

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

Electronically Filed  
Feb 07 2022 08:10 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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MICHAEL MANZANO RODEROS,

Appellant,

*vs.*

THE STATE OF NEVADA,

Respondent.

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Docket No. 83785

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Appeal from a Judgment of Conviction  
Following a Jury Trial and Verdict  
Eighth Judicial District Court, Clark County  
The Honorable Michelle Leavitt, District Judge  
Case No. C-19-343096-1

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**APPELLANT'S APPENDIX  
VOL. 1 OF 2**

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LESLIE A. PARK, ESQ.  
Nevada Bar No. 8870  
633 South Fourth Street, Suite 8  
Las Vegas, NV 89101  
(702) 382-3847

Counsel for Appellant

**CHRONOLOGICAL INDEX**

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Transcript: Jury Trial Day 1	1	17–125	8/10/2021
Transcript: Jury Trial Day 2	2	1–143	8/11/2021
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Transcript: Sentencing Hearing	2	153–62	10/28/2021
Transcript: Waiver of Preliminary Hearing	1	4–10	9/5/2019
Verdict	2	151–52	8/12/2021

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7 of February, 2022, I served this document on the following using the eFlex system:

**Name**

**Address**

Steven B. Wolfson  
Clark County District Attorney's Office

Via eFlex  
200 Lewis Ave.  
Las Vegas, NV 89155

Aaron D. Ford  
Nevada Attorney General's Office

Via eFlex  
100 N. Carson St.  
Carson City, NV 89701

/s/ Leslie Park

LESLIE A. PARK, ESQ.

Nevada Bar No. 8870

633 South Fourth Street, Suite 8

Las Vegas, NV 89101

(702) 382-3847

Attorney for Appellant

**AFFIRMATION**

Pursuant to NRS 239B.030, this document contains no social security numbers.

/s/ Leslie Park

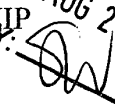
Leslie A. Park, Esq.

2-7-22

Date

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

LAS VEGAS JUSTICE COURT  
FILED IN OPEN COURT

AUG 22 2019  
BY: 

THE STATE OF NEVADA,  
Plaintiff,

-vs-

MICHAEL MANZANO RODEROS  
#7085915,

Defendant.

CASE NO: 19F17159X

DEPT NO: 15

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508.1 - NOC 55226) and BATTERY CONSTITUTING DOMESTIC VIOLENCE (Misdemeanor - NRS 200.485(1)(A), 200.481(1)(A), 33.018 - NOC 50235), in the manner following, to wit: That the said Defendant, on or about the 18th day of August, 2019, at and within the County of Clark, State of Nevada,

COUNT 1 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to wit: N.R., being approximately 16 year(s) of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a nonaccidental nature, by Defendant striking the said N.R. on or about about the face.

COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE

did willfully and unlawfully use force or violence against or upon the person of his spouse, former spouse, any other person to whom he is related by blood or marriage, a person with whom he has had or is having a dating relationship, a person with whom he has a child in common, the minor child of any of those persons or his minor child, to wit: SAMANTHA RODEROS, by Defendant grabbing the wrist and/or twisting the arm and/or bending the fingers of the said SAMANTHA RODEROS.

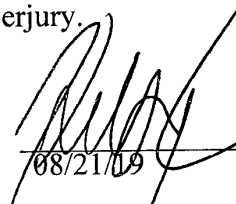
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1 All of which is contrary to the form, force and effect of Statutes in such cases made and  
2 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
3 this declaration subject to the penalty of perjury.

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**NOTICE OF WITNESSES**  
**[NRS 174.234]**

TO: Defendant or attorney of record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
NEVADA intends to call the following witnesses:

NAME

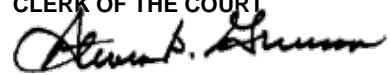
ADDRESS

CUSTODIAN OF RECORDS

Communication Bureau  
Law Enforcement Agency – Clark County,  
Nevada

These witnesses are in addition to those witnesses noted in the discovery or other  
documents provided.

DATED August 21, 2019.



CASE NO. C343096

IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP  
COUNTY OF CLARK, STATE OF NEVADA

THE STATE OF NEVADA, )  
Plaintiff, )  
vs. ) CASE NO. 19F17159X  
MICHAEL RODEROS, )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF DOMESTIC VIOLENCE PLEA  
BEFORE THE HONORABLE MELISA DE LA GARZA  
JUSTICE OF THE PEACE

THURSDAY, SEPTEMBER 5, 2019  
10:00 A.M.

APPEARANCES:

For the State: B. SCHWARTZ, ESQ.  
DEPUTY DISTRICT ATTORNEY  
For the Defendant: L. PARK, ESQ.  
ATTORNEY AT LAW

Reported by: CHRISTA BROKA, CCR. No. 574

1 LAS VEGAS, CLARK COUNTY, NEVADA,  
2 SEPTEMBER 5, 2019 AT 10:00 A.M.  
3 P R O C E E D I N G S  
4

5 THE COURT: State of Nevada versus Michael  
6 Roderos, 19F17159X. State, are we ready to proceed?

7 MR. SCHWARTZ: I think it is resolved for today at  
8 least.

9 THE COURT: Miss Park?

10 MS. PARK: Your Honor, he is going to  
11 unconditionally waive his right to a preliminary hearing. In  
12 District Court he will enter a plea to felony coercion.  
13 There's no opposition to probation with intensive alcohol  
14 treatment. He will complete a mental health reevaluation. No  
15 contact with the victim. He would also enter a plea to a  
16 battery constituting domestic violence misdemeanor and receive  
17 credit for time served on that. If he is successful on  
18 probation, this would be amended to a gross misdemeanor.

19 THE COURT: Would the misdemeanor stand?

20 MR. SCHWARTZ: It would.

21 THE COURT: All right.

22 MR. SCHWARTZ: The only things I wanted to add was  
23 that today since we are waiving up I like to orally add a  
24 coercion charge victim being Nolani (phonetic). I will provide  
25 your Court the pleadings but that would be oral original

1 amendment just in case he backs out.

2 THE COURT: You would add a coercion as Count 3?

3 MR. SCHWARTZ: That's correct. It would be the  
4 felony B felony coercion naming the same victim NR was  
5 prevented from leaving the residence when she tried to leave.

6 THE COURT: Sir, is that your understanding and  
7 what you want to do today is waive your preliminary hearing?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Do you understand at a preliminary  
10 hearing the state would present evidence including calling  
11 witnesses and your attorney has the opportunity to  
12 cross-examine those witnesses and you are also allowed to  
13 present evidence and call witnesses and the state can  
14 cross-examine your witnesses. Do you understand you have those  
15 rights at the preliminary hearing?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Do you understand you're giving those  
18 rights up by waiving your preliminary hearing?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: Do you also understand that this  
21 waiver is unconditional in that if you get into District Court  
22 and you decide not to plead guilty, you can plead not guilty  
23 and that's absolutely your right but you do not come back here  
24 for a preliminary hearing, instead you proceed to a jury trial.  
25 Do you understand that, sir?

1                   THE DEFENDANT: I understand that.

2                   THE COURT: It appearing to the Court from the  
3 criminal complaint on file herein that the following crimes  
4 have been committed: Count 1, child abuse, neglect, or  
5 endangerment a B felony; Count 2, battery constituting domestic  
6 violence misdemeanor; Count 3 coercion a felony. The Court  
7 orders you be held to answer said charges in the Eighth  
8 Judicial District Court, Clark County, Nevada on?

9                   THE CLERK: September 16th at 10:00 a.m. lower  
10 level.

11                  THE COURT: You are order to have no contact with  
12 the victim. Do you understand?

13                  THE DEFENDANT: Yes.

14                  MR. SCHWARTZ: There's two victims. N.R. is the  
15 one he needs to continue to have no contact with. Samantha the  
16 state is okay with him having contact with her. But absolutely  
17 no contact with N.R. There's also some family court orders in  
18 place regarding contact and those need to be followed as well.

19                  THE COURT: All right. Sir, do you understand the  
20 state is asking for a no contact with N.R. You can have  
21 contact with Samantha. Please be aware there are to family  
22 court order you need to follow also. Do you understand that?

23                  THE DEFENDANT: Yes, I do. Do I still have to  
24 wear this?

25                  THE COURT: I'm going to leave that until you

1 enter into your plea. Okay?

2 THE DEFENDANT: Yes.

3 THE COURT: State, you might want to include  
4 whether or not he is to be released from that at entry of plea.  
5 You might want to include that in the guilty plea agreement.

6 MR. SCHWARTZ: Just for the record, we discussed  
7 that and the gross misdemeanor that it will be reduced to would  
8 be child abuse.

