE JUROR 140: Yes.

22 THE COURT: Is there anything about that situation that you  
23 endured that would cause you to believe you couldn't be fair and  
24 impartial in this case?

25 PROSPECTIVE JUROR 140: Honestly, no.

1 THE COURT: Have you ever been accused of a crime?

2 PROSPECTIVE JUROR 140: No.

3 THE COURT: Do you have any friends, family members or  
4 close associates who've been the victim of a crime?

5 PROSPECTIVE JUROR 140: Yes.

6 THE COURT: And who is that?

7 PROSPECTIVE JUROR 140: Oh goodness. So my, one of my  
8 children was sexually assaulted by a family member.

9 THE COURT: When did that occur?

10 PROSPECTIVE JUROR 140: I would say 2004.

11 THE COURT: Okay, and where did that occur?

12 PROSPECTIVE JUROR 140: Colorado.

13 THE COURT: And was that reported to the police?

14 PROSPECTIVE JUROR 140: Yes.

15 THE COURT: And was someone arrested?

16 PROSPECTIVE JUROR 140: Yes.

17 THE COURT: Were they prosecuted?

18 PROSPECTIVE JUROR 140: Yes.

19 THE COURT: And did you follow that case through the  
20 system?

21 PROSPECTIVE JUROR 140: Yes.

22 THE COURT: Is there anything about that situation that  
23 would cause you to believe you couldn't be fair and impartial in this  
24 case?

25 PROSPECTIVE JUROR 140: No.



1 THE COURT: Do you have any friends, family members or  
2 close associates who've been accused of a crime?

3 PROSPECTIVE JUROR 140: So an ex-brother-in-law.

4 THE COURT: Okay, and what was he accused of? The sexual  
5 assault.

6 PROSPECTIVE JUROR 140: Yes.

7 THE COURT: Okay, and is there anything about that situation  
8 that would cause you to believe you couldn't be fair and impartial?

9 PROSPECTIVE JUROR 140: No.

10 THE COURT: Okay. Have you ever been a juror before?

11 PROSPECTIVE JUROR 140: No.

12 THE COURT: Do you own a firearm?

13 PROSPECTIVE JUROR 140: No.

14 THE COURT: Do you believe people should own firearms?

15 PROSPECTIVE JUROR 140: Yes, responsibly.

16 THE COURT: Have you or anyone closely associated with  
17 you ever been in a romantic relationship that was volatile and abusive?

18 PROSPECTIVE JUROR 140: Yes, myself and my sisters and  
19 my mother.

20 THE COURT: Okay, and in those situations that you know  
21 about and that you're familiar with, is there anything about those  
22 situations that would cause you to believe you couldn't be fair and  
23 impartial in this case?

24 PROSPECTIVE JUROR 140: No.

25 THE COURT: Have you ever had a bad experience with law

1 enforcement?

2 PROSPECTIVE JUROR 140: No.

3 THE COURT: If graphic photos are introduced into evidence  
4 in this trial, will you be able to assess them for their evidentiary value?

5 PROSPECTIVE JUROR 140: Yes, ma'am.

6 THE COURT: If someone is taking a controlled substance, do  
7 you believe they can still be the victim of a crime?

8 PROSPECTIVE JUROR 140: Yes.

9 THE COURT: Do you understand that Court is not like CSI.  
10 There's not necessarily going to be the exact same things that you would  
11 see on TV?

12 PROSPECTIVE JUROR 140: Yes.

13 THE COURT: Are you okay with that?

14 PROSPECTIVE JUROR 140: Yes.

15 THE COURT: Some witnesses will be testifying via video.  
16 Can you assess their testimony like other witnesses who testify in  
17 person?

18 PROSPECTIVE JUROR 140: I'm so sorry, Your Honor, yes.  
19 I'm just thinking Lawyer Cat.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR 140: Sorry, yeah. Yes, I can take it  
22 seriously.

23 THE COURT: Okay, and I'm sorry, I'm not familiar with what  
24 Lawyer Cat is.

25 PROSPECTIVE JUROR 140: Oh my God. It was a disaster

1 with a legal proceeding.

2 THE COURT: Oh, the guy who had the cat, yes. I recall this. I  
3 am familiar.

4 PROSPECTIVE JUROR 140: So every time you say that, I  
5 start laughing.

6 THE COURT: No, yeah. I think we all remember witnessing  
7 that. Would you be able to assess their testimony like other witnesses  
8 who will be here in person?

9 PROSPECTIVE JUROR 140: Yes, ma'am.

10 THE COURT: And will it be distracting to you?

11 PROSPECTIVE JUROR 140: No, ma'am.

12 THE COURT: The presumption of innocence is a core  
13 principle that one is innocent until proven guilty. Is this a principle you  
14 agree with?

15 PROSPECTIVE JUROR 140: Yes.

16 THE COURT: It is the responsibility of the State to prove this  
17 case to you beyond a reasonable doubt, because they're the person  
18 accusing someone of a crime. Do you agree with that principle?

19 PROSPECTIVE JUROR 140: Yes, ma'am.

20 THE COURT: Do you agree that it is -- with the principle that  
21 it is not the Defendant's responsibility to prove his innocence?

22 PROSPECTIVE JUROR 140: It's not his responsibility?

23 THE COURT: To prove his innocence.

24 PROSPECTIVE JUROR 140: Correct, yes. I wholeheartedly  
25 agree.

1 THE COURT: The Defendant has a right not to testify. If he  
2 chooses not to testify, will you hold this against him?

3 PROSPECTIVE JUROR 140: Not at all.

4 THE COURT: Have you or anyone closely associated with  
5 you ever been in a relationship with someone who was a drug user?

6 PROSPECTIVE JUROR 140: No.

7 THE COURT: Do you believe you may be too emotional to sit  
8 as a juror in this case on this type of case?

9 PROSPECTIVE JUROR 140: No, ma'am.

10 THE COURT: Not all killings are considered the same under  
11 the law. So at the conclusion of the evidence in this case, I will instruct  
12 you as to the elements of the possible crimes you can consider in your  
13 deliberations. Will you be able to consider all of these possible crimes?

14 PROSPECTIVE JUROR 140: Yes, ma'am.

15 THE COURT: Is there anything about the nature of this case  
16 or anything you've heard here today that would make it difficult for you  
17 to sit as a fair and impartial juror in this case?

18 PROSPECTIVE JUROR 140: Nothing at all.

19 THE COURT: Can you base your verdict solely on the  
20 evidence presented during this trial, and wait to form an opinion until  
21 you've heard all of that evidence?

22 PROSPECTIVE JUROR 140: Yes, ma'am.

23 THE COURT: Ma'am, can you be fair to both sides?

24 PROSPECTIVE JUROR 140: Yes, ma'am.

25 THE COURT: Okay. Thank you very much ma'am. If we

1 could pass the microphone down here to the front to Mr. Medina.

2 [Pause]

3 THE COURT: Mr. Medina sir, how long have you lived in  
4 Clark County?

5 PROSPECTIVE JUROR 241: Ten years I think.

6 THE COURT: I'm sorry?

7 PROSPECTIVE JUROR 241: 10 years, 10-11 years.

8 THE COURT: Okay. Where were you before that?

9 PROSPECTIVE JUROR 241: California.

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

11 PROSPECTIVE JUROR 241: High school graduate.

12 THE COURT: Are you currently employed?

13 PROSPECTIVE JUROR 241: Yes.

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

15 PROSPECTIVE JUROR 241: I'm a warehouse supervisor.

16 THE COURT: Are you married or in a significant  
17 relationship?

18 PROSPECTIVE JUROR 241: In a relationship.

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

20 PROSPECTIVE JUROR 241: She's not working.

21 THE COURT: Do you have any children?

22 PROSPECTIVE JUROR 241: I have three.

23 THE COURT: How old are they?

24 PROSPECTIVE JUROR 241: 8, 7 and my youngest just turned  
25 one in April.

1 THE COURT: Okay. Have you ever been the victim of a  
2 crime?

3 PROSPECTIVE JUROR 241: Me, no.

4 THE COURT: Have you ever been accused of a crime?

5 PROSPECTIVE JUROR 241: No.

6 THE COURT: Do you have any friends, family members or  
7 close associates who've been the victim of a crime?

8 PROSPECTIVE JUROR 241: Yeah.

9 THE COURT: Who is that?

10 PROSPECTIVE JUROR 241: My mother and my sister, one of  
11 them.

12 THE COURT: What were they the victim of?

13 PROSPECTIVE JUROR 241: Domestic violence.

14 THE COURT: And were you -- did you witness any of this?

15 PROSPECTIVE JUROR 241: My mom, yeah. My older sister,  
16 no.

17 THE COURT: Okay, and were these crimes reported to the  
18 police?

19 PROSPECTIVE JUROR 241: Yeah.

20 THE COURT: Was anyone arrested?

21 PROSPECTIVE JUROR 241: Yeah.

22 THE COURT: Were they prosecuted?

23 PROSPECTIVE JUROR 241: Well, my ex-stepfather was, and  
24 then my older sister, she's going through it right now.

25 THE COURT: Okay. So in regard to your ex-stepfather, did

1 you follow that case through the system?

2 PROSPECTIVE JUROR 241: No, I didn't.

3 THE COURT: Where did that occur?

4 PROSPECTIVE JUROR 241: Here in Vegas.

5 THE COURT: Okay, and is there anything about that situation  
6 that would cause you to believe you couldn't be fair and impartial in this  
7 case?

8 PROSPECTIVE JUROR 241: I don't think so.

9 THE COURT: And in regards to the situation your sister's  
10 currently going through, where is that happening?

11 PROSPECTIVE JUROR 241: Here in Vegas.

12 THE COURT: That's here in Vegas. Okay. Is there anything  
13 about that situation that would cause you to believe you couldn't be fair  
14 and impartial?

15 PROSPECTIVE JUROR 241: I don't think so.

16 THE COURT: Do you have any friends, family members or  
17 close associates who have been accused of a crime?

18 PROSPECTIVE JUROR 241: No.

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

20 PROSPECTIVE JUROR 241: No.

21 THE COURT: Do you own a firearm sir?

22 PROSPECTIVE JUROR 241: Yes.

23 THE COURT: What is your experience level?

24 PROSPECTIVE JUROR 241: I would say like beginner.

25 THE COURT: Beginner?

1 PROSPECTIVE JUROR 241: Yeah.

2 THE COURT: Okay. Do you believe people should be  
3 allowed to own firearms?

4 PROSPECTIVE JUROR 241: Yeah.

5 THE COURT: Have you or anyone closely associated with  
6 you ever been in a romantic relationship that was volatile and abusive  
7 besides your sister?

8 PROSPECTIVE JUROR 241: No.

9 THE COURT: And your mom. Have you ever had a bad  
10 experience with law enforcement?

11 PROSPECTIVE JUROR 241: I haven't, but I've witnessed it.

12 THE COURT: Somebody having a bad experience with law  
13 enforcement?

14 PROSPECTIVE JUROR 241: Yeah.

15 THE COURT: Where did that occur?

16 PROSPECTIVE JUROR 241: At my parents' house.

17 THE COURT: Okay, and do you think that what you  
18 witnessed when you were at your parents' house will cause you to not  
19 be fair and impartial in this case?

20 PROSPECTIVE JUROR 241: Would it bother me?

21 THE COURT: Yeah. Would it affect your ability to be fair and  
22 impartial?

23 PROSPECTIVE JUROR 241: I don't think it will.

24 THE COURT: Okay. Do you think you can judge this case  
25 based on the facts and evidence presented in this case?



1 PROSPECTIVE JUROR 241: Yeah. I mean if the evidence is  
2 there, you know, I'll go with the evidence.

3 THE COURT: Okay. If graphic photos are introduced into  
4 evidence, will you be able to assess them for their evidentiary value?