9 THE COURT: Make sure you appear in court on that  
10 day.

11 MS. PARK: Is it Options --

12 THE COURT: Yes, alcohol monitoring.

13 MS. PARK: That's the SCRAM.

14 THE COURT: There's two companies that do the  
15 alcohol monitoring either SCRAM or Options. It sounds like  
16 you're on Options alcohol monitoring. That will remain. That  
17 is medium level electronic monitoring. That will remain until  
18 you enter into your plea.

19 THE DEFENDANT: Okay.

20 \* \* \* \* \*

21 ATTEST: FULL, TRUE AND ACCURATE

22 TRANSCRIPT OF PROCEEDINGS.

23

24 \s\Christa Broka

25 CHRISTA D. BROKA, CCR 574

1           IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP  
 2                   COUNTY OF CLARK, STATE OF NEVADA

3                               -o0o-

4  
 5       STATE OF NEVADA,                )

6                   Plaintiff,        )

7       vs.                                ) Case No. 19F17159X

8       MICHAEL RODEROS,                ) ATTEST RE: NRS 239B.030

9       Defendant,                        )

10       \_\_\_\_\_)

11       STATE OF NEVADA)  
 12                                ) ss  
 13       COUNTY OF CLARK)

14               I, Christa D. Broka, a Certified Shorthand Reporter  
 15       within and for the county of Clark and the State of Nevada, do  
 16       hereby certify:

17               That REPORTER'S TRANSCRIPT OF PROCEEDINGS was reported  
 18       in open court pursuant to NRS 3.360 regarding the above  
 19       proceedings in Las Vegas Justice Court 15, 2019, Lewis Avenue,  
 20       Las Vegas, Nevada.

21               That said TRANSCRIPT:

22         X                 Does not contain the Social Security number of any  
 23       person.

24       \_\_\_\_ Contains the Social Security number of a person.

25

1           ATTEST: I further certify that I am not interested in  
2 the events of this action.

3

4                           \s\Christa Broka

5                           CHRISTA D. BROKA, CCR 574

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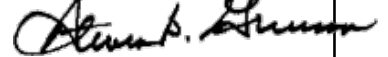
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1 **INFM**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 BRYAN SCHWARTZ  
6 Deputy District Attorney  
7 Nevada Bar #013244  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

7 I.A. 09/16/19  
10:00 AM  
8 L. PARK

9 THE STATE OF NEVADA,  
10 Plaintiff,

CASE NO: C-19-343096-1

11 -vs-

DEPT NO: XII

12 MICHAEL MANZANO RODEROS,  
13 #7085915,  
14 Defendant.

**INFORMATION**

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That MICHAEL MANZANO RODEROS, the Defendant(s) above named, having  
20 committed the crimes of **COERCION (Category B Felony - NRS 207.190 - NOC 53159)**  
21 and **BATTERY CONSTITUTING DOMESTIC VIOLENCE (Misdemeanor - NRS**  
22 **200.485(1)(A), 200.481(1)(A), 33.018 - NOC 50235)**, on or about the 18th day of August,  
23 2019, within the County of Clark, State of Nevada, contrary to the form, force and effect of  
24 statutes in such cases made and provided, and against the peace and dignity of the State of  
25 Nevada,

26 COUNT 1 - COERCION

27 did then and there willfully, unlawfully, and feloniously use physical force, or the  
28 immediate threat of such force, against SAMANTHA RODEROS, with intent to compel her

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1 to do, or abstain from doing, an act which she had a right to do, or abstain from doing, by not  
2 allowing SAMATHA RODEROS to leave the residence.

3 COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE

4 did willfully and unlawfully use force or violence against or upon the person of his  
5 spouse, former spouse, any other person to whom he is related by blood or marriage, a  
6 person with whom he has had or is having a dating relationship, a person with whom he has  
7 a child in common, the minor child of any of those persons or his minor child, to wit:  
8 SAMANTHA RODEROS, by Defendant grabbing the wrist and/or twisting the arm and/or  
9 bending the fingers of the said SAMANTHA RODEROS.

10 STEVEN B. WOLFSON  
11 Clark County District Attorney  
Nevada Bar #001565

12  
13 BY

*Alagan Tuppeedi #10114 for*  
14 BRYAN SCHWARTZ  
Deputy District Attorney  
15 Nevada Bar #013244 *mls*

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27 19F17159X/td/vcu for dvu  
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(TK14)

ORIGINAL

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

1 AINF  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 BRYAN SCHWARTZ  
6 Deputy District Attorney  
7 Nevada Bar #013244  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

SEP 23 2019  
BY, *Shannon M. Emons*  
SHANNON M. EMMONS, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-19-343096-1  
AINF  
Amended Information  
4864908



9 THE STATE OF NEVADA,  
10 Plaintiff,

CASE NO: C-19-343096-1

11 -vs-

DEPT NO: XII

12 MICHAEL MANZANO RODEROS,  
13 #7085915,

AMENDED

14 Defendant.

INFORMATION

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That MICHAEL MANZANO RODEROS, the Defendant(s) above named, having  
20 committed the crimes of **CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category**  
21 **B Felony - NRS 200.508.1 - NOC 55226) and BATTERY CONSTITUTING DOMESTIC**  
22 **VIOLENCE (Misdemeanor - NRS 200.485(1)(A), 200.481(1)(A), 33.018 - NOC 50235),**  
23 on or about the 18th day of August, 2019, within the County of Clark, State of Nevada,  
24 contrary to the form, force and effect of statutes in such cases made and provided, and against  
25 the peace and dignity of the State of Nevada,

26 COUNT 1 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

27 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to  
28 wit: N.R., being approximately 16 year(s) of age, to suffer unjustifiable physical pain or mental

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1 suffering as a result of abuse or neglect, to wit: physical injury of a nonaccidental nature, by  
2 Defendant striking the said N.R. on or about the face.

3 COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE

4 did willfully and unlawfully use force or violence against or upon the person of his  
5 spouse, former spouse, any other person to whom he is related by blood or marriage, a person  
6 with whom he has had or is having a dating relationship, a person with whom he has a child  
7 in common, the minor child of any of those persons or his minor child, to wit: SAMANTHA  
8 RODEROS, by Defendant grabbing the wrist and/or twisting the arm and/or bending the  
9 fingers of the said SAMANTHA RODEROS.

10 STEVEN B. WOLFSON  
11 Clark County District Attorney  
Nevada Bar #001565

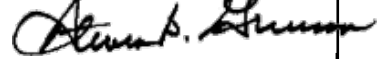
12  
13 BY

*Alagan Tuppeedi #10114 for*

14 BRYAN SCHWARTZ  
15 Deputy District Attorney  
16 Nevada Bar #013244  
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*mlb*

27 19F17159X/mlb/dvu  
28 LVMPD EV#190800094025  
(TK14)



1 AINF  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 SAMUEL KERN  
6 Deputy District Attorney  
7 Nevada Bar #010638  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 MICHAEL MANZANO RODEROS,  
13 #7085915,

14 Defendant.

CASE NO: C-19-343096-1

DEPT NO: XII

SECOND AMENDED  
INFORMATION

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That MICHAEL MANZANO RODEROS, the Defendant(s) above named, having  
20 committed the crimes of **CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category**  
21 **B Felony - NRS 200.508.1 - NOC 55226), BATTERY CONSTITUTING DOMESTIC**  
22 **VIOLENCE (Misdemeanor - NRS 200.485(1)(A), 200.481(1)(A), 33.018 - NOC 50235),**  
23 **and COERCION CONSTITUTING DOMESTIC VIOLENCE (Category B Felony -**  
24 **NRS 207.190; 33.018 - NOC 61752),** on or about the 18th day of August, 2019, within the  
25 County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such  
26 cases made and provided, and against the peace and dignity of the State of Nevada,

27 ///

28 ///

V:\2019\420\17\201942017C-AINF-(RODEROS MICHAEL 2ND)-001.DOCX

1 COUNT 1 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

2 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to  
3 wit: N.R., being approximately 16 year(s) of age, to suffer unjustifiable physical pain or mental  
4 suffering as a result of abuse or neglect, to wit: physical injury of a nonaccidental nature, by  
5 Defendant striking the said N.R. on or about the face.

6 COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE

7 did willfully and unlawfully use force or violence against or upon the person of his  
8 spouse, former spouse, any other person to whom he is related by blood or marriage, a person  
9 with whom he has had or is having a dating relationship, a person with whom he has a child  
10 in common, the minor child of any of those persons or his minor child, to wit: SAMANTHA  
11 RODEROS, by Defendant grabbing the wrist and/or twisting the arm and/or bending the  
12 fingers of the said SAMANTHA RODEROS.

13 COUNT 3 - COERCION CONSTITUTING DOMESTIC VIOLENCE

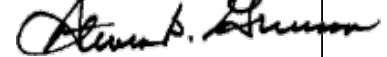
14 did then and there willfully, unlawfully, and feloniously use physical force, or the  
15 immediate threat of such force, against N.R., who was his/her spouse, former spouse, any other  
16 person to whom he is related by blood or marriage, a person with whom he has had or is having  
17 a dating relationship, a person with whom he has a child in common, the minor child of any  
18 of those persons or his/her minor child, with intent to compel him to do, or abstain from doing,  
19 an act which he had a right to do, or abstain from doing, by preventing N.R. from leaving a  
20 residence when she had the right to do so by pushing her and/or knocking the bags out of  
21 N.R.'s hands.

22 STEVEN B. WOLFSON  
23 Clark County District Attorney  
24 Nevada Bar #001565

25 BY

  
26 SAMUEL KERN  
27 Deputy District Attorney  
28 Nevada Bar #010638

19F17159X/mlb/dvu  
LVMPD EV#190800094025  
(TK14)



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

MICHAEL MANZANO RODEROS,

Defendant.

CASE NO. C-19-343096-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, AUGUST 10, 2021

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

APPEARANCES:

For the State:

SAMUEL R. KERN  
Deputy District Attorney

For the Defendant:

LESLIE A. PARK, ESQ.

RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, AUGUST 10, 2021, 11:27 A.M.

2 \* \* \* \* \*

3 [Outside the presence of the prospective jury]

4 THE COURT: State of Nevada versus Michael Roderos, case C343096. The  
5 defendant is present and he is in custody.

6 [Pause in the proceedings]

7 THE COURT: Everybody has their copies, correct?

8 MS. PARK: Yes.

9 MR. KERN: Yep.

10 THE COURT: Okay. I'll give this one to Pam.

11 I mean, I don't know how helpful these questionnaires are getting  
12 them -- I know, I wish that we could get them earlier, but they literally come on the  
13 day we're picking a jury panel.

14 How many are out there?

15 THE MARSHAL: Oh, I would say probably 45.

16 THE COURT: You would say or there are?

17 THE MARSHAL: Well, let's see what they gave me here. I can go out there  
18 and count them for you, Your Honor, but quite a large number. Did you want them  
19 seated one seat apart? It says 45 on here.

20 THE COURT: Okay. So there's 45. Okay. You know what, will the parties  
21 make their appearances? Sorry about that.

22 MS. PARK: Leslie -- Leslie Park representing Michael Roderos. He is  
23 present in custody.

24 MR. KERN: Sam Kern for the State.

25 THE COURT: Okay. And I'm assuming everybody's ready to go?

1 MS. PARK: Yeah.

2 MR. KERN: We are. I just want to make a -- just bring it to the Court's  
3 attention just briefly, there is a misdemeanor battery domestic violence.

4 THE COURT: Yeah, I was going to ask you why is that still in the charging  
5 document.

6 MR. KERN: So pursuant to the *Andersen* decision which came down, I think,  
7 just right before this case made its way into district court, it gave them the right to  
8 have a jury trial. And so typically in justice court we've been waiving those up to  
9 proceed with the jury trial in district court rather than having a separate jury trial for --  
10 for the misdemeanor. And so we'd ask that --

11 THE COURT: Okay. But it's not an issue of having a right to a jury trial, it's  
12 an issue of jurisdiction, that the district court doesn't have jurisdiction over  
13 misdemeanors.

14 MR. KERN: And I think for our purposes and if Ms. Park is okay with it, we'd  
15 ask that the -- the Court sit as a magistrate for the purposes of the misdemeanor in  
16 this -- in this case.

17 THE COURT: So you're -- it sounds like you're waiving subject matter  
18 jurisdiction which I don't think you can do.

19 MR. KERN: As to -- and that's something we've been doing for over two  
20 years now, so I don't know that that's --

21 THE COURT: I don't doubt that that's what people are doing.

22 MR. KERN: Yeah.

23 THE COURT: But how do you get over the jurisdiction?

24 MR. KERN: Well, in -- I know that we've done it typically for sentencings in  
25 misdemeanors and that's always been something that the parties can waive and

1 agree to. But this is, honestly, the first time that I think we've had the issue as to the  
2 misdemeanor going to a jury trial in district court.

3 THE COURT: Does the defense want to be heard? Yeah. I'm just not sure  
4 that that is appropriate.

5 You know, I do not believe you can stipulate to subject matter  
6 jurisdiction. I mean, so I think it's a problem. I mean, unless you can tell me there is  
7 some sort -- I mean, the case law didn't say, yeah, but if you take it to district court  
8 with everything else.

9 MR. KERN: Okay. And I would have to double check on that. Can I have a  
10 brief minute? Because I don't --

11 THE COURT: Absolutely.

12 MR. KERN: -- have that off the top of my head.

13 THE COURT: Absolutely. Go ahead. I've never had the issue. This will be  
14 the first time.

15 [Pause in the proceedings]

16 THE COURT: You know, we could start and when I have the clerk read the  
17 charging document, I can just not have her read that.

18 MR. KERN: Okay. Yeah. I think --

19 THE COURT: I mean, that'll just give you some time.

20 MR. KERN: Yeah, I've got somebody looking into it right now, but it might  
21 take a minute.

22 THE COURT: Okay. I mean, because --

23 MR. KERN: Sure.

24 THE COURT: -- I want to give you the time to --

25 MR. KERN: I appreciate it. Thank you.

1 THE COURT: -- to put forth, you know, your argument for having it tried here.  
2 But so because before I swear them in, I need to have the clerk read the charging  
3 document. So I will have her just read Counts 1 and 3.

4 MR. KERN: Okay.

5 THE COURT: I mean, is that okay with both sides?

6 MS. PARK: Yeah.

7 THE COURT: She's just going to say Count 1 and Count 3?

8 MR. KERN: Yes, that's okay.

9 THE COURT: Okay. And then if you can convince me that it -- you know, I  
10 don't know, if you convince me that it should be tried here --

11 MR. KERN: Okay.

12 THE COURT: -- we can read the charging document to the jury panel again.

13 MS. PARK: Okay.

14 THE COURT: Okay. I just don't how you get -- I literally -- I don't know how  
15 you get around the jurisdiction.

16 MR. KERN: Yeah, and, Your Honor, that's -- that's a question that we  
17 probably should have researched better before waiving all these misdemeanors up  
18 into district court. And I think we're --

19 THE COURT: Yeah. They're just letting you waive? Wow.

20 MR. KERN: Uh-huh.

21 THE COURT: Okay. All right. So, and again, the parties think this'll just be a  
22 two to three day, you think it'll be pretty short?

23 MR. KERN: I believe so.

24 MS. PARK: Yeah.

25 THE COURT: So one alternate okay?

1 MR. KERN: Yeah. You good with that?

2 MS. PARK: Yeah.

3 THE COURT: Okay. So we'll have 13 jurors. So we'll qualify 23 jurors.

4 Do you have any questions before we bring them in?

5 MR. KERN: Yeah. Do you -- do you think there's any chance we'd be

6 starting witnesses today?

7 THE COURT: I don't know. It depends on how -- how fast it goes.

8 MR. KERN: Yeah. If not --

9 THE COURT: Do you not want to?

10 MR. KERN: If not, is it okay if we don't start witnesses today and just leave

11 them for tomorrow; does that work with the Court's schedule?

12 THE COURT: Sure.

13 MR. KERN: Okay.

14 THE COURT: I mean, would the parties be ready to do openings at least?

15 MR. KERN: Yeah.

16 MS. PARK: Yeah.

17 THE COURT: Okay. I mean, I don't know how long it's going to take you to

18 do jury selection --

19 MR. KERN: Okay.

20 THE COURT: -- but if you don't want to start witnesses today, that's fine.

21 MR. KERN: Okay. And then tomorrow will we start around 9:00, do you

22 think, or around the same time?

23 THE COURT: Let's see -- because I don't have to do, I mean, we can start

24 when -- I mean, want to start at 8:30? 9:00 o'clock? It's whatever --

25 MR. KERN: Any preference?

1 MS. PARK: No.

2 MR. KERN: Okay. Yeah, 9:00.

3 THE COURT: Okay. 9:00 a.m.?

4 MR. KERN: 9:00 is good.

5 THE COURT: So, and Thursday the same if it goes to Thursday because I  
6 don't have to do my calendars. So we have full days.