5 PROSPECTIVE JUROR 241: Yeah.

6 THE COURT: If someone is taking a controlled substance, do  
7 you believe they can still be the victim of a crime?

8 PROSPECTIVE JUROR 241: Yeah.

9 THE COURT: Do you understand that Court is not like CSI.  
10 There may not be the testing and everything that you see when you're  
11 watching TV?

12 PROSPECTIVE JUROR 241: Yep.

13 THE COURT: Some witnesses will be testifying via video.  
14 Can you assess their testimony like witnesses who will be here in  
15 person?

16 PROSPECTIVE JUROR 241: Yeah.

17 THE COURT: Will this be distracting to you?

18 PROSPECTIVE JUROR 241: No.

19 THE COURT: The presumption of innocence is the core  
20 principle that one is innocent until proven guilty. Is this a principle that  
21 you agree with?

22 PROSPECTIVE JUROR 241: Yeah.

23 THE COURT: It is the responsibility of the State to prove this  
24 case to you beyond a reasonable doubt, because they are the person  
25 accusing someone of a crime. Is this something that you agree with?

1 PROSPECTIVE JUROR 241: Yeah.

2 THE COURT: Do you agree with the principle that it is not the  
3 Defendant's responsibility to prove his innocence?

4 PROSPECTIVE JUROR 241: Yeah.

5 THE COURT: The Defendant has a right not to testify. If he  
6 chooses not to testify, will you hold this against him?

7 PROSPECTIVE JUROR 241: No.

8 THE COURT: Have you or anyone closely associated with  
9 you ever been in a relationship with someone who was a drug user?

10 PROSPECTIVE JUROR 241: Yeah.

11 THE COURT: Who was that?

12 PROSPECTIVE JUROR 241: My mother.

13 THE COURT: Okay, and you said that you witnessed that?

14 PROSPECTIVE JUROR 241: Yeah.

15 THE COURT: Was there anything about that situation that  
16 your mother went through that would cause you to believe you couldn't  
17 be fair and impartial in this case?

18 PROSPECTIVE JUROR 241: No.

19 THE COURT: Do you think you may be too emotional to sit  
20 as a juror in this case in this case?

21 PROSPECTIVE JUROR 241: Probably.

22 THE COURT: Why do you think that?

23 PROSPECTIVE JUROR 241: Because I'm just not in an  
24 emotional state to do much right now.

25 THE COURT: And why is that?

1 PROSPECTIVE JUROR 241: Because of what's going in my  
2 life.

3 THE COURT: With your sister?

4 PROSPECTIVE JUROR 241: That, and there's other things  
5 too. I mean --

6 THE COURT: So you don't think you would be able to sit as a  
7 juror in this case?

8 PROSPECTIVE JUROR 241: No. I don't think I'll be fit for it,  
9 to be honest.

10 THE COURT: Okay. And you understand that not all killings  
11 are treated the same under the law, are considered the same under the  
12 law. You understand that?

13 PROSPECTIVE JUROR 241: Yeah.

14 THE COURT: At the conclusion of this case, I will instruct you  
15 as to the elements of possible crimes you can consider in your  
16 deliberations. Will you be able to consider all of those crimes?

17 PROSPECTIVE JUROR 241: Yep.

18 THE COURT: Can you base your verdict solely on the  
19 evidence and testimony presented during this trial, and wait to form an  
20 opinion until you've heard all of that evidence?

21 PROSPECTIVE JUROR 241: Yeah.

22 THE COURT: Can you be fair to both sides?

23 PROSPECTIVE JUROR 241: Yeah.

24 THE COURT: Okay, thank you sir. You can pass the  
25 microphone next to you. Ms. Gonzalez?

1 PROSPECTIVE JUROR 150: Yes.  
2 MR. BASHOR: Judge can we approach?  
3 THE COURT: Yes.  
4 [Sidebar at 2:17 p.m., ending at 2:18 p.m., not transcribed]  
5 THE COURT: All right. Ms. Gonzalez?  
6 PROSPECTIVE JUROR 150: Yes.  
7 THE COURT: Ma'am, how long have you lived in Clark  
8 County?  
9 PROSPECTIVE JUROR 150: Ten years I think.  
10 THE COURT: I'm sorry?  
11 PROSPECTIVE JUROR 150: 29 years.  
12 THE COURT: 29 years?  
13 PROSPECTIVE JUROR 150: Uh-huh.  
14 THE COURT: And how far did you go in school?  
15 PROSPECTIVE JUROR 150: Ninth grade in Mexico, until 9th  
16 grade.  
17 THE COURT: So you did 9th grade in Mexico?  
18 PROSPECTIVE JUROR 150: Uh-huh.  
19 THE COURT: Are do you speak fluent English?  
20 PROSPECTIVE JUROR 150: Not that I think, no.  
21 THE COURT: Okay, and are you currently working?  
22 PROSPECTIVE JUROR 150: Yes.  
23 THE COURT: And where are you working?  
24 PROSPECTIVE JUROR 150: I work in the [indiscernible]  
25 Casino.

1 THE COURT: Okay, here in Las Vegas?

2 PROSPECTIVE JUROR 150: Yes.

3 THE COURT: Okay. Are you married or in a significant  
4 relationship?

5 PROSPECTIVE JUROR 150: No marry.

6 THE COURT: Okay. How long have you been working at the  
7 restaurant?

8 PROSPECTIVE JUROR 150: 29 years.

9 THE COURT: Okay, and have you always -- what do you do  
10 at the restaurant?

11 PROSPECTIVE JUROR 150: I work in just -- I am kitchen  
12 runner.

13 THE COURT: The runner?

14 PROSPECTIVE JUROR 150: Yeah.

15 THE COURT: Okay, and have you always been the runner?

16 PROSPECTIVE JUROR 150: I was six years and for six years  
17 in housekeeping and then I changed to the cafeteria.

18 THE COURT: Okay, okay. And you said you're not married?

19 PROSPECTIVE JUROR 150: No.

20 THE COURT: Okay. Do you have children?

21 PROSPECTIVE JUROR 150: Yes.

22 THE COURT: How old are they?

23 PROSPECTIVE JUROR 150: He is 23.

24 THE COURT: And what type of work does he do?

25 PROSPECTIVE JUROR 150: He is studying in -- he's in the

1 university.

2 THE COURT: Okay. So what is he studying?

3 PROSPECTIVE JUROR 150: Philosophy.

4 THE COURT: Okay, and ma'am, have you ever been the  
5 victim of a crime?

6 PROSPECTIVE JUROR 150: No.

7 THE COURT: Do you have any friends, family members or  
8 close associates who've been the victim of a crime?

9 PROSPECTIVE JUROR 150: No.

10 THE COURT: Any friends, family members or close  
11 associates who've been accused of a crime?

12 PROSPECTIVE JUROR 150: No.

13 THE COURT: Have you ever been accused of a crime?

14 PROSPECTIVE JUROR 150: No.

15 THE COURT: I'm sorry. I try to do this from memory and  
16 then I just forget about asking certain things. Ma'am, have you ever  
17 been a juror before?

18 PROSPECTIVE JUROR 150: No.

19 THE COURT: Do you own a firearm?

20 PROSPECTIVE JUROR 150: No.

21 THE COURT: Do you believe people should be allowed to  
22 own firearms?

23 PROSPECTIVE JUROR 150: Yes.

24 THE COURT: Have you or anyone closely associated with  
25 you ever been in a romantic relationship that was volatile and abusive?

1 PROSPECTIVE JUROR 150: No.

2 THE COURT: Have you ever had a bad experience with law  
3 enforcement?

4 PROSPECTIVE JUROR 150: No.

5 THE COURT: If graphic photos are introduced into evidence,  
6 will you be able to assess them for their evidentiary value?

7 PROSPECTIVE JUROR 150: Yes.

8 THE COURT: If someone is taking a controlled substance, do  
9 you believe they can still be the victim of a crime?

10 PROSPECTIVE JUROR 150: Yes.

11 THE COURT: Do you understand that Court may not appear  
12 like CSI or the First 48 or any of the TV shows that you see?

13 PROSPECTIVE JUROR 150: Yes.

14 THE COURT: Will you be able to judge this case based on  
15 the evidence presented during this case?

16 PROSPECTIVE JUROR 150: Yes.

17 THE COURT: Some witnesses will be testifying via video.  
18 Can you assess their testimony like any other witness who will be here in  
19 person?

20 PROSPECTIVE JUROR 150: Yeah.

21 THE COURT: And will it be distracting for you that they're on  
22 video?

23 PROSPECTIVE JUROR 150: No.

24 THE COURT: The presumption of innocence is the core  
25 principle that one is innocent until proven guilty. Do you agree with

1 that?

2 PROSPECTIVE JUROR 150: Yes.

3 THE COURT: It is the responsibility of the State to prove this  
4 case to you beyond a reasonable doubt, because they are the one  
5 accusing someone of a crime. Do you agree with that principle?

6 PROSPECTIVE JUROR 150: Yes.

7 THE COURT: Do you agree with the principle that it is not the  
8 Defendant's responsibility to prove his innocence?

9 PROSPECTIVE JUROR 150: Yes.

10 THE COURT: Do you agree with the principle the Defendant  
11 has a right not to testify? If he chooses not to testify, will you hold this  
12 against him?

13 PROSPECTIVE JUROR 150: No.

14 THE COURT: Have you or anyone closely associated with  
15 you ever been in a relationship with someone who was a drug user?

16 PROSPECTIVE JUROR 150: No.

17 THE COURT: Do you believe that you may be too emotional  
18 to sit as a juror in this case in this case?

19 PROSPECTIVE JUROR 150: No.

20 THE COURT: Not all killings are considered the same under  
21 the law. So at the conclusion of this case, I will instruct you on the  
22 elements of all the possible crimes you can consider when you  
23 deliberate. Would you be able to consider all of those crimes?

24 PROSPECTIVE JUROR 150: Yes.

25 THE COURT: Can you base -- is there anything about the



1 nature of this case or anything you've heard here today that would make  
2 it difficult for you to sit as a fair and impartial juror in this case?

3 PROSPECTIVE JUROR 150: No.

4 THE COURT: Can you base your verdict solely on the  
5 evidence presented during this trial, and wait to form an opinion until  
6 you've heard all of that evidence?

7 PROSPECTIVE JUROR 150: No.

8 THE COURT: You can't?

9 PROSPECTIVE JUROR 150: Yes.

10 THE COURT: That's okay. You want me to repeat it?

11 PROSPECTIVE JUROR 150: Yes, please.

12 THE COURT: Okay. I know I talk really fast. If you ever need  
13 me to slow down, don't hesitate to say can you just say that again?

14 PROSPECTIVE JUROR 150: Okay.

15 THE COURT: Can you base your verdict solely on the  
16 evidence presented during this trial, and wait to form an opinion until  
17 you've heard all of that evidence?