7 MR. KERN: Perfect. All right.

8 THE COURT: Okay. So they're -- I mean, do both sides know how I pick a  
9 jury?

10 MS. PARK: No.

11 THE COURT: Okay. So we're going to bring all of them in, apparently there's  
12 45 in this venire. When they come in I will give them some instructions, allow both  
13 sides to give a brief description of the facts, and then they'll be sworn in. And then I  
14 will do, again, a general voir dire of everyone that's here and I will basically ask  
15 them general questions about, you know, can you be here for the next two to three  
16 days, those types of things.

17 When I'm done with that, I will ask you to meet me out in the hallway  
18 and then I will tell you who the first 23 will be. And if I'm not going to call somebody  
19 in the first 23, I'll tell both sides why. After that we'll come back in, the clerk will call  
20 the first 23 names, they'll fill the jury box. At that time I again will voir dire the jury  
21 panel.

22 If you have a challenge for cause, I ask that you make it at the time you  
23 have it, that you don't wait, that you immediately make that challenge for cause and  
24 we'll do the challenges for cause here at the bench so they can be recorded. And  
25 so when you do come to the bench at every bench conference, make sure you

1 identify yourself so the clerk or so the court recorder will be able to transcribe who is  
2 speaking and make sure it's just one at a time.

3           If you exercise a challenge for cause, let's say you challenge Juror  
4 Number 2 and I grant the challenge, that person will come down and then the very  
5 next person on the list, so for instance, I call the first 23, it would be Number 24.  
6 And you will know who is up because I will tell you in the persons that are -- that are  
7 left, I'll tell you whether that person will get called into the box. So everyone will  
8 know who goes up next and what seat they will go in. They'll go in Seat Number 2,  
9 then I'll voir dire that person, we'll get that person up to speed, and then I'll turn the  
10 panel back to whichever side has the panel.

11           When I'm done questioning the jury panel, then the State will have an  
12 opportunity to question the jury panel as a whole. I ask you not to go 1 through 23  
13 and ask every single juror every question that you have. I ask that you ask the  
14 questions of the jury panel as a whole. If you have follow-up questions that you  
15 want to ask specific jurors, you may do that. Because generally you may have  
16 follow-up questions based on what they told me, I will allow both sides leeway to ask  
17 those follow-up questions. I just ask that you don't go 1 through 23 and individually  
18 voir dire each juror.

19           When both sides have passed the panel for cause, then the clerk will  
20 prepare what has been marked as Court's Exhibit Number 1. It will have all the  
21 jurors that are still remaining in the box after every challenge for cause has been  
22 made and then both sides will have an opportunity to exercise your peremptory  
23 challenges.

24           The court marshal will bring you Court's Exhibit 1. Each side will have  
25 an opportunity to make your peremptory challenges. After each side does a

1 challenge, the court marshal will bring it back to the Court where I'll review it, and  
2 then it will be back to you. So after peremptory challenge one, you both will make it,  
3 the marshal will bring it back to the Court, then you'll get to do peremptory challenge  
4 number two until you are done

5 Then after you both have exercised your four challenges as to the jury  
6 panel, basically what I'll do is count the first 12, and then your fifth and final  
7 peremptory challenge will only be available as to an alternate. So you will not be  
8 able to use your fifth peremptory challenge to then go up and get somebody off the  
9 panel. Once you've used your four challenges, your peremptory challenges, we will  
10 have a panel of 12 and then your final peremptory challenge, if you've exercised all  
11 your challenges, there should only be three people left. Each side has on  
12 opportunity to make your peremptory challenge and then that person will be the  
13 alternate juror. I just call them Juror 13. I don't tell them that they're an alternate  
14 until the end when they go to deliberate upon their verdict. So any questions?

15 MS. PARK: No.

16 MR. KERN: Sounds good.

17 THE COURT: All righty. Okay. We -- there's 45, so I'd like them all to be  
18 seated in the audience.

19 THE MARSHAL: Okay. Not in the jury box?

20 THE COURT: No.

21 THE MARSHAL: You want them all in there? Okay. So no seats apart?

22 THE COURT: I mean, I'm assuming there's 45 seats.

23 THE MARSHAL: Right. But normally a seat apart for the COVID issue, but I'll  
24 have them sit next to one another.

25 THE COURT: There's no way we'll be able to seat 45 people in here with a

1 seat in between.

2 THE MARSHAL: Okay.

3 THE COURT: But they do have to wear their masks. And I'm assuming  
4 everyone out there has a mask on?

5 THE MARSHAL: Yes.

6 THE COURT: Okay. Thank you.

7 MS. PARK: Judge, I have one question.

8 THE COURT: Sure.

9 MS. PARK: Is it going to be 10 or the 8?

10 THE COURT: I'm sorry. Say that again.

11 MS. PARK: In the rows. Is it going to be 10 in each row or 8?

12 THE COURT: How many seats are there, so there'll be 11 and then 21, 22,  
13 23.

14 MS. PARK: Okay.

15 [In the presence of the prospective jury panel]

16 THE MARSHAL: All rise for entering jurors.

17 THE COURT: All right. Can you -- I'm sorry, let me just stop you. Can you  
18 start Number 1 over there?

19 THE MARSHAL: You want Number 1 over there?

20 THE COURT: Yeah.

21 THE MARSHAL: Come on, you're going to snake right behind here and come  
22 back right here.

23 THE COURT: Thank you.

24 [The marshal seats the prospective jurors]

25 THE COURT: Okay. Thank you very much.

1 Does the State stipulate to the presence of the jury venire?

2 MR. KERN: Yes, Your Honor.

3 THE COURT: And the defense?

4 MS. PARK: Yes, Your Honor.

5 THE COURT: Thank you. You can have a seat.

6 Good morning, ladies and gentlemen. Welcome to Department 12 of  
7 the Eighth Judicial District Court. My name is Michelle Leavitt and I'm the presiding  
8 judge in this department. You've been summonsed today to serve as jurors in a  
9 criminal case entitled State of Nevada versus Michael Roderos.

10 Before we do go any further, I am going to introduce you to the staff in  
11 Department 12 and give you a brief description of what each person does. You  
12 have met the court marshal. The court marshal is the person in charge of security in  
13 Department 12 and that is the person that you will have the most contact with.  
14 Throughout this process of selecting a jury and after we do have a jury selected,  
15 myself, the attorneys, and the parties and the staff in Department 12 with the  
16 exception of the court marshal are not permitted to have any communication with  
17 you whatsoever outside of the courtroom. So if there's anything that you need to  
18 discuss with the Court, I ask that you do it in the courtroom in the presence of both  
19 sides or that you let the court marshal know that there's something that you need to  
20 communicate with the Court.

21 Sara is the court recorder in Department 12. It's her job to record all  
22 the proceedings. At some point she'll be called upon by myself to prepare what we  
23 call a written transcript which means that she will listen to the recording and she will  
24 type verbatim everything that is said during these proceedings. So, if you are called  
25 upon to address the Court or the attorneys, I ask that you before you speak or

1 respond that you identify yourself with your name and the badge number that's been  
2 provided to you by the jury commissioner so we have a clear record of who is  
3 speaking at all times.

4 Michele is the clerk and she's helping us in Department 12. It's her job  
5 to keep the official minutes. She's also the person that will take charge of all of the  
6 evidence when it's introduced at the time of trial.

7 At this time I am going to allow the State of Nevada to speak to the jury  
8 panel. They're going to give you a brief description of their case and give you a list  
9 of witnesses. Both sides will have an opportunity to give you their list of witnesses.  
10 I ask that you pay close attention to the witnesses that will be called in this matter  
11 because at some point I will be asking you if any of you are familiar with any of the  
12 witnesses who will be called to testify in this matter.

13 Mr. Kern.

14 MR. KERN: Thank you, Your Honor.

15 Good morning, ladies and gentlemen, my name is Sam Kern. I'm the  
16 deputy district attorney assigned to prosecute the case of State versus  
17 Michael Roderos. Michael Roderos is charged with child abuse neglect or  
18 endangerment and coercion for on August 18<sup>th</sup>, 2019, at 594 Campus Oaks in  
19 Las Vegas, Nevada, grabbing and twisting his wife, Samantha Roderos's hands and  
20 fingers when she tried to intervene with him threatening his 16-year-old daughter,  
21 Noelani Roderos, striking his then 16-year-old daughter, Noelani, in the face leaving  
22 a mark; using force or threat of force to try to prevent Samantha and  
23 Noelani Roderos from leaving the house after that happened.