18 PROSPECTIVE JUROR 150: Yes.

19 THE COURT: Can you be fair to both sides?

20 PROSPECTIVE JUROR 150: Yes I --

21 THE COURT: You believe you can be fair to both sides?

22 PROSPECTIVE JUROR 150: Uh-huh.

23 THE COURT: Okay. Thank you very much ma'am. You can  
24 pass the microphone next to you. Is it Ms. Kapel?

25 PROSPECTIVE JUROR 156: Yes.

1 THE COURT: Ma'am, how long have you lived in Clark  
2 County?  
3 PROSPECTIVE JUROR 156: 25 years.  
4 THE COURT: 25 years?  
5 PROSPECTIVE JUROR 156: Uh-huh.  
6 THE COURT: And how far did you go in school?  
7 PROSPECTIVE JUROR 156: Bachelor's degree.  
8 THE COURT: And what did you get your degree in?  
9 PROSPECTIVE JUROR 156: Environmental Science.  
10 THE COURT: And are you currently working?  
11 PROSPECTIVE JUROR 156: Yes.  
12 THE COURT: What type of work are you doing?  
13 PROSPECTIVE JUROR 156: I'm a Natural Resource Specialist  
14 with the Forest Service.  
15 THE COURT: And how long have you been doing that?  
16 PROSPECTIVE JUROR 156: Two years.  
17 THE COURT: Okay. Are you married or in a significant  
18 relationship?  
19 PROSPECTIVE JUROR 156: No.  
20 THE COURT: Are you -- do you have any children?  
21 PROSPECTIVE JUROR 156: No.  
22 THE COURT: Have you ever been the victim of a crime?  
23 PROSPECTIVE JUROR 156: No.  
24 THE COURT: Have you ever been accused of a crime?  
25 PROSPECTIVE JUROR 156: No.

1 THE COURT: Do you have any friends, family members or  
2 close associates who've been the victim of a crime?

3 PROSPECTIVE JUROR 156: No.

4 THE COURT: Any friends, family members or close  
5 associates who've been accused of a crime?

6 PROSPECTIVE JUROR 156: No.

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

8 PROSPECTIVE JUROR 156: No.

9 THE COURT: Ma'am, do you own a firearm?

10 PROSPECTIVE JUROR 156: No.

11 THE COURT: Do you believe that people should be allowed  
12 to own firearms?

13 PROSPECTIVE JUROR 156: Yes.

14 THE COURT: Have you or anyone closely associated with  
15 you ever been in a romantic relationship that was volatile and abusive?

16 PROSPECTIVE JUROR 156: No.

17 THE COURT: Have you ever had a bad experience with law  
18 enforcement?

19 PROSPECTIVE JUROR 156: No.

20 THE COURT: If graphic photos are introduced into evidence,  
21 would you be able to assess them for their evidentiary value?

22 PROSPECTIVE JUROR 156: Yes.

23 THE COURT: If someone is taking a controlled substance, do  
24 you believe they could still be the victim of a crime?

25 PROSPECTIVE JUROR 156: Yes.

1 THE COURT: Do you understand that Court is not like CSI,  
2 and may not necessarily go like the TV shows that you're used to  
3 watching?

4 PROSPECTIVE JUROR 156: Yes.

5 THE COURT: If any of you, I know I'm just assuming that  
6 everybody watches those shows. There are some people out there who  
7 don't. So just if you watch those shows?

8 PROSPECTIVE JUROR 156: Yes.

9 THE COURT: And are you okay with that?

10 PROSPECTIVE JUROR 156: Yeah.

11 THE COURT: Some witnesses will be testifying via video.  
12 Can you assess their testimony like other witnesses who will testifying in  
13 person?

14 PROSPECTIVE JUROR 156: Yes.

15 THE COURT: And would that be distracting for you that they  
16 were on video?

17 PROSPECTIVE JUROR 156: No.

18 THE COURT: The presumption of innocence is the core  
19 principle that one is innocent until proven guilty. Is this a principle that  
20 you agree with?

21 PROSPECTIVE JUROR 156: Yes.

22 THE COURT: It is the responsibility of the State to prove this  
23 case to you beyond a reasonable doubt, because they are the person  
24 accusing someone of a crime. Do you agree with that principle?

25 PROSPECTIVE JUROR 156: Yes.

1 THE COURT: Do you agree with the principle the Defendant  
2 is not required to prove his innocence?

3 PROSPECTIVE JUROR 156: Yes.

4 THE COURT: The Defendant has a right not to testify. If he  
5 chooses not to testify, will you hold that against him?

6 PROSPECTIVE JUROR 156: No.

7 THE COURT: Have you or anyone closely associated with  
8 you ever been in a relationship with someone who was a drug user?

9 PROSPECTIVE JUROR 156: No.

10 THE COURT: Do you think that you may be too emotional to  
11 sit as a juror in this case in this case?

12 PROSPECTIVE JUROR 156: No.

13 THE COURT: Not all killings are considered the same under  
14 the law. So at the conclusion of this case, I will instruct you as to the  
15 elements of the possible crimes you can consider in your deliberation.  
16 Would you be able to consider all of those crimes?

17 PROSPECTIVE JUROR 156: Yes.

18 THE COURT: Is there anything about the nature of this case  
19 or anything you've heard here today that would make it difficult for you  
20 to sit as a fair and impartial juror in this case?

21 PROSPECTIVE JUROR 156: No.

22 THE COURT: Can you base your verdict solely on the  
23 evidence presented during this trial, and wait to form an opinion until  
24 you've heard all of that evidence?

25 PROSPECTIVE JUROR 156: Yes.

1 THE COURT: Ma'am, can you be fair to both sides?  
2 PROSPECTIVE JUROR 156: Yes.  
3 THE COURT: Okay, thank you very much. Pass the  
4 microphone next to you please. Mr. Morales?  
5 PROSPECTIVE JUROR 160: Yes.  
6 THE COURT: Sir, how long have you lived in Clark County?  
7 PROSPECTIVE JUROR 160: It will be 18 years in October.  
8 THE COURT: How far did you go in school?  
9 PROSPECTIVE JUROR 160: I have a Bachelor's.  
10 THE COURT: What did you study?  
11 PROSPECTIVE JUROR 160: Psychology.  
12 THE COURT: And are you currently employed?  
13 PROSPECTIVE JUROR 160: Yes.  
14 THE COURT: What type of work are you doing?  
15 PROSPECTIVE JUROR 160: I work in HR.  
16 THE COURT: Okay, and are you married or in a significant  
17 relationship?  
18 PROSPECTIVE JUROR 160: Married.  
19 THE COURT: What type of work does your spouse do?  
20 PROSPECTIVE JUROR 160: He work at Excalibur in  
21 Wardrobe.  
22 THE COURT: Okay, and do you have any children?  
23 PROSPECTIVE JUROR 160: No.  
24 THE COURT: Sir, have you ever been the victim of a crime?  
25 PROSPECTIVE JUROR 160: Yes.

1 THE COURT: What were you the victim of?  
2 PROSPECTIVE JUROR 160: Identity theft.  
3 THE COURT: Okay. When did that occur?  
4 PROSPECTIVE JUROR 160: In the late 80s, early 90s.  
5 THE COURT: And where was that?  
6 PROSPECTIVE JUROR 160: In San Antonio.  
7 THE COURT: Okay. And was that reported to the police?  
8 PROSPECTIVE JUROR 160: No.  
9 THE COURT: Okay. So no one was ever arrested?  
10 PROSPECTIVE JUROR 160: No.  
11 THE COURT: Is there anything about that situation that  
12 would cause you to believe that you couldn't be fair and impartial in this  
13 case?  
14 PROSPECTIVE JUROR 160: No.  
15 THE COURT: Sir, have you ever been accused of a crime?  
16 PROSPECTIVE JUROR 160: No.  
17 THE COURT: Do you have any friends, family members or  
18 close associates who've been the victim of a crime?  
19 PROSPECTIVE JUROR 160: Yes.  
20 THE COURT: Who was that?  
21 PROSPECTIVE JUROR 160: One of my sisters.  
22 THE COURT: Okay. What was she the victim of?  
23 PROSPECTIVE JUROR 160: Attempted rape.  
24 THE COURT: Okay, and where did that occur?  
25 PROSPECTIVE JUROR 160: In San Antonio.

1 THE COURT: When did that occur?  
2 PROSPECTIVE JUROR 160: The 70s.  
3 THE COURT: Okay, and was someone arrested for that?  
4 PROSPECTIVE JUROR 160: No.  
5 THE COURT: And sir, is there anything about that situation  
6 that would cause you to believe you couldn't be fair and impartial in this  
7 case?  
8 PROSPECTIVE JUROR 160: No.  
9 THE COURT: Okay. Do you have any friends, family  
10 members or close associates who've been accused of a crime?  
11 PROSPECTIVE JUROR 160: Yes.  
12 THE COURT: Who was that?  
13 PROSPECTIVE JUROR 160: A nephew.  
14 THE COURT: What was he accused of?  
15 PROSPECTIVE JUROR 160: Armed robbery.  
16 THE COURT: Okay, where did that occur?  
17 PROSPECTIVE JUROR 160: In San Antonio.  
18 THE COURT: Okay, and when did that occur?  
19 PROSPECTIVE JUROR 160: The 90's.  
20 THE COURT: Okay, and was he arrested for that?  
21 PROSPECTIVE JUROR 160: He did parole, I mean probation  
22 I'm sorry.  
23 THE COURT: Okay. So he was prosecuted?  
24 PROSPECTIVE JUROR 160: Yes.  
25 THE COURT: And did you follow the case through the



1 system?

2 PROSPECTIVE JUROR 160: No.

3 THE COURT: Sir, is there anything about that situation that  
4 would cause you to believe you couldn't be fair and impartial?

5 PROSPECTIVE JUROR 160: No.

6 THE COURT: Have you ever at as a juror before?

7 PROSPECTIVE JUROR 160: Yes.

8 THE COURT: And when was that?

9 PROSPECTIVE JUROR 160: 80s in San Antonio.

10 THE COURT: In Texas, okay. And without telling us whether  
11 or not it was a civil or criminal case -- was it a civil or criminal case?

12 PROSPECTIVE JUROR 160: Civil.

13 THE COURT: And without telling us what the verdict was,  
14 was a jury able to reach a verdict?

15 PROSPECTIVE JUROR 160: Yes.

16 THE COURT: And was there anything about that experience  
17 that you went through that would cause you not to want to serve as a  
18 juror again?

19 PROSPECTIVE JUROR 160: No.

20 THE COURT: Okay. Sir, do you own a firearm?

21 PROSPECTIVE JUROR 160: No.

22 THE COURT: Do you believe that people should be allowed  
23 to own firearms?

24 PROSPECTIVE JUROR 160: Yes.

25 THE COURT: Have you or anyone closely associated with

1 you ever been in a romantic relationship that was volatile and abusive?

2 PROSPECTIVE JUROR 160: Yes.

3 THE COURT: Who was that?

4 PROSPECTIVE JUROR 160: My sisters-in-laws were victims  
5 from my brother.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR 160: And I was a victim of my, one of  
8 my exes.

9 THE COURT: Okay, and sir, is there anything about those  
10 circumstances that you witnessed or the circumstance that you  
11 personally went through, that would cause you to believe you couldn't  
12 be fair and impartial in this case?

13 PROSPECTIVE JUROR 160: No.

14 THE COURT: Okay. Have you ever had a bad experience  
15 with law enforcement?

16 PROSPECTIVE JUROR 160: No.

17 THE COURT: If graphic photos are introduced into evidence  
18 in this trial, will you be able to assess them for their evidentiary value?

19 PROSPECTIVE JUROR 160: Yes.

20 THE COURT: If someone is taking a controlled substance, do  
21 you believe they can still be the victim of a crime?

22 PROSPECTIVE JUROR 160: Yes.

23 THE COURT: Do you understand that Court may not like CSI  
24 or any of the other TV shows that you see?

25 PROSPECTIVE JUROR 160: Yes.

1 THE COURT: Some witnesses will be testifying via video.  
2 Can you assess their testimony like other witness who's here in person?

3 PROSPECTIVE JUROR 160: Yes.

4 THE COURT: And will it be distracting for you?

5 PROSPECTIVE JUROR 160: No.

6 THE COURT: The presumption of innocence is a core  
7 principle that one is innocent until proven guilty. Is this a principle you  
8 agree with?

9 PROSPECTIVE JUROR 160: Yes.

10 THE COURT: It is the responsibility of the State to prove this  
11 case to you beyond a reasonable doubt, because they're the person  
12 accusing someone of a crime. Do you agree with this principle?

13 PROSPECTIVE JUROR 160: Yes.

14 THE COURT: Do you believe -- agree with the principle that  
15 the Defendant is not responsible to prove his innocence?

16 PROSPECTIVE JUROR 160: Yes.

17 THE COURT: The Defendant has a right not to testify. If he  
18 chooses not to testify, will you hold this against him?

19 PROSPECTIVE JUROR 160: No.

20 THE COURT: Have you or anyone closely associated with  
21 you ever been in a close relationship with someone who was a drug  
22 user?

23 PROSPECTIVE JUROR 160: Yes.

24 THE COURT: Okay, and who was that?

25 PROSPECTIVE JUROR 160: My nephew, the same one.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 160: And I have some in-laws.

3 THE COURT: Okay, and is there anything about the  
4 circumstances that you went through with those family members that  
5 would cause you to believe you couldn't be fair and impartial in this  
6 case?

7 PROSPECTIVE JUROR 160: No.

8 THE COURT: Do you believe you may be too emotional to sit  
9 as a juror in this case?

10 PROSPECTIVE JUROR 160: No.

11 THE COURT: Not all killings are considered the same under  
12 the law. So at the conclusion of this case, I will instruct you as to the  
13 elements of the possible crimes you can consider in your deliberations.  
14 Will you be able to consider all of those possible crimes?

15 PROSPECTIVE JUROR 160: Yes.

16 THE COURT: Sir, is there anything about the nature of this  
17 case or anything you've heard here today that would make it difficult for  
18 you to be a fair and impartial juror in this case?

19 PROSPECTIVE JUROR 160: No.

20 THE COURT: Can you base your verdict solely on the  
21 evidence presented during this trial, and wait to form an opinion until  
22 you've heard all of that evidence?

23 PROSPECTIVE JUROR 160: Yes.

24 THE COURT: Can you be fair to both sides?

25 PROSPECTIVE JUROR 160: Yes.

1 THE COURT: Okay, thank you very much sir. And can you  
2 pass the microphone next to you? Ma'am, I don't want to butcher your  
3 last name. How do you pronounce your last name?

4 PROSPECTIVE JUROR 166: Sajkich.

5 THE COURT: Sajkich, okay. Ma'am, how long have you lived  
6 in Clark County?

7 PROSPECTIVE JUROR 166: 22 years.

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

9 PROSPECTIVE JUROR 166: High school.

10 THE COURT: And are you currently employed?

11 PROSPECTIVE JUROR 166: No, retired.

12 THE COURT: What type of work did you retire from?

13 PROSPECTIVE JUROR 166: A grocery business.

14 THE COURT: Okay. Are you married or in a significant  
15 relationship?

16 PROSPECTIVE JUROR 166: Married.

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

18 PROSPECTIVE JUROR 166: He's retired.

19 THE COURT: And what type of work did he retire from?

20 PROSPECTIVE JUROR 166: Grocery business.

21 THE COURT: Okay, do you guys have any children?

22 PROSPECTIVE JUROR 166: No.

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

24 PROSPECTIVE JUROR 166: No.

25 THE COURT: Sir, have you ever been accused of a crime?

1 PROSPECTIVE JUROR 166: No.

2 THE COURT: Any friends, family members or close  
3 associates who've been the victim of a crime?

4 PROSPECTIVE JUROR 166: No.

5 THE COURT: Any friends, family members or close  
6 associates who have been accused of a crime?

7 PROSPECTIVE JUROR 166: No.

8 THE COURT: Ma'am, have you ever at as a juror before?

9 PROSPECTIVE JUROR 166: No.

10 THE COURT: Do you own a firearm?

11 PROSPECTIVE JUROR 166: No.

12 THE COURT: Do you believe people should be allowed to  
13 own firearms?

14 PROSPECTIVE JUROR 166: Yes.

15 THE COURT: Have you or anyone closely associated with  
16 you ever been in a romantic relationship that was volatile and abusive?

17 PROSPECTIVE JUROR 166: No.

18 THE COURT: Okay. Have you ever had a bad experience  
19 with law enforcement?

20 PROSPECTIVE JUROR 166: No.

21 THE COURT: If graphic photos are introduced into evidence,  
22 will you be able to assess them for their evidentiary value?

23 PROSPECTIVE JUROR 166: Yes.

24 THE COURT: If someone is taking a controlled substance, do  
25 you believe they can still be the victim of a crime?

1 PROSPECTIVE JUROR 166: Yes.

2 THE COURT: Do you understand that Court is not quite like  
3 CSI or any of those TV shows that you see?

4 PROSPECTIVE JUROR 166: Yes.

5 THE COURT: Some witnesses will be testifying via video.  
6 Can you assess their testimony like other witness who will be here in  
7 person?

8 PROSPECTIVE JUROR 166: Yes.

9 THE COURT: Would it be distracting to you that they were  
10 on video?

11 PROSPECTIVE JUROR 166: No.

12 THE COURT: The presumption of innocence is a core  
13 principle that one is innocent until proven guilty. Is this a principle that  
14 you agree with?

15 PROSPECTIVE JUROR 166: Yes.

16 THE COURT: It is the responsibility of the State to prove this  
17 case to you beyond a reasonable doubt, so because they're the person  
18 accusing someone of committing a crime. Do you agree with this  
19 principle?

20 PROSPECTIVE JUROR 166: Yes.

21 THE COURT: Do you agree with the principle that the  
22 Defendant is not responsible to prove his innocence?

23 PROSPECTIVE JUROR 166: Yes.

24 THE COURT: The Defendant has a right not to testify. If he  
25 chooses not to testify, will you hold this against him?

1 PROSPECTIVE JUROR 166: No.

2 THE COURT: Have you or anyone closely associated with  
3 you ever been in a close relationship with someone who was a drug  
4 user?

5 PROSPECTIVE JUROR 166: No.

6 THE COURT: Do you believe you may be too emotional to sit  
7 as a juror on this case?

8 PROSPECTIVE JUROR 166: No.

9 THE COURT: Do you understand not all killings are  
10 considered the same under the law. So at the conclusion of this case, I  
11 will instruct you as to the elements of the possible crimes you can  
12 consider in your deliberations. Will you be able to consider possible  
13 crimes and whether the State has proven those beyond a reasonable  
14 doubt?

15 PROSPECTIVE JUROR 166: Yes.

16 THE COURT: Is there anything about the nature of this case  
17 or anything you've heard here today that would make it difficult for you  
18 to be a fair and impartial juror in this case?

19 PROSPECTIVE JUROR 166: No.

20 THE COURT: Can you base your verdict solely on the  
21 evidence presented during this trial, and wait to form an opinion until  
22 you've heard all of that evidence?

23 PROSPECTIVE JUROR 166: Yes.

24 THE COURT: Ma'am, can you be fair to both sides?

25 PROSPECTIVE JUROR 166: Yes.



1 THE COURT: Okay. If you could pass the microphone next  
2 to you. Mr. Casper?

3 PROSPECTIVE JUROR 183: Oh yes.

4 THE COURT: Okay. Sir, how long have you lived in Clark  
5 County?

6 PROSPECTIVE JUROR 183: 18 years.

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

8 PROSPECTIVE JUROR 183: Technical school.

9 THE COURT: Okay, and are you currently employed?

10 PROSPECTIVE JUROR 183: Yes.

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

12 PROSPECTIVE JUROR 183: Espresso tech.

13 THE COURT: Okay. Are you married or in a significant  
14 relationship?

15 PROSPECTIVE JUROR 183: No.

16 THE COURT: Do you have any children?

17 PROSPECTIVE JUROR 183: No.

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

19 PROSPECTIVE JUROR 183: No.

20 THE COURT: Have you ever been accused of a crime?

21 PROSPECTIVE JUROR 183: No.

22 THE COURT: Do you have any friends, family members or  
23 close associates who've been the victim of a crime?

24 PROSPECTIVE JUROR 183: No.

25 THE COURT: Any friends, family members or close

1 associates who've been accused of a crime?  
2 PROSPECTIVE JUROR 183: Nope.  
3 THE COURT: Have you ever been a juror before?  
4 PROSPECTIVE JUROR 183: No.  
5 THE COURT: Sir, do you currently own a firearm?  
6 PROSPECTIVE JUROR 183: Yes.  
7 THE COURT: What is your experience level?  
8 PROSPECTIVE JUROR 183: Intermediate.  
9 THE COURT: And do you believe people should own  
10 firearms?  
11 PROSPECTIVE JUROR 183: Yes.  
12 THE COURT: Have you or anyone closely associated with  
13 you ever been in a romantic relationship that was volatile and abusive?  
14 PROSPECTIVE JUROR 183: No.  
15 THE COURT: Have you ever had a bad experience with law  
16 enforcement?  
17 PROSPECTIVE JUROR 183: No.  
18 THE COURT: If graphic photos are introduced into evidence,  
19 will you be able to assess them for their evidentiary value?  
20 PROSPECTIVE JUROR 183: Yes.  
21 THE COURT: If someone is taking a controlled substance, do  
22 you believe they can still be the victim of a crime?  
23 PROSPECTIVE JUROR 183: Yes.  
24 THE COURT: Do you understand that Court may not like CSI,  
25 and it may not be everything that you've seen on TV.

1 PROSPECTIVE JUROR 183: Yes.

2 THE COURT: Some witnesses will be testifying via video.

3 Can you assess their testimony like other witnesses who testify in  
4 person, or would that be distracting to you?

5 PROSPECTIVE JUROR 183: No, I'd be able to do it.

6 THE COURT: The presumption of innocence is a core  
7 principle that one is innocent until proven guilty. Is that a principle that  
8 you agree with?

9 PROSPECTIVE JUROR 183: Yes.

10 THE COURT: It is the responsibility of the State to prove this  
11 case to you beyond a reasonable doubt, because they're the person  
12 accusing someone of committing a crime. Do you agree with this  
13 principle?

14 PROSPECTIVE JUROR 183: Yes.

15 THE COURT: Do you agree with the principle that it is not the  
16 Defendant's responsibility to prove his innocence?

17 PROSPECTIVE JUROR 183: No.

18 THE COURT: You don't agree with it?

19 PROSPECTIVE JUROR 183: I'm sorry.

20 THE COURT: That's okay.

21 PROSPECTIVE JUROR 183: Yes.

22 THE COURT: The Defendant has a right not to testify. If he  
23 chooses not to testify, will you hold that against him?

24 PROSPECTIVE JUROR 183: No.

25 THE COURT: Have you or anyone closely associated with

1 you ever been in a close relationship with someone who was a drug  
2 user?

3 PROSPECTIVE JUROR 183: No.

4 THE COURT: Do you believe you may be too emotional to sit  
5 as a juror in this case on this type of case?

6 PROSPECTIVE JUROR 183: No.

7 THE COURT: You understand not all killings are considered  
8 the same under the law. So at the conclusion of this case, I will instruct  
9 you as to the elements of the possible crimes you can consider in your  
10 deliberations.

11 PROSPECTIVE JUROR 183: Yes.

12 THE COURT: Will you be able to consider all of these  
13 possible crimes?

14 PROSPECTIVE JUROR 183: Oh, I thought you were done  
15 with the questions. I'm sorry, yes.

16 THE COURT: That's okay.

17 PROSPECTIVE JUROR 183: Yes.

18 THE COURT: You won't, okay. Sir, is there anything about  
19 the nature of this case or anything you've heard here today that would  
20 make it difficult for you to sit as a fair and impartial juror in this case?