24 The State will present witnesses in this case that may include the  
25 victims, Noelani and Samantha Roderos; Kellen Roberts, and officers with the

1 Las Vegas Metropolitan Police Department Richard Vala, Mariandely Perez,  
2 Jonathon Plott, and Miguel Rodriguez.

3 THE COURT: Thank you.

4 Ms. Park.

5 MS. PARK: Thank you, Your Honor.

6 Good morning, everyone. My name is Leslie Park and I represent  
7 Michael Roderos and our version of the facts of this case is that there was an  
8 argument between family members, a misunderstanding between family members,  
9 and that on that day, on August 18<sup>th</sup>, obviously, we are going to -- to argue against  
10 what the prosecution has said to you happened that day. So that is our job to prove  
11 that to you. And Mr. Roderos may be testifying. We have not made that decision at  
12 this point. But that would be the only witness that we will call.

13 THE COURT: Thank you very much.

14 At this time the clerk will call the panel of prospective jurors, when your  
15 name is called if you'll please indicate present or here.

16 [The Clerk called the roll of the Prospective Jury Panel]

17 THE COURT: Okay. Is there anyone whose name was not called by the  
18 clerk? Okay. The record will reflect no further response from the panel.

19 At this time if you will all please stand and raise your right hand so you  
20 can be sworn by the clerk.

21 [The Prospective Jury Panel was sworn in by the Clerk]

22 THE COURT: Thank you. You may have a seat. Before I do conduct  
23 voir dire of the jury panel I am going to ask the clerk to read the charging document  
24 to the ladies and gentlemen of the jury.

25 [The Clerk read the Second Amended Information aloud]

1 THE COURT: Thank you very much and I just want to remind the ladies and  
2 gentlemen of the jury that at this point the charging document are only allegations  
3 and the defendant is entitled to the presumption of innocence.

4 We're about to commence what is called voir dire examination. The  
5 term voir dire means to tell the truth. During this process you'll be asked questions  
6 bearing upon your ability to sit as fair and impartial jurors. To accomplish this result,  
7 various questions will be asked of you by myself or counsel for the parties. On  
8 occasion some of these questions will seem somewhat personal. While we do not  
9 wish to unnecessarily pry into your personal lives, the questions are necessary so  
10 that counsel and the Court can make an intelligent determination as to your  
11 capabilities to serve fairly and impartially.

12 I want you to know that myself, the attorneys, and all other persons  
13 involved in this case are concerned with having this matter tried by jurors who are  
14 completely open minded, neutral, objective, and unbiased in their thinking. Wide  
15 discretion is vested in the trial judge as to the method of examination of jurors. As I  
16 stated previously, I will personally conduct the voir dire, but I will give the attorneys  
17 the opportunity to participate in the questioning.

18 It is important that you know the significance of full, complete, and  
19 honest answers to all the questions we're about to ask you. I caution you not to try  
20 to hide or withhold anything which might indicate bias or prejudice of any sort by any  
21 of you. Should you fail to answer truthfully or if you hide or withhold anything  
22 touching upon your qualifications that fact may tend to contaminate your verdict and  
23 subject you to further inquiry even after you're discharged as jurors. Your decision  
24 should be based on all the evidence presented during the trial and not based upon  
25 preconceived prejudice or bias.

1 I will conduct a general voir dire examination of all of you while you are  
2 seated in the audience. After those general questions, the clerk will call the first 23  
3 names using the order provided to us by the jury commissioner to fill the jury box.  
4 At some point during the process of selecting a jury the attorneys for both sides will  
5 have the right to ask that a particular person not serve as a juror. These requests  
6 are called challenges. There are two types of challenges, challenge for cause and  
7 peremptory challenges.

8 A challenge for cause means that a juror's been excused because his  
9 or her answers to some of the voir dire questions indicate that he or she would have  
10 a difficult time in giving a fair and impartial hearing into the case. I will ask the  
11 attorneys to pass or waive the prospective jurors for a cause challenge when they  
12 are done questioning the prospective jury panel.

13 A peremptory challenge means that a juror can be excused from duty  
14 without counsel having to give a reason for the excusal. Please do not be offended  
15 should you be excused by either of the challenge procedures. They are simply a  
16 part of the procedures designed to protect the rights of the parties under our system  
17 of government.

18 Again, if you wish to respond to the Court, I just ask that you state your  
19 name and badge number before responding. Is there anyone on the panel that's  
20 been convicted of a felony?

21 The record will reflect no response from the panel.

22 Is there anyone on the panel who is not a United States citizen?

23 Okay. The record will reflect no response from the panel.

24 Is there anyone on the panel who is not a resident of Clark County,  
25 Nevada?

1           Okay. The record will reflect no response from the panel.

2           Is there anyone on the panel who has such a sympathy, prejudice, or  
3 bias relating to age, religion, race, gender, or national origin that they feel would  
4 affect their ability to be open minded, fair, and impartial jurors? Okay.

5           PROSPECTIVE JUROR NO. 0673: Hi. I'm Josephine Patricio. My Juror  
6 Number is 104. My -- my name is Josephine --

7           THE COURT: Okay. The last four numbers, can I have the last four numbers  
8 of your badge?

9           PROSPECTIVE JUROR NO. 0673: It's 70 -- Badge Number 0673.

10          THE COURT: 0673?

11          PROSPECTIVE JUROR NO. 0673: Yeah.

12          THE COURT: Okay. Josephine Patricio?

13          PROSPECTIVE JUROR NO. 0673: Patricio.

14          THE COURT: Okay. Go ahead. You wanted to respond to that.

15          PROSPECTIVE JUROR NO. 0673: My answer to question is that I'm an  
16 emergency room nurse and I've seen a lot of child abuse in my 30 years of being an  
17 E.R. nurse and we from -- I came from New York and we have this mandatory  
18 course for child abuse. So usually we report anything about these cases. So I  
19 think --

20          THE COURT: Okay. Do you know anything about the case that you're here  
21 on today?

22          PROSPECTIVE JUROR NO. 0673: Yeah.

23          THE COURT: You do?

24          PROSPECTIVE JUROR NO. 0673: Oh, no, no, no idea.

25          THE COURT: Okay. All right. So you don't know anything about the case

1 you're here on today, right?

2 PROSPECTIVE JUROR NO. 0673: No.

3 THE COURT: Okay. If you're selected to be a juror will you be able to base  
4 this case and your decision on the evidence as it's introduced at the time of trial and  
5 nothing else?

6 PROSPECTIVE JUROR NO. 0673: I'm going to listen to both sides.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 0673: And then, you know, I have to think what  
9 is right is right.

10 THE COURT: Sure.

11 PROSPECTIVE JUROR NO. 0673: It should be fair.

12 THE COURT: Okay. But you'll judge this case based solely on the evidence  
13 that's introduced at this trial, correct?

14 PROSPECTIVE JUROR NO. 0673: I will, yeah.

15 THE COURT: Okay. Thank you. And thank you very much for being here.

16 PROSPECTIVE JUROR NO. 0673: Okay.

17 THE COURT: Anyone else that wishes to respond to that question?

18 PROSPECTIVE JUROR NO. 0659: The last four are 7426, Lydia Pina.

19 THE COURT: Okay. So it's 0659, the last four of your --

20 PROSPECTIVE JUROR NO. 0659: Oh, yeah, 0659, I'm sorry.

21 THE COURT: Thank you. Ms. Pina, go ahead.

22 PROSPECTIVE JUROR NO. 0659: And I was in a very bad relationship, my  
23 children and I, for 14 years, so I -- yeah, I don't think I could give a fair decision in  
24 this matter.

25 THE COURT: Okay. You don't think that you'd be able to be fair to the

1 parties here? Is that a "no"? Okay. You have to say verbally what your response  
2 is.

3 PROSPECTIVE JUROR NO. 0659: I do not think I could give --

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 0659: -- be fair and partial.

6 THE COURT: Okay. Thank you.

7 Anyone else?

8 Okay. The record will reflect no further response from the panel.

9 Are there any of you who are acquainted with the defendant or his  
10 attorney in this matter?

11 Okay. The record will reflect no response from the panel.

12 Are there any of you on the panel who are acquainted with the deputy  
13 district attorney that's been assigned to prosecute this matter?

14 Okay. The record will reflect no response from the panel.

15 The District Attorney's Office employs many deputies and other  
16 personnel. Is there anyone who has such a close relationship with either the  
17 District Attorney Mr. Steve Wolfson, his deputies, or other members of his staff that  
18 you feel might affect your ability to serve as a fair and impartial juror in this particular  
19 case?

20 Okay. The record will reflect no response from the panel.

21 Are there any of you on the panel who are acquainted with any of the  
22 witnesses who will be called to testify in this matter?