21 PROSPECTIVE JUROR 183: No.

22 THE COURT: Can you base your verdict solely on the  
23 evidence presented during this trial, and wait to form an opinion until  
24 you've heard all of the evidence?

25 PROSPECTIVE JUROR 183: Yes.

1 THE COURT: Sir, can you be fair to both sides?  
2 PROSPECTIVE JUROR 183: Yes.  
3 THE COURT: Okay, thank you very much, sir. You can pass  
4 the microphone next to you. Ms. Jacobsen?  
5 PROSPECTIVE JUROR 194: Yes.  
6 THE COURT: Ma'am, how long have you lived in Clark  
7 County?  
8 PROSPECTIVE JUROR 194: 44 years.  
9 THE COURT: And how far did you go in school?  
10 PROSPECTIVE JUROR 194: Some college.  
11 THE COURT: And are you currently employed?  
12 PROSPECTIVE JUROR 194: Yes.  
13 THE COURT: What type of work do you do?  
14 PROSPECTIVE JUROR 194: Receiving.  
15 THE COURT: Where?  
16 PROSPECTIVE JUROR 194: For a beverage company.  
17 THE COURT: Okay. Are you married or in a significant  
18 relationship?  
19 PROSPECTIVE JUROR 194: Married.  
20 THE COURT: What type of work does your spouse do?  
21 PROSPECTIVE JUROR 194: He works out at the test site as a  
22 tire/mechanic.  
23 THE COURT: Okay, and do you have any children?  
24 PROSPECTIVE JUROR 194: Two.  
25 THE COURT: How old are they?

1 PROSPECTIVE JUROR 194: They're both 24.

2 THE COURT: Do they work?

3 PROSPECTIVE JUROR 194: Yes. The one that still lives here,  
4 she's a respiratory therapist at Desert Springs, and the one that moved  
5 to Massachusetts is a real estate assistant.

6 THE COURT: Okay, and have you ever been the victim of a  
7 crime?

8 PROSPECTIVE JUROR 194: No.

9 THE COURT: Have you ever been accused of a crime?

10 PROSPECTIVE JUROR 194: No.

11 THE COURT: Do you have any friends, family members or  
12 close associates who've been the victim of a crime?

13 PROSPECTIVE JUROR 194: No.

14 THE COURT: Any friends, family members or close  
15 associates who've been accused of a crime?

16 PROSPECTIVE JUROR 194: Ex-brother-in-law.

17 THE COURT: Okay. What was he accused of?

18 PROSPECTIVE JUROR 194: I'm not sure exactly all the  
19 charges, but I know it had to do with lewdness with a minor.

20 THE COURT: Okay. Where did that occur?

21 PROSPECTIVE JUROR 194: Here.

22 THE COURT: Was he prosecuted here?

23 PROSPECTIVE JUROR 194: Yes.

24 THE COURT: And did you follow the case through the  
25 system?

1 PROSPECTIVE JUROR 194: No, I didn't.

2 THE COURT: Is there anything about that situation that  
3 would cause you to believe that you couldn't be fair and impartial in this  
4 case?

5 PROSPECTIVE JUROR 194: No.

6 THE COURT: Do you have any friends, family members or  
7 close associates who've been the victim of a crime?

8 PROSPECTIVE JUROR 194: No.

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

10 PROSPECTIVE JUROR 194: No.

11 THE COURT: Ma'am, do you currently own a firearm?

12 PROSPECTIVE JUROR 194: No.

13 THE COURT: Do you believe people should own firearms?

14 PROSPECTIVE JUROR 194: Yes.

15 THE COURT: Have you or anyone closely associated with  
16 you ever been in a romantic relationship that was volatile and abusive?

17 PROSPECTIVE JUROR 194: No.

18 THE COURT: Have you ever had a bad experience with law  
19 enforcement?

20 PROSPECTIVE JUROR 194: Just dating one.

21 THE COURT: Okay. Is there anything about that situation  
22 that would cause you to believe you couldn't be fair and impartial in this  
23 case?

24 PROSPECTIVE JUROR 194: No.

25 THE COURT: If graphic photos are introduced into evidence,

1 will you be able to assess them for their evidentiary value?

2 PROSPECTIVE JUROR 194: Yes.

3 THE COURT: If someone is taking a controlled substance, do  
4 you believe they can still be the victim of a crime?

5 PROSPECTIVE JUROR 194: Yes.

6 THE COURT: Do you understand that Court may not appear  
7 like CSI or any of those TV shows?

8 PROSPECTIVE JUROR 194: Yes.

9 THE COURT: Some witnesses will be testifying via video.  
10 Can you assess their testimony like any other witnesses who testifies in  
11 person, or would it be distracting to you that they're on video?

12 PROSPECTIVE JUROR 194: It would be okay.

13 THE COURT: Okay. The presumption of innocence is a core  
14 principle that one is innocent until proven guilty. Do you agree with  
15 that?

16 PROSPECTIVE JUROR 194: Yes.

17 THE COURT: It is the responsibility of the State to prove this  
18 case to you beyond a reasonable doubt, because they are the person  
19 accusing someone of committing a crime. Do you agree with that?

20 PROSPECTIVE JUROR 194: Yes.

21 THE COURT: Do you agree with the principle that it is not the  
22 Defendant's responsibility to prove his innocence?

23 PROSPECTIVE JUROR 194: Yes.

24 THE COURT: The Defendant has a right not to testify. If he  
25 chooses not to testify, will you hold that against him?



1 PROSPECTIVE JUROR 194: No.

2 THE COURT: Have you or anyone closely associated with  
3 you ever been in a relationship with someone who was a drug user?

4 PROSPECTIVE JUROR 194: No.

5 THE COURT: Do you think you may be too emotional to sit  
6 as a juror in this case?

7 PROSPECTIVE JUROR 194: No.

8 THE COURT: Not all killings are considered the same under  
9 the law. So at the conclusion of this case, I will instruct you as to the  
10 elements of the possible crimes you can consider in your deliberations.  
11 Would you be able to consider all of those crimes?

12 PROSPECTIVE JUROR 194: Yes.

13 THE COURT: Is there anything about the nature of this case  
14 or anything you've heard here today that would make it difficult for you  
15 to sit as a fair and impartial juror in this case?

16 PROSPECTIVE JUROR 194: No.

17 THE COURT: Can you base your verdict solely on the  
18 evidence presented at this trial, and wait to form an opinion until you've  
19 heard all of the evidence?

20 PROSPECTIVE JUROR 194: Yes.

21 THE COURT: Ma'am, can you be fair to both sides?

22 PROSPECTIVE JUROR 194: Yes.

23 THE COURT: Okay, thank you very much. If we could now  
24 pass the microphone back to the person in the number two seat, Mr.  
25 Arellano? Good afternoon sir, badge number 246. Sir, how long have

1 you lived in Clark County?

2 PROSPECTIVE JUROR 246: 23 years.

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

4 PROSPECTIVE JUROR 246: Some college.

5 THE COURT: What did you study?

6 PROSPECTIVE JUROR 246: Information Technology.

7 THE COURT: And are you currently employed?

8 PROSPECTIVE JUROR 246: Yes ma'am.

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

10 PROSPECTIVE JUROR 246: I work for a large mental health

11 outpatient center.

12 THE COURT: Okay. Are you married or in a significant

13 relationship?

14 PROSPECTIVE JUROR 246: No, ma'am.

15 THE COURT: Do you have any children?

16 PROSPECTIVE JUROR 246: No.

17 THE COURT: Sir, have you ever been the victim of a crime?

18 PROSPECTIVE JUROR 246: No ma'am.

19 THE COURT: Have you ever been accused of a crime?

20 PROSPECTIVE JUROR 246: No.

21 THE COURT: Do you have any friends, family members or

22 close associates who've been the victim of a crime?

23 PROSPECTIVE JUROR 246: Yes.

24 THE COURT: Who was that?

25 PROSPECTIVE JUROR 246: My father's house was broken

1 into like seven years ago.

2 THE COURT: And was that here in Las Vegas?

3 PROSPECTIVE JUROR 246: Yes.

4 THE COURT: And did he report that to the police?

5 PROSPECTIVE JUROR 246: Yes.

6 THE COURT: And was somebody arrested?

7 PROSPECTIVE JUROR 246: No.

8 THE COURT: Is there anything about that situation that  
9 would cause you to believe you couldn't be fair and impartial in this  
10 case?

11 PROSPECTIVE JUROR 246: No, ma'am.

12 THE COURT: Do you have any friends, family members or  
13 close associates who've been accused of a crime?

14 PROSPECTIVE JUROR 246: No, ma'am.

15 THE COURT: Sir, have you ever been a juror before?

16 PROSPECTIVE JUROR 246: No.

17 THE COURT: Sir, do you currently own a firearm?

18 PROSPECTIVE JUROR 246: No.

19 THE COURT: Do you believe people should be allowed own  
20 firearms?

21 PROSPECTIVE JUROR 246: Yes.

22 THE COURT: Have you or anyone closely associated with  
23 you ever been in a romantic relationship that was volatile and abusive?

24 PROSPECTIVE JUROR 246: Yes.

25 THE COURT: Who was that?

1 PROSPECTIVE JUROR 246: My parents or domestic violence.

2 THE COURT: Okay, and did you witness that?

3 PROSPECTIVE JUROR 246: I was really young, no.

4 THE COURT: Okay. Is there anything about that situation  
5 that would cause you to believe you couldn't be fair and impartial in this  
6 case?

7 PROSPECTIVE JUROR 246: No.

8 THE COURT: Have you ever had a bad experience with law  
9 enforcement?

10 PROSPECTIVE JUROR 246: No.

11 THE COURT: If graphic photos are introduced into evidence,  
12 will you be able to assess them for their evidentiary value?

13 PROSPECTIVE JUROR 246: Yes.

14 THE COURT: If someone is taking a controlled substance, do  
15 you believe they can still be the victim of a crime?

16 PROSPECTIVE JUROR 246: Yes.

17 THE COURT: Do you understand that Court may not be like  
18 CSI, and it may not appear like it does on TV?

19 PROSPECTIVE JUROR 246: Yes.

20 THE COURT: Some witnesses will be testifying via video.  
21 Can you assess their testimony like other witnesses who will be here in  
22 person?

23 PROSPECTIVE JUROR 246: Yes.

24 THE COURT: Would it be distracting for you?

25 PROSPECTIVE JUROR 246: No.

1 THE COURT: The presumption of innocence is the core  
2 principle that one is innocent until proven guilty. Do you agree with  
3 that?

4 PROSPECTIVE JUROR 246: Yes.

5 THE COURT: It is the responsibility of the State to prove this  
6 case to you beyond a reasonable doubt, because they are the person  
7 accusing someone of committing a crime. Do you agree with that  
8 principle?

9 PROSPECTIVE JUROR 246: Yes.

10 THE COURT: Do you agree with the principle that the  
11 Defendant is not required to prove his innocence?

12 PROSPECTIVE JUROR 246: Yes.

13 THE COURT: The Defendant has a right not to testify. If he  
14 chooses not to testify, will you hold that against him?

15 PROSPECTIVE JUROR 246: No.

16 THE COURT: Have you or anyone closely associated with  
17 you ever been in a relationship with someone who was a drug abuser?

18 PROSPECTIVE JUROR 246: Can you repeat the question?

19 THE COURT: Have you or anyone closely related with you  
20 ever been in a relationship with someone who was a drug user?

21 PROSPECTIVE JUROR 246: I have like family members that  
22 are, yes.

23 THE COURT: Okay, and is there anything about that  
24 situation, situations with them that would cause you to believe you  
25 couldn't be fair and impartial in this case?

1 PROSPECTIVE JUROR 246: No, ma'am.

2 THE COURT: Do you think you may be too emotional to sit  
3 as a juror in this case?

4 PROSPECTIVE JUROR 246: No.

5 THE COURT: Not all killings are considered the same under  
6 the law. So at the conclusion of this case I will instruct as to the  
7 elements of the possible crimes you can consider in your deliberations.  
8 Will you be able to consider all the possible crimes that you're instructed  
9 on?

10 PROSPECTIVE JUROR 246: Yes.

11 THE COURT: Is there anything about the nature of this case  
12 or anything you've heard here today that would make it difficult for you  
13 to sit as a fair and impartial juror in this case?

14 PROSPECTIVE JUROR 246: No, ma'am.

15 THE COURT: Can you base your verdict solely on the  
16 evidence presented during this trial and wait to form an opinion until  
17 you've heard all of that evidence?

18 PROSPECTIVE JUROR 246: Yes, ma'am.

19 THE COURT: Can you fair to both sides?

20 PROSPECTIVE JUROR 246: Yes, ma'am.

21 THE COURT: Okay, thank you very much, sir. You can pass  
22 the microphone down to chair number 5, Ms. Farmer. Ma'am, how long  
23 have you lived in Clark County?

24 PROSPECTIVE JUROR 250: Twenty years.

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

1 PROSPECTIVE JUROR 250: I have my Master's in Nursing  
2 Education.

3 THE COURT: Okay. And ma'am, are you currently  
4 employed?

5 PROSPECTIVE JUROR 250: Yes.

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

7 PROSPECTIVE JUROR 250: I'm a nurse at the VA Hospital.

8 THE COURT: Okay. And are you married or in a significant  
9 relationship?

10 PROSPECTIVE JUROR 250: Married.

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

12 PROSPECTIVE JUROR 250: He's a Henderson Police Officer.

13 THE COURT: Okay. And ma'am, based on the fact that your  
14 husband is a Henderson Police Officer, do you talk to him about any of  
15 his work?

16 PROSPECTIVE JUROR 250: Yes.

17 THE COURT: Okay. And based on the fact that you talk to  
18 him about his work, do you think that there's anything about the fact that  
19 you're married to a police officer that will cause you to believe you  
20 couldn't be fair and impartial in this case?

21 PROSPECTIVE JUROR 250: It may be difficult. I have a  
22 tendency to side with the officers.

23 THE COURT: Okay. Would you be willing to listen to the  
24 evidence in this case and base your verdict on the evidence and  
25 testimony presented in this case?

1 PROSPECTIVE JUROR 250: Yes.  
2 THE COURT: Okay. Do you have any children?  
3 PROSPECTIVE JUROR 250: Yes.  
4 THE COURT: How many children?  
5 PROSPECTIVE JUROR 250: Two.  
6 THE COURT: And how old are they?  
7 PROSPECTIVE JUROR 250: 31 and 26.  
8 THE COURT: Do they work?  
9 PROSPECTIVE JUROR 250: Yes.  
10 THE COURT: And what type of work do they do?  
11 PROSPECTIVE JUROR 250: One works at one of the gun  
12 ranges here in town and --  
13 THE COURT: I'm sorry, works where?  
14 PROSPECTIVE JUROR 250: A gun range.  
15 THE COURT: Okay.  
16 PROSPECTIVE JUROR 250: And the other one does  
17 merchandise distributing.  
18 THE COURT: Okay. And have you ever been the victim of a  
19 crime?  
20 PROSPECTIVE JUROR 250: No.  
21 THE COURT: Have you ever been accused of a crime?  
22 PROSPECTIVE JUROR 250: No.  
23 THE COURT: Do you have any friends, family members, or  
24 close associates who've been the victim of crime?  
25 PROSPECTIVE JUROR 250: My son was robbed at gunpoint.



1 THE COURT: Okay. Where did that happen?  
2 PROSPECTIVE JUROR 250: Here in Vegas.  
3 THE COURT: When did that happen?  
4 PROSPECTIVE JUROR 250 Ten years ago.  
5 THE COURT: Okay. And was that reported to the police?  
6 PROSPECTIVE JUROR 250: Yes.  
7 THE COURT: And was someone arrested for that?  
8 PROSPECTIVE JUROR 250: Yes.  
9 THE COURT: And was that person prosecuted?  
10 PROSPECTIVE JUROR 250: I believe so. We were notified  
11 and --  
12 THE COURT: Okay. But did you have to go to court or  
13 anything?  
14 PROSPECTIVE JUROR 250: We didn't have to go to court,  
15 but there was money paid for the things that were taken.  
16 THE COURT: Okay. And is there anything about that  
17 situation that would cause you to believe you couldn't be fair and  
18 impartial this case?  
19 PROSPECTIVE JUROR 250: No.  
20 THE COURT: Do you have any friends, family members, or  
21 close associates who've been accused of a crime?  
22 PROSPECTIVE JUROR 250: No.  
23 THE COURT: Have you ever been a juror before?  
24 PROSPECTIVE JUROR 250: No.  
25 THE COURT: Do you own a firearm?

1 PROSPECTIVE JUROR 250: Yes.

2 THE COURT: What's your experience level?

3 PROSPECTIVE JUROR 250: Intermediate.

4 THE COURT: Do you believe people should be allowed to  
5 own firearms?

6 PROSPECTIVE JUROR 250: Yes.

7 THE COURT: Have you or anyone closely associated with  
8 you ever been in a romantic relationship that was volatile and abusive?

9 PROSPECTIVE JUROR 250: I had a domestic violent  
10 relationship with an ex-husband.

11 THE COURT: Okay. Is there anything about that situation  
12 that would cause you to believe you couldn't be fair and impartial in this  
13 case?

14 PROSPECTIVE JUROR 250: No.

15 THE COURT: Have you ever had a bad experience with law  
16 enforcement?

17 PROSPECTIVE JUROR 250: No.

18 THE COURT: If graphic photos are introduced into evidence,  
19 will you be able to assess them for their evidentiary value?

20 PROSPECTIVE JUROR 250: Yes.

21 THE COURT: If someone has taken a controlled substance,  
22 can you believe they could still be a victim of a crime?

23 PROSPECTIVE JUROR 250: Yes.

24 THE COURT: Do you understand Court is not like CSI -- it  
25 may not appear the way it does on TV?

1 PROSPECTIVE JUROR 250: Yes.

2 THE COURT: Some witnesses will be testifying via video.

3 Can you assess their testimony like any other witness who would be  
4 here in person --

5 PROSPECTIVE JUROR 250: Yes.

6 THE COURT: -- or would this be distracting for you?

7 PROSPECTIVE JUROR 250: Not distracting.

8 THE COURT: The presumption of innocence is a core  
9 principle that one is innocent until proven guilty. Is this a principle that  
10 you believe in?

11 PROSPECTIVE JUROR 250: Yes.

12 THE COURT: It is the responsibility of the State to prove this  
13 case to you beyond a reasonable doubt because in our system of justice,  
14 they're the person excusing someone of a crime. Do you agree with this  
15 principle?

16 PROSPECTIVE JUROR 250: Yes.

17 THE COURT: Do you agree the principle that the defendant is  
18 not required to prove his innocence?

19 PROSPECTIVE JUROR 250: Yes.

20 THE COURT: The defendant has a right not to testify. If he  
21 chooses not to testify, will you hold that against him?

22 PROSPECTIVE JUROR 250: No.

23 THE COURT: Have you or anyone closely associated with  
24 you ever been in a relationship with someone who is a drug user?

25 PROSPECTIVE JUROR 250: No.

1 THE COURT: I'm sorry?

2 PROSPECTIVE JUROR 250: No.

3 THE COURT: Do you believe you may be too emotional to sit  
4 as a juror in this case?

5 PROSPECTIVE JUROR 250: No.

6 THE COURT: Not all killings are considered the same under  
7 the law. At the conclusion of this case, I will instruct you as to the  
8 elements of the possible crimes you can consider in your deliberations.  
9 Would you be willing to consider all of those crimes?

10 PROSPECTIVE JUROR 250: Yes.

11 THE COURT: Is there anything about the nature of this case  
12 or anything you've heard here today that would make it difficult for you  
13 to sit as a fair and impartial juror in this case?

14 PROSPECTIVE JUROR 250: No.

15 THE COURT: Can you base your verdict solely on the  
16 evidence presented during this trial and wait to form an opinion until  
17 you've heard all of the evidence?

18 PROSPECTIVE JUROR 250: Yes.

19 THE COURT: Ma'am, can you be fair to both sides?

20 PROSPECTIVE JUROR 250: Yes.

21 THE COURT: Okay. If you could pass the microphone next  
22 to you. Is it Ms. Crowell? Badge number 260. Ma'am, how long have  
23 you lived in Clark County?

24 PROSPECTIVE JUROR 260: Six years.

25 THE COURT: Six years?

1 PROSPECTIVE JUROR 260: Uh-huh.  
2 THE COURT: Where were you before that?  
3 PROSPECTIVE JUROR 260: California.  
4 THE COURT: And are you -- how far did you go in school?  
5 PROSPECTIVE JUROR 260: Bachelor's degree.  
6 THE COURT: What did you study?  
7 PROSPECTIVE JUROR 260: Business.  
8 THE COURT: Okay. Can you speak up for me just little bit?  
9 PROSPECTIVE JUROR 260: Yeah.  
10 THE COURT: Business?  
11 PROSPECTIVE JUROR 260: Yes, business.  
12 THE COURT: And ma'am, are you currently employed?  
13 PROSPECTIVE JUROR 260: Yes.  
14 THE COURT: What type of work to do?  
15 PROSPECTIVE JUROR 260: Just retail sales.  
16 THE COURT: And are you married or in a significant  
17 relationship?  
18 PROSPECTIVE JUROR 260: No.  
19 THE COURT: Do you have any children?  
20 PROSPECTIVE JUROR 260: Yes.  
21 THE COURT: How old are you children?  
22 PROSPECTIVE JUROR 260: 39 and 36.  
23 THE COURT: And what type of work do they do?  
24 PROSPECTIVE JUROR 260: Commercial real estate and  
25 works for a pharmacy.

1 THE COURT: And what?

2 PROSPECTIVE JUROR 260: And works for a pharmacy.

3 THE COURT: Okay. Ma'am, have you ever been the victim of  
4 a crime?

5 PROSPECTIVE JUROR 260: No.

6 THE COURT: Have you ever been accused of a crime?

7 PROSPECTIVE JUROR 260: No.

8 THE COURT: Do you have any friends, family members, or  
9 close associates who've been the victim of a crime?

10 PROSPECTIVE JUROR 260: No.

11 THE COURT: Any friends, family members, or close  
12 associates who've been accused of a crime?

13 PROSPECTIVE JUROR 260: No.

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

15 PROSPECTIVE JUROR 260: Yes.

16 THE COURT: And when was that?

17 PROSPECTIVE JUROR 260: Well, probably over 20 years  
18 ago.

19 THE COURT: And where was that?

20 PROSPECTIVE JUROR 260: In California.

21 THE COURT: And was it a civil or a criminal case?

22 PROSPECTIVE JUROR 260: Actually, I've been on two -- one  
23 of each.

24 THE COURT: One of each?

25 PROSPECTIVE JUROR 260: Uh-huh.

1 THE COURT: Okay. And without telling us what the verdict  
2 was, was the jury able to reach a verdict in the civil case?