23 The record will reflect no response from the panel.

24 We do expect this case to be a short case. We expect it to last two to  
25 three days, so Tuesday, Wednesday, I'm assuming we'll be done by Thursday,

1 maybe sooner. Is there anyone that serving for that amount of time would present  
2 such a hardship such that it would make it impossible for you to be here?

3 Okay.

4 PROSPECTIVE JUROR NO. 0692: Hi. My name is --

5 THE COURT: Okay. Your name and badge number.

6 PROSPECTIVE JUROR NO. 0692: Alyssa Ferraris, 0692.

7 THE COURT: 0692? Okay. Ms. Ferraris, go ahead.

8 PROSPECTIVE JUROR NO. 0692: My uncle recently passed away and  
9 tomorrow is his viewing.

10 THE COURT: What time is it?

11 PROSPECTIVE JUROR NO. 0692: 10:00.

12 THE COURT: I'm sorry?

13 PROSPECTIVE JUROR NO. 0692: 10:00 o'clock in the morning.

14 THE COURT: And it's here in Clark County?

15 PROSPECTIVE JUROR NO. 0692: Yes.

16 THE COURT: And is the funeral after that?

17 PROSPECTIVE JUROR NO. 0692: No.

18 THE COURT: When is the funeral?

19 PROSPECTIVE JUROR NO. 0692: November. His viewing is tomorrow.

20 THE COURT: Okay. You're having the viewing tomorrow?

21 PROSPECTIVE JUROR NO. 0692: Yes.

22 THE COURT: But the funeral not 'til November?

23 PROSPECTIVE JUROR NO. 0692: Yes.

24 THE COURT: Okay. Thank you.

25 PROSPECTIVE JUROR NO. 0692: Thank you.

1 THE COURT: Okay. Anyone else?

2 PROSPECTIVE JUROR NO. 0626: Last name Love -- last name Love,  
3 Badge Number 0626.

4 THE COURT: 0626. Okay. Go ahead, Mr. Love.

5 PROSPECTIVE JUROR NO. 0626: Yes, sir, my girlfriend, she works fulltime.  
6 These are my days off which are days that I watch my children.

7 THE COURT: So today --

8 PROSPECTIVE JUROR NO. 0626: Tuesday, Wednesday --

9 THE COURT: -- today is your day off?

10 PROSPECTIVE JUROR NO. 0626: -- Thursday, yeah.

11 THE COURT: Okay. Today is your day off

12 PROSPECTIVE JUROR NO. 0626: Yes. Tuesday, Wednesday, and  
13 Thursday.

14 THE COURT: Okay. And so who's watching the children today?

15 PROSPECTIVE JUROR NO. 0626: My girlfriend and her mother.

16 THE COURT: Okay. So if you're asked to be here, will you be able to make  
17 arrangements like you did today?

18 PROSPECTIVE JUROR NO. 0626: I could try but no promises.

19 THE COURT: Okay. Well, you kind of have to promise because if you are  
20 selected to serve on this panel you'll be under court order to be here; do you  
21 understand that?

22 PROSPECTIVE JUROR NO. 0626: Right.

23 THE COURT: Okay. So that's why I'm asking you now. It appears as though  
24 you made the arrangements for today.

25 PROSPECTIVE JUROR NO. 0626: Yeah. I had no idea it would go on for

1 three -- three days.

2 THE COURT: Okay. But you would never leave your --

3 PROSPECTIVE JUROR NO. 0626: This is my first time, I'm sorry.

4 THE COURT: -- children unattended, right?

5 PROSPECTIVE JUROR NO. 0626: Correct.

6 THE COURT: You would figure it out?

7 PROSPECTIVE JUROR NO. 0626: Again, yes.

8 THE COURT: Okay. Thank you, Mr. Love. Thank you for being here.

9 Anyone else? Okay.

10 PROSPECTIVE JUROR NO. 0559: My name's Kennedy Larsen, the last four  
11 is 0559. I'm a full-time student and it's -- I'm taking summer classes and this week  
12 is my last week of classes so it's like finals.

13 THE COURT: And you're a student at UNLV?

14 PROSPECTIVE JUROR NO. 0559: Yes.

15 THE COURT: Okay. When are your finals?

16 PROSPECTIVE JUROR NO. 0559: There's one assignment that's left. It's  
17 due Friday. I'm thinking I can get it done. I just don't know how long it's going to  
18 take, so, but I -- yeah, sorry.

19 THE COURT: Well, I mean, do you have any more classes that you have to  
20 attend? Is it just this assignment?

21 PROSPECTIVE JUROR NO. 0559: It's just this -- the assignment, yes.

22 THE COURT: Okay. Well, I'm asking you, if you're asked to be here for the  
23 next two to three days will you be able to get your work done in order to finish out  
24 the semester?

25 PROSPECTIVE JUROR NO. 0559: Yes.

1 THE COURT: Yes?

2 PROSPECTIVE JUROR NO. 0559: Yes.

3 THE COURT: Okay. Thank you.

4 Anyone else?

5 Okay. The record will reflect no response from the panel.

6 Are there any of you who believe that for any other reason you would

7 not be able to serve in this particular case?

8 PROSPECTIVE JUROR NO. 0620: Hello, my last name is Contreras. My

9 last numbers are Badge Numbers 7934.

10 THE COURT: Okay. The Badge Number is 0620. Go ahead, Mr. Contreras.

11 PROSPECTIVE JUROR NO. 0620: Okay. My English is not too -- too good.

12 So I don't know if I going to be able to do this.

13 THE COURT: Okay. And how long have you been in the United States?

14 PROSPECTIVE JUROR NO. 0620: About ten years.

15 THE COURT: Ten years?

16 PROSPECTIVE JUROR NO. 0620: Yeah.

17 THE COURT: And do you work?

18 PROSPECTIVE JUROR NO. 0620: Yeah, I do.

19 THE COURT: Where do you work?

20 PROSPECTIVE JUROR NO. 0620: I work for the United States Postal

21 Service.

22 THE COURT: Okay. And what do you do for the Postal Service?

23 PROSPECTIVE JUROR NO. 0620: I'm the mailman.

24 THE COURT: Okay. You appear to communicate very well with me. So

25 what I'm going to ask you is that if any time you don't understand what is being said,

1 I would just ask that you raise your hand so that we can clarify it for you.

2 PROSPECTIVE JUROR NO. 0620: Okay. Thank you.

3 THE COURT: Okay?

4 PROSPECTIVE JUROR NO. 0620: Uh-huh.

5 THE COURT: And thank you very much for being here.

6 PROSPECTIVE JUROR NO. 0556: My name is Kenneth Song. Last number  
7 is 0556. Same thing is my English is no good, so I don't understand 100 percent  
8 this case.

9 THE COURT: How long have you been in the United States?

10 PROSPECTIVE JUROR NO. 0556: About ten years.

11 THE COURT: Okay. And do you work?

12 PROSPECTIVE JUROR NO. 0556: Yes.

13 THE COURT: Where do you work?

14 PROSPECTIVE JUROR NO. 0556: Construction work.

15 THE COURT: I'm sorry?

16 PROSPECTIVE JUROR NO. 0556: Construction work.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 0556: Yeah.

19 THE COURT: And what language do you speak at work?

20 PROSPECTIVE JUROR NO. 0556: Yeah, you know, I working with our  
21 country's community, it's the Korean word. So I use the -- so many Korean word.

22 THE COURT: Okay. So you speak both or you speak Korean at work?

23 PROSPECTIVE JUROR NO. 0556: Yeah. Sometimes I use the English and  
24 Korean too, yeah.

25 THE COURT: Okay. All right. I'm going to ask you the same thing that I did

1 Mr. Contreras, if at any time you don't understand what is being said that you raise  
2 your hand --

3 PROSPECTIVE JUROR NO. 0556: Okay.

4 THE COURT: -- so I can clarify it for you.

5 PROSPECTIVE JUROR NO. 0556: Okay.

6 THE COURT: But I appreciate your willingness to be here. Thank you.

7 Anyone else?

8 Okay. The record will reflect no further response from the panel.

9 Is there anyone on this panel who's ever been engaged in law  
10 enforcement work or have a spouse or close relative who has ever been engaged in  
11 law enforcement work?

12 Okay. So we'll just pass it around.

13 PROSPECTIVE JUROR NO. 0691: 0691, Patricia Smith.

14 THE COURT: Go ahead, Ms. Smith.

15 PROSPECTIVE JUROR NO. 0691: My father was in D.E.A. along with his  
16 brother, my sister, my older brother. My one brother worked for Secret Service.  
17 One was with -- my youngest sister was with Homeland Security. That's about it.