3 PROSPECTIVE JUROR 260: Yes.

4 THE COURT: Was the jury able to reach a verdict in the  
5 criminal case?

6 PROSPECTIVE JUROR 260: No.

7 THE COURT: No?

8 PROSPECTIVE JUROR 260: No.

9 THE COURT: Okay. Were you the foreperson in either of  
10 those?

11 PROSPECTIVE JUROR 260: No.

12 THE COURT: Okay. Ma'am, is anything about those  
13 experiences that would cause you to not want to serve again?

14 PROSPECTIVE JUROR 260: No.

15 THE COURT: Ma'am, do you own a firearm?

16 PROSPECTIVE JUROR 260: No.

17 THE COURT: Do you believe people should be allowed to  
18 own firearms?

19 PROSPECTIVE JUROR 260: Yes.

20 THE COURT: Have you or anyone closely associated with  
21 you ever been in a romantic relationship that was volatile and abusive?

22 PROSPECTIVE JUROR 260: No.

23 THE COURT: Have you ever had a bad experience with law  
24 enforcement?

25 PROSPECTIVE JUROR 260: No.

1 THE COURT: If graphic photos are introduced into evidence,  
2 will you be able to assess them for their evidentiary value?

3 PROSPECTIVE JUROR 260: Yes.

4 THE COURT: If someone has taken a controlled substance,  
5 do you believe they can still be the victim of a crime?

6 PROSPECTIVE JUROR 260: Yes.

7 THE COURT: Do you understand that court is not like CSI  
8 and things may not appear like they do on CSI?

9 PROSPECTIVE JUROR 260: Yes.

10 THE COURT: Some witnesses will be testifying via video.  
11 Would you be able to assess their testimony like anyone who is  
12 testifying in person?

13 PROSPECTIVE JUROR 260: Yes.

14 THE COURT: Will this be distracting to you?

15 PROSPECTIVE JUROR 260: No.

16 THE COURT: The presumption of innocence is a core  
17 principle that one is innocent until proven guilty. Is this a core principle  
18 that you agree with?

19 PROSPECTIVE JUROR 260: Yes.

20 THE COURT: It is the responsibility of the State to prove this  
21 case to you beyond a reasonable doubt because they are the person  
22 accusing someone of a crime. Do you agree with this principle?

23 PROSPECTIVE JUROR 260: Yes.

24 THE COURT: Do you believe in the principle that it is not the  
25 defendant's responsibility to prove his innocence?



1 PROSPECTIVE JUROR 260: Yes.

2 THE COURT: The defendant has a right not to testify. If the  
3 defendant chooses not to testify, will you hold that against him?

4 PROSPECTIVE JUROR 260: No.

5 THE COURT: Have you or anyone closely associated with  
6 you ever been in a close relationship with someone who is a drug user?

7 PROSPECTIVE JUROR 260: No.

8 THE COURT: Do you think you may be too emotional to sit  
9 as a juror on this case?

10 PROSPECTIVE JUROR 260: No.

11 THE COURT: Not all killings are considered the same under  
12 the law. So at the conclusion of this case, I will instruct you as to the  
13 elements of the possible crimes you can consider in your deliberations.  
14 Would you be able to consider all of these crimes?

15 PROSPECTIVE JUROR 260: Yes.

16 THE COURT: Is there anything about the nature of this case  
17 or anything you've heard here today that would make it difficult for you  
18 to sit as a juror in this case?

19 PROSPECTIVE JUROR 260: No.

20 THE COURT: Can you base your verdict solely on the  
21 evidence that is presented at trial and wait to form an opinion until  
22 you've heard all of the evidence?

23 PROSPECTIVE JUROR 260: Yes.

24 THE COURT: Can you be fair to both sides?

25 PROSPECTIVE JUROR 260: Yes.

1 THE COURT: Okay. Thank you very much, ma'am. You can  
2 pass the microphone down to the very end of the row.  
3 Mr. Bacarella? Sir, how long have you lived in Clark County?  
4 PROSPECTIVE JUROR 264: Twenty-six years.  
5 THE COURT: And how far did you go in school?  
6 PROSPECTIVE JUROR 264: Trade school.  
7 THE COURT: Are you currently employed?  
8 PROSPECTIVE JUROR 264: Yes.  
9 THE COURT: What type of work are you doing?  
10 PROSPECTIVE JUROR 264: I'm a revenue auditor at William  
11 Hill.  
12 THE COURT: Okay. Are you married or in a significant  
13 relationship?  
14 PROSPECTIVE JUROR 264: I'm engaged.  
15 THE COURT: What type of work does your spouse do?  
16 PROSPECTIVE JUROR 264: She's currently unemployed.  
17 THE COURT: Okay. Do you have any children?  
18 PROSPECTIVE JUROR 264: No.  
19 THE COURT: Sir, have you ever been the victim of a crime?  
20 PROSPECTIVE JUROR 264: Yes.  
21 THE COURT: What were you the victim of?  
22 PROSPECTIVE JUROR 264: Theft.  
23 THE COURT: And when did that occur?  
24 PROSPECTIVE JUROR 264: Early 2000s.  
25 THE COURT: And that was here in Las Vegas?

1 PROSPECTIVE JUROR 264: Yeah.

2 THE COURT: Was that reported to the police?

3 PROSPECTIVE JUROR 264: No.

4 THE COURT: Is there anything about that situation that  
5 would cause you to believe you couldn't be fair and impartial in this  
6 case?

7 PROSPECTIVE JUROR 264: No.

8 THE COURT: Have you ever been accused of a crime?

9 PROSPECTIVE JUROR 264: Yes.

10 THE COURT: What were you been accused of?

11 PROSPECTIVE JUROR 264: Larceny.

12 THE COURT: Okay. When did that occur?

13 PROSPECTIVE JUROR 264: 2008 -- or 2009.

14 THE COURT: And that was here in Las Vegas?

15 PROSPECTIVE JUROR 264: Yes.

16 THE COURT: And were you prosecuted for that?

17 PROSPECTIVE JUROR 264: No.

18 THE COURT: Okay. Sir, is there anything about that  
19 situation that would cause you to believe you couldn't be fair and  
20 impartial in this case?

21 PROSPECTIVE JUROR 264: No.

22 THE COURT: Do you have any friends, family members, or  
23 close associates that have been accused of a crime?

24 PROSPECTIVE JUROR 264: Yes.

25 THE COURT: Who was that?

1 PROSPECTIVE JUROR 264: My brother.  
2 THE COURT: What was your brother accused of?  
3 PROSPECTIVE JUROR 264: Drug-related.  
4 THE COURT: Okay. Was that here in Las Vegas?  
5 PROSPECTIVE JUROR 264: Yes.  
6 THE COURT: When did that occur?  
7 PROSPECTIVE JUROR 264: Somewhere between 1995 and  
8 2000.  
9 THE COURT: Okay. Was he arrested for that?  
10 PROSPECTIVE JUROR 264: I don't believe so.  
11 THE COURT: Okay. Is there anything about your brother's  
12 situation that would cause you to believe you couldn't be fair and  
13 impartial in this case?  
14 PROSPECTIVE JUROR 264: No.  
15 THE COURT: Do you have any friends, family members, or  
16 close associates who've been the victim of a crime?  
17 PROSPECTIVE JUROR 264: Yes.  
18 THE COURT: Who was that?  
19 PROSPECTIVE JUROR 264: My mother.  
20 THE COURT: What was she the victim of?  
21 PROSPECTIVE JUROR 264: Forgery, identity theft, and  
22 robbery.  
23 THE COURT: And was that here in Las Vegas?  
24 PROSPECTIVE JUROR 264: Yes.  
25 THE COURT: When did that occur?

1 PROSPECTIVE JUROR 264: Early 2000s.  
2 THE COURT: Was that reported to the police?  
3 PROSPECTIVE JUROR 264: The forgery and the identity  
4 theft, I believe so.  
5 THE COURT: Okay. Was anyone arrested for that?  
6 PROSPECTIVE JUROR 264: No.  
7 THE COURT: Is there anything about that situation that  
8 would cause you to believe you couldn't be fair and impartial in this  
9 case?  
10 PROSPECTIVE JUROR 264: No.  
11 THE COURT: Sir, have you ever sat as a juror before?  
12 PROSPECTIVE JUROR 264: No.  
13 THE COURT: Do you own a firearm?  
14 PROSPECTIVE JUROR 264: No.  
15 THE COURT: Do you believe people should be allowed to  
16 own firearms?  
17 PROSPECTIVE JUROR 264: Yes, responsibly.  
18 THE COURT: Have you or anyone closely associated with  
19 you ever been in a romantic relationship that was volatile and abusive?  
20 PROSPECTIVE JUROR 264: Yes.  
21 THE COURT: Who was that?  
22 PROSPECTIVE JUROR 264: My sister.  
23 THE COURT: Okay. What type of relationship was she in?  
24 PROSPECTIVE JUROR 264: It was just a boyfriend when she  
25 was younger.

1 THE COURT: Okay. Is there anything about the situation that  
2 she went through that would cause you to believe you couldn't be fair  
3 and impartial in this case?

4 PROSPECTIVE JUROR 264: No.

5 THE COURT: Have you ever had a bad experience with law  
6 enforcement?

7 PROSPECTIVE JUROR 264: No.

8 THE COURT: If graphic photos are introduced into evidence,  
9 will you be able to assess some further evidentiary value?

10 PROSPECTIVE JUROR 264: Yes.

11 THE COURT: If someone has taken a controlled substance,  
12 can they still be a victim of a crime?

13 PROSPECTIVE JUROR 264: Yes.

14 THE COURT: Do you understand that court may not be like  
15 CSI, and you may not see all the things that you're expecting to see  
16 based on your TV experience?

17 PROSPECTIVE JUROR 264: Yes.

18 THE COURT: Some witnesses in this case will be testifying  
19 via video. Can you assess their testimony like any other witnesses here  
20 in person?

21 PROSPECTIVE JUROR 264: Yes.

22 THE COURT: Would that be distracting to you?

23 PROSPECTIVE JUROR 264: No.

24 THE COURT: The presumption of innocence is the core  
25 principle that one is innocent until proven guilty. Is this a principle you

1 agree with?

2 PROSPECTIVE JUROR 264: Yes.

3 THE COURT: It is the responsibility of the State to prove this  
4 case to you beyond a reasonable doubt because they're the person  
5 accusing someone of a crime. Do you agree with that principle?

6 PROSPECTIVE JUROR 264: Yes.

7 THE COURT: Do you agree with the principle that the  
8 defendant is not required to prove his innocence?

9 PROSPECTIVE JUROR 264: Yes.

10 THE COURT: The defendant has a right not to testify. If he  
11 chooses not to testify, will you hold that against him?

12 PROSPECTIVE JUROR 264: No.

13 THE COURT: Have you or anyone closely associated with  
14 you ever been in a close relationship with someone who was a drug  
15 user?

16 PROSPECTIVE JUROR 264: My brother.

17 THE COURT: Okay. And is there anything about the  
18 situation that you went through with your brother that will cause you to  
19 believe you couldn't be fair and impartial in this case?

20 PROSPECTIVE JUROR 264: No.

21 THE COURT: Do you think that you may be too emotional to  
22 sit as a juror in this type of case?

23 PROSPECTIVE JUROR 264: No.

24 THE COURT: Not all killings are considered the same under  
25 the law. So at the conclusion of this case, I will instruct you as to the

1 elements of the possible crimes you can consider in your deliberations.

2 Would you be able to consider all of these crimes?

3 PROSPECTIVE JUROR 264: Yes.

4 THE COURT: Sir, is anything but the nature of this case or  
5 anything you've heard here today that would make it difficult for you to  
6 sit as a fair and impartial juror in this case?