18 THE COURT: Okay. Anything about their employment that would affect your  
19 ability --

20 PROSPECTIVE JUROR NO. 0691: No.

21 THE COURT: -- to be fair and impartial in this case?

22 PROSPECTIVE JUROR NO. 0691: No.

23 THE COURT: Okay. Thank you.

24 Anyone else on this side? Go ahead.

25 PROSPECTIVE JUROR NO. 0736: Hi, Lacie Christy, 0736. My spouse is a

1 law enforcement officer with City of Henderson.

2 THE COURT: Anything about your spouse's employment that would affect  
3 your ability to be fair and impartial?

4 PROSPECTIVE JUROR NO. 0736: No.

5 THE COURT: Okay. And you understand if you're selected to serve as a  
6 juror in this matter that you will not be permitted to discuss this case with anyone  
7 including your fellow jurors until you go back to deliberate upon your verdict; you  
8 understand that, correct?

9 PROSPECTIVE JUROR NO. 0736: Yes.

10 THE COURT: And you understand you wouldn't be able to go home and talk  
11 to your spouse about the case; do you understand that?

12 PROSPECTIVE JUROR NO. 0736: Yes.

13 THE COURT: Okay. And you would comply with that order, correct?

14 PROSPECTIVE JUROR NO. 0736: Yes.

15 THE COURT: Okay. Thank you. And thank you for being here.

16 PROSPECTIVE JUROR NO. 0632: 0632, Imelda Smith.

17 THE COURT: 0632.

18 PROSPECTIVE JUROR NO. 0632: My daughter is in -- with Las Vegas  
19 Police Department.

20 THE COURT: I'm sorry, can you speak up?

21 PROSPECTIVE JUROR NO. 0632: She works for Las Vegas Police  
22 Department.

23 THE COURT: Your daughter works --

24 PROSPECTIVE JUROR NO. 0632: Yeah.

25 THE COURT: -- for the Vegas Police Department?

1 PROSPECTIVE JUROR NO. 0632: Yeah.

2 THE COURT: Like the Las Vegas --

3 PROSPECTIVE JUROR NO. 0632: But he's not -- he's not an -- she's not an  
4 officer.

5 THE COURT: What is she?

6 PROSPECTIVE JUROR NO. 0632: She works for records and stuff.

7 THE COURT: Okay. Anything about her employment that would affect your  
8 ability to be fair and impartial?

9 PROSPECTIVE JUROR NO. 0632: No.

10 THE COURT: And, again, you understand that you wouldn't be able to  
11 discuss the case with your daughter if you were selected to serve; you understand  
12 that?

13 PROSPECTIVE JUROR NO. 0632: Yes.

14 THE COURT: And you would comply with that order?

15 PROSPECTIVE JUROR NO. 0632: Yes, ma'am.

16 THE COURT: Okay. Thank you. And thank you for your willingness to be  
17 here.

18 PROSPECTIVE JUROR NO. 0505: Badge Number 0505, Stacy Hinderliter.

19 THE COURT: Go ahead.

20 PROSPECTIVE JUROR NO. 0505: I have family members that are in law  
21 enforcement in San Diego, California.

22 THE COURT: Anything about their employment that would affect your ability  
23 to be fair and impartial?

24 PROSPECTIVE JUROR NO. 0505: No.

25 THE COURT: Okay. Thank you. And thank you for being here.

1 PROSPECTIVE JUROR NO. 0534: Ron Frye, Badge Number 0534. So my  
2 wife graduated top of her class in the police academy and she went on to become a  
3 nurse. She doesn't work anymore because she married well. But my son is a  
4 deputy sheriff, was a deputy sheriff in Florida, now works for the prison system  
5 specifically in the juvenile court system and of course he tells us all the stories, you  
6 know, about child abuse and recidivism and all of that contained into it, so.

7 THE COURT: Okay. And where does your son work?

8 PROSPECTIVE JUROR NO. 0534: In Florida.

9 THE COURT: What state?

10 PROSPECTIVE JUROR NO. 0534: In Florida.

11 THE COURT: In Florida?

12 PROSPECTIVE JUROR NO. 0534: Yes.

13 THE COURT: Okay. Anything about their employment that would affect your  
14 ability to be fair and impartial?

15 PROSPECTIVE JUROR NO. 0534: I mean, other than what I hear and their  
16 stories, I mean, I think I can be impartial. But, you know, heard a lot.

17 THE COURT: Okay. Well, you understand if you're selected to serve on this  
18 panel that you would be required to base your decision solely on the evidence that's  
19 introduced at this trial, correct?

20 PROSPECTIVE JUROR NO. 0534: I understand.

21 THE COURT: And that you would not be able to discuss the case with your  
22 son; you understand that?

23 PROSPECTIVE JUROR NO. 0534: Absolutely.

24 THE COURT: And that you wouldn't be able to render a decision based on  
25 anything your son told you or anything that happened in Florida; and you understand

1 that, correct?

2 PROSPECTIVE JUROR NO. 0534: I do understand that.

3 THE COURT: And so if you are selected to serve would you be willing to  
4 judge your opinion and your decision solely on the evidence and the law as  
5 introduced in this trial?

6 PROSPECTIVE JUROR NO. 0534: I think so.

7 THE COURT: Okay. Well, I need a commitment. I need jurors that will say I  
8 absolutely will do that, I will not consider, you know, I will only consider the evidence  
9 in this case.

10 PROSPECTIVE JUROR NO. 0534: It's a hard ask, but I think the answer's  
11 "yes."

12 THE COURT: Okay. What is hard about asking a juror to judge the case  
13 based on the evidence in this matter?

14 PROSPECTIVE JUROR NO. 0534: Well, it's hard to not know what you  
15 know, Your Honor. So --

16 THE COURT: Okay. To not know what you know?

17 PROSPECTIVE JUROR NO. 0534: I -- yeah. In other words -- yeah.

18 THE COURT: Oh, okay, I see what you mean. Yeah, I mean, everyone  
19 comes -- I see what you mean, everyone comes to the courtroom with different life  
20 experiences.

21 PROSPECTIVE JUROR NO. 0534: Exactly.

22 THE COURT: And that's what makes a good juror.

23 PROSPECTIVE JUROR NO. 0534: Exactly, yes.

24 THE COURT: You know, we want jurors that have had life experiences. So  
25 you don't have to, you know, forget everything that you know, but you do have to

1 make a commitment to the Court that you will judge the case solely on the evidence  
2 as introduced at the time of trial and set aside any, you know, personal stories or  
3 things that you know; and you could do that?

4 PROSPECTIVE JUROR NO. 0534: Yes.

5 THE COURT: Okay. Thank you, sir. And thank you for your willingness to  
6 be here.

7 PROSPECTIVE JUROR NO. 0546: My name is Richard Rosales. My last  
8 four are 0546. I'm currently employed by the Coroner's Office of Clark County.

9 THE COURT: Okay. What do you do?

10 PROSPECTIVE JUROR NO. 0546: I'm a forensic tech. I help doctors with  
11 autopsies.

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

13 PROSPECTIVE JUROR NO. 0546: Here? For five years.

14 THE COURT: Okay. Is there anything about your employment that would  
15 affect your ability to be fair and impartial?

16 PROSPECTIVE JUROR NO. 0546: No.

17 THE COURT: Okay. Thank you, sir. Thank you for being here.

18 Okay. It's Mr. Love, Badge Number 0626. Go ahead.

19 PROSPECTIVE JUROR NO. 0626: Correct. Father retired North Las Vegas  
20 court marshal. It would not hinder my duties as being on juror. Just throwing that  
21 out there.

22 THE COURT: Okay. So your father worked where?

23 PROSPECTIVE JUROR NO. 0626: North Las Vegas Municipal Court.

24 THE COURT: Okay. And retired though now, correct?

25 PROSPECTIVE JUROR NO. 0626: Correct. Currently retired, yes.

1 THE COURT: Okay. All right. Thank you, sir.

2 PROSPECTIVE JUROR NO. 0748: Courtney Hernandez, 0748. I currently  
3 work for D.P.S., human resources, located in the Parole and Probation office.