7 PROSPECTIVE JUROR 264: No.

8 THE COURT: Can you base your verdict solely on the  
9 evidence presented during this trial and wait to form an opinion until  
10 you've heard all of that evidence?

11 PROSPECTIVE JUROR 264: Yes.

12 THE COURT: And sir, can you be fair to both sides?

13 PROSPECTIVE JUROR 264: Yes.

14 THE COURT: Okay, okay. Ladies and gentlemen, we're  
15 going to take a brief recess.

16 During this recess, you must not discuss or communicate  
17 with anyone, including fellow jurors, in any way regarding the case or its  
18 merits either by voice, phone, email, text, or other means of  
19 communication or social media. You must not read, watch, or listen to  
20 any news or media accounts or commentary about the case. You must  
21 not do any research such as consult a dictionary, using the Internet, or  
22 using reference materials.

23 You must not make any investigation, test a theory of the  
24 case, recreate an aspect of the case, or in any other way, investigate or  
25 learn about the case on your own. And you must not form or express



1 any opinion regarding this case until it is submitted to you.

2 Ladies and gentlemen, it is 3 o'clock. We'll be in recess until  
3 315.

4 THE MARSHAL: All rise for the jury.

5 [Prospective jurors out at 2:56 p.m.]

6 [Recess taken from 2:56 p.m. to 2:57 p.m.]

7 [Outside the presence of the prospective jurors]

8 THE COURT: May the record reflect that we are outside of  
9 the jury. The defense had a challenge on badge number 241 seated in  
10 spot 26, Mr. Medina. Mr. Bashor?

11 MR. BASHOR: Yes, Judge. I'm just concerned that his mind  
12 might be in another place. I don't think it's just to get necessarily out of  
13 jury service. My opinion, his behavior and demeanor seem to indicate  
14 something generally was bothering him. He was withdrawn, he wasn't  
15 making eye contact with Your Honor. I just believe he may be distracted.  
16 And for that reason, I challenge it for cause.

17 MR. WECKERLY: No objection to that. I agree. I thought he  
18 seemed a little out of it.

19 THE COURT: Okay. So he will be excused when we return.  
20 Okay, so with that we would have two empty spots that we need to fill.  
21 So I'm trying to get in touch with jury services right now to see the  
22 availability of getting jurors for tomorrow because we're only bringing  
23 them in every hour. So I'm not really sure --

24 MR. WECKERLY: It's a lot.

25 THE COURT: I'm not really sure what the timing will be on

1 how we could -- so assuming my criminal calendar will be over about  
2 10:30. I know you guys wanted to do afternoon, but because we're just --  
3 okay.

4 MS. WECKERLY: Your Honor, if it's acceptable for the Court,  
5 we could come at 10:30, finish picking the jury, and then just -- if it's okay  
6 with you, agree to open and have witnesses starting in the afternoon.

7 THE COURT: Okay, tomorrow?

8 MS. WECKERLY: Yeah.

9 THE COURT: Okay, that's fine. I'm emailing the jury  
10 commissioner right now. She says we have availability. I'm thinking we  
11 only need about, like, 15 people.

12 ATTORNEY: I'd say, yeah, less than that.

13 THE COURT: Okay. I'm emailing the jury commissioner right  
14 now. So if we can get 15 people at 10:30.

15 MR. BASHOR: I'm sorry, Your Honor.

16 THE COURT: I'm emailing the jury commissioner right now  
17 to see if we can get 15 people. So if that's the case, then what I'll do is  
18 when they come back, we'll excuse seat 26, then I'll let them go for the  
19 day and let them know that I have to finish my questioning, but we do  
20 need some extra people. So then we'll bring in 15 new people, and we'll  
21 still have these guys come in because since I'm only really going to be  
22 questioning only two people, I don't think we need to stagger the times.  
23 We can still have this panel come in at 10:30 --

24 MS. WECKERLY: Yeah.

25 THE COURT: -- we put the two people in, I question them,

1 and then I'll turn the panel over to the State shortly after --

2 MS. WECKERLY: Okay.

3 THE COURT: -- with the understanding that you guys don't  
4 need to have any witnesses here or prepared to open or anything. You  
5 can bring your laptop or whatever you need after lunch.

6 MS. WECKERLY: Okay.

7 MR. BASHOR: And Judge, just to make a record of  
8 conversation in chambers, given the chaos that is COVID and jury  
9 services and stuff, I'm just making a record in case somebody has to look  
10 at my file down the road that some questionnaires are just never filled  
11 out, some questionnaires are just partially filled out, and the packet that  
12 we have seems to have about 50 percent of the people having them  
13 filled out to some extent. I'm not making any objections or anything like  
14 that, it's just I wanted it clear should somebody review this down the  
15 road that that's the explanation and reason why we're missing those  
16 indiscernible.

17 THE COURT: And yeah, and just for the record, Ms. Bashor  
18 and Ms. Weckerly did approach the Court about the fact that this packet  
19 that we all got appears to not be completed on some of the jurors'  
20 questionnaires. And this is probably my fifth jury trial I've done under  
21 these COVID circumstances. So the jury commissioner has been asked  
22 about that. And what happens is, we sent out the questionnaire about  
23 six weeks ago. We get some of them back, some of them we do not.  
24 Some people show up to jury service today, which is their reporting  
25 date, having not filled out the questionnaire at all. Some of them fill out

1 part of it and don't fill out the rest of it. So we literally, the Court prints,  
2 jury services prints for you what it is that we got back.

3 So there could be some information that appears to be  
4 missing, and that is because it was not completely filled out by the  
5 person who was filling it out. And like I said, some people don't fill them  
6 out. Also, there could be people here that you don't have questionnaires  
7 for, and there could also be people that you have questionnaires for who  
8 are actually not here --

9 MR. BASHOR: Correct.

10 THE COURT: -- because some of those people didn't show  
11 up. Some of them might've showed up for a different panel. But we all  
12 -- and because we were receiving these questionnaires up and through  
13 yesterday and to give you guys the most complete packet we can give  
14 you -- we can't give it out to you guys until this morning.

15 MR. BASHOR: Very good, Your Honor.

16 THE COURT: So that is the reason for some of that. Okay,  
17 she says she'll have them here at 10. I'll finish my calendar, and we'll  
18 just have Brian go get them as soon as the calendar is over. So she'll  
19 have them here at 10.

20 MS. WECKERLY: Thank you.

21 THE COURT: Anything else that we need to do? Are you  
22 guys okay with then we'll just send them home and will let them know  
23 before I finish my questioning, I need to fill in those other two chairs and  
24 we don't have any more people.

25 MR. BASHOR: That's perfect, Judge.

1 THE COURT: Okay. And then they'll come back tomorrow,  
2 and then we will get a jury tomorrow morning.

3 MS. WECKERLY: Yeah. We should.

4 THE COURT: Okay. And just for scheduling purposes, if you  
5 guys can, just remember I have a 2 o'clock calendar. So we'll break for  
6 about 30 minutes tomorrow at 2 o'clock. I'll go downstairs and do that  
7 calendar and then come back ---

8 MS. WECKERLY: Sure.

9 THE COURT: -- up here and then we'll resume.

10 MR. BASHOR: Absolutely.

11 THE COURT: So just -- when you guys are scheduling  
12 witnesses or whatever.

13 [Recess taken from 3:02 p.m. to 3:18 p.m.]

14 THE MARSHAL: All rise for the jury.

15 [Prospective jurors in at 3:18 p.m.]

16 THE MARSHAL: All present and or accounted for, Your  
17 Honor.

18 THE COURT: Okay, you may all be seated. We are back on  
19 the record in C-313919 State of Nevada v. Brian Newson Jr. May the  
20 record reflect Mr. Newson is present with this attorney, Deputy District  
21 Attorney on behalf of the State. Will both parties stipulate to the  
22 presence of our potential jurors?

23 MS. WECKERLY: Yes, Your Honor.

24 MR. BASHOR: Yes, Your Honor.

25 THE COURT: Okay. The Court would like to thank an excuse

1 badge number 241. Mr. Medina, you are excused from jury service in  
2 this case.

3 Okay. Ladies and gentlemen, for those of you who are  
4 remaining, as you see we now have two empty chairs that we will need  
5 filled with the potential jurors, but we don't have any more potential  
6 jurors back there because we are out of but jurors for today. We do have  
7 more jurors who are going to come into tomorrow so that I can complete  
8 my questioning of the jurors and then turn the panel over to the State  
9 and the State will have questions for all of you. So I do apologize.

10 I know that these are the words that you guys hate to hear  
11 with all of your might. But you guys are going to have to come back  
12 tomorrow even though all of you will not be seated on the jury.  
13 However, there will be 14 of you that will be seated. But right now we  
14 don't know who those 14 are going to be. We will have new people here  
15 tomorrow. We will fill these two seats and proceed with what the  
16 questioning just as we did today for me, for those two, and then I will  
17 turn the panel over to the State. And we will absolutely have a jury  
18 selected tomorrow. So I am going to adjourn for the night.

19 During this recess, you must not discuss or communicate  
20 with anyone including fellow jurors in any way regarding the case or its  
21 merits either by voice, phone, email text, or other means of  
22 communication or social media. You must not read, watch, or listen to  
23 any news, or media accounts or commentary about this case. You must  
24 not do any research such as using consulting dictionaries, using the  
25 Internet or using reference materials.

1           You must not make any investigation, test the theory of the  
2 case, recreates an aspect of the case, or in any other way investigate or  
3 learn about the case on your own. And you must not form or express  
4 any opinion regarding this case until we are all back together in this  
5 room. We will be back together tomorrow morning at 10:30.

6           I do have a calendar tomorrow morning, so if you guys could  
7 just wait outside when you get here and Ofc. Hernandez will come out  
8 and get you at 10:30. Please remember the seats where you guys are  
9 sitting because we are going to ask you to return to those seats  
10 tomorrow and we will add the additional jurors and proceed with the  
11 process. I do appreciate everyone's patience, and I will see you guys all  
12 in the morning, and you are under that admonishment for remainder of  
13 the night.

14           THE MARSHAL: All rise for the jury.

15                     [Prospective jurors out at 3:23 p.m.]

16                     [Outside the presence of the prospective jurors]

17           THE COURT: Okay. May the record reflect that we are  
18 outside the presence of our jury. Do we have any matters that we need  
19 to deal with outside the presence before we come back in the morning?

20           MS. WECKERLY: Not on behalf of the State, Your Honor.

21           MR. BASHOR: No, Your Honor.

22           THE COURT: Okay. And like I said, they'll have the jurors  
23 here by 10 and that's fine. We'll just go forward. My calendar will be  
24 over by 10:30, so if we can all be here by 10:30 tomorrow morning and  
25 then we'll pick up jury selection.

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MS. WECKERLY: Okay

MR. BASHOR: Thank you.

MS. WECKERLY: Thanks.

THE COURT: And just keep in mind -- I hate to keep saying the same thing. But I have a calendar -- I have to do central calendar calls at 2. So I'll just go down there and do them. We'll just give them a short break and then I'll come back up, and we'll begin.

MR. WECKERLY: Okay.

[Proceedings adjourned at 3:24 p.m.]

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



Maukele Transcribers, LLC  
Jessica B. Cahill, Transcriber, CER/CET-708



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VERNON NEWSON JR., ) No. 83335  
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Appellant, )  
)  
v. )  
)  
THE STATE OF NEVADA, )  
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Respondent. )  
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|--|--|
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|--|--|

I hereby certify that this document was filed electronically with the Nevada Supreme Court 3rd on the day of February, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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BY /s/ Rachel Howard  
Employee, Clark County Public Defender's Office