4 THE COURT: I'm sorry. Will you -- you --

5 PROSPECTIVE JUROR NO. 0748: Located in the Parole and Probation  
6 office, D.P.S.

7 THE COURT: You work for C.P.S.?

8 PROSPECTIVE JUROR NO. 0748: D.P.S., Department of Public Safety.

9 THE COURT: Okay. What do you do?

10 PROSPECTIVE JUROR NO. 0748: I do the recruiting for the academies for  
11 the police officers.

12 THE COURT: Okay. Anything about your current employment that would  
13 affect your ability to be fair and impartial?

14 PROSPECTIVE JUROR NO. 0748: No, ma'am.

15 THE COURT: Okay. And I don't know what kind of access you have to the  
16 court documents, but what I would tell you is what I've told some of the other jurors,  
17 that you're not permitted to discuss this case with anyone or do any independent  
18 research or look anything up, that you are to judge this case solely on the evidence  
19 that's introduced at the time of trial; and you understand that, right?

20 PROSPECTIVE JUROR NO. 0748: Yes, ma'am.

21 THE COURT: And you will comply with that order?

22 PROSPECTIVE JUROR NO. 0748: Yes.

23 THE COURT: Okay. Thank you. Thank you for being here.

24 Anyone else that wants to address the Court?

25 Okay. The record will reflect no further response from the panel.

1 Is there anyone on the panel who may not be able to follow all the  
2 instructions of the court on the law even if the instructions differ from your personal  
3 conceptions of what the law ought to be? Anyone who feels that they will not be  
4 able to follow the law as given to you by the Court?

5 Okay. The record will reflect no response.

6 As a follow-up to the previous question, in any criminal trial the  
7 members of the jury sitting collectively are the judges of the question of fact in this  
8 case. As the judge in this case I am the judge of the questions of law and it's my  
9 responsibility to be sure that I give instructions on the law that apply to this particular  
10 case. It would be a violation of a juror's duty if he or she tried to render a judgment  
11 based upon what he or she believed the law to be if that differed from my  
12 instructions. With that in mind, is there anyone who feels that they cannot be fact  
13 finders and follow my instructions on the applicable law in this case?

14 Okay. The record will reflect no response from the panel.

15 Under our system there are certain principles of law that apply in every  
16 criminal trial. They are that the information filed in this case is a mere accusation  
17 and is not evidence of guilt, that the defendant is presumed innocent, and the State  
18 must therefore that the defendant is guilty by proof beyond a reasonable doubt.  
19 Does anyone not understand or believe in these basic precepts of American justice?

20 Okay. The record will reflect no response from the panel.

21 Does anyone on the panel know anything about the case other than  
22 what's been stated in the courtroom here today?

23 Okay. The record will reflect no response from the panel.

24 At this time I'm going to ask the attorneys to meet me out in the hallway  
25 so I can have a quick conference with them. You are going to remain in here. The

1 court marshal will be in here. I just want to remind you that we are still on the record  
2 and it will just take me a few minutes and then when we come back in the clerk will  
3 call the first 23 names and you will fill the jury box. Thank you.

4 [The Court and the Attorneys stepped into the back hallway]

5 THE COURT: Does the State stipulate to the presence of the panel?

6 MR. KERN: I do, Your Honor.

7 THE COURT: And the defense, Ms. Park? You stipulate to the presence of  
8 the panel, correct?

9 MS. PARK: Yes, Your Honor.

10 THE COURT: Okay. At this time, ladies and gentlemen, the Clerk is going to  
11 call the first 23 names, when your name is called if you'll please take your seat in  
12 the jury box.

13 THE CLERK: Stacy Hinderliter, Antenille Law.

14 THE COURT: Okay. Just a minute, she'll be that first seat on the second  
15 row.

16 THE CLERK: Robert Stacy, Ronald Frye, Karl Hughes,  
17 Fabiola Torres-Vazquez, Kristal Johnson, Richard Rosales, Alexis Bisplinghoff,  
18 Kenneth Song, Kennedy Larsen, Richard Duncan, Viorel Filimon.

19 THE COURT: Let's see, 'cause I think they'll --

20 Okay. So Number 12 which is Richard Duncan.

21 Okay. So, you're Kennedy Larsen, right?

22 Okay, so, Number 12, Richard Duncan, if you'll take your seat on the  
23 first chair. Then Filimon.

24 THE CLERK: Izabel Derohanian, Russell Bilby, Susanne Richards --  
25 Richardson, I'm sorry; Neil Young, Joenel Buen, Jason Francis, Jose Contreras,

1 Kevin Love.

2 THE COURT: Okay. Just -- because that'll be 20.

3 THE CLERK: Yeah.

4 THE COURT: All right. The three that are sitting in the front row, if you don't  
5 mind stepping out and you can take your seat anywhere you want back in the  
6 audience. There's a lot of empty seats now.

7 THE MARSHAL: Sir, right over here. You're going to be in the front.

8 THE COURT: Yeah. Mr. Love, you'll be the first seat right there.

9 PROSPECTIVE JUROR NO. 0626: Oh, sorry.

10 THE COURT: No, you're fine.

11 THE CLERK: Imelda Smith and Paul Gunderson.

12 THE COURT: Okay. Ms. Stacy Hinderliter --

13 She's going to need the microphone. Do we have a microphone?

14 -- good afternoon.

15 PROSPECTIVE JUROR NO. 0505: Good afternoon.

16 THE COURT: Again, thank you for being here. How long have you lived in  
17 Clark County?

18 PROSPECTIVE JUROR NO. 0505: It was two years in May.

19 THE COURT: Your employment, training, and education background?

20 PROSPECTIVE JUROR NO. 0505: I have a -- I am currently a software  
21 analyst for a software company. I graduated from college with just your general ed  
22 degree and I've worked in the customer -- customer service animal industry as well.

23 THE COURT: Okay. And you work as a software analyst now here in  
24 Clark County?

25 PROSPECTIVE JUROR NO. 0505: Yes, I'm an analyst for a software

1 company, correct.

2 THE COURT: Yeah. Your marital status?

3 PROSPECTIVE JUROR NO. 0505: I am single.

4 THE COURT: Do you have any children?

5 PROSPECTIVE JUROR NO. 0505: I do.

6 THE COURT: How many?

7 PROSPECTIVE JUROR NO. 0505: I have one child. She's 30.

8 THE COURT: Okay. Can you tell us what she does for a living?

9 PROSPECTIVE JUROR NO. 0505: She's an L.V.N. in San Diego.

10 THE COURT: I'm sorry, a?

11 PROSPECTIVE JUROR NO. 0505: An L.V.N., nurse in San Diego.

12 THE COURT: What's an L.V.N.?

13 PROSPECTIVE JUROR NO. 0505: It's a licensed vocational nurse. Yes.

14 THE COURT: Okay. Do you know any reason why you could not be a fair

15 and impartial juror if you were selected to serve?

16 PROSPECTIVE JUROR NO. 0505: No, I can't.

17 THE COURT: Okay. Thank you. Thank you very much for being here.

18 PROSPECTIVE JUROR NO. 0505: Thank you.

19 THE COURT: Antenille Law, can you tell me how long you've lived in

20 Clark County?

21 PROSPECTIVE JUROR NO. 0518: Over 20 years.

22 THE COURT: Okay. Your education background?

23 PROSPECTIVE JUROR NO. 0518: I have a background in medical billing.

24 THE COURT: Okay. And your current employment?

25 PROSPECTIVE JUROR NO. 0518: I work for Anthem.

1 THE COURT: For Anthem?  
2 PROSPECTIVE JUROR NO. 0518: Uh-huh.  
3 THE COURT: And is that in medical billing?  
4 PROSPECTIVE JUROR NO. 0518: No. Like, a health guide.  
5 THE COURT: I'm sorry?  
6 PROSPECTIVE JUROR NO. 0518: A health guide.  
7 THE COURT: Your marital status?  
8 PROSPECTIVE JUROR NO. 0518: Married.  
9 THE COURT: Okay. Is your spouse employed?  
10 PROSPECTIVE JUROR NO. 0518: Not right now.  
11 THE COURT: Okay. Do you have any kids?  
12 PROSPECTIVE JUROR NO. 0518: I do not.  
13 THE COURT: Do you know of any reason why you could not be a fair and  
14 impartial juror?  
15 PROSPECTIVE JUROR NO. 0518: No reason.  
16 THE COURT: If you were selected to serve?  
17 PROSPECTIVE JUROR NO. 0518: Yes. Oh, no. No reason.  
18 THE COURT: Okay. Thank you.  
19 PROSPECTIVE JUROR NO. 0518: Uh-huh.  
20 THE COURT: Thank you very much for being here.  
21 Mr. Robert Stacy, can you tell me how long you've lived in  
22 Clark County?  
23 PROSPECTIVE JUROR NO. 0520: I've lived in Clark County 11 years.  
24 THE COURT: Okay. And your education background?  
25 PROSPECTIVE JUROR NO. 0520: Bachelor of science, mechanical

1 engineering.

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

3 PROSPECTIVE JUROR NO. 0520: I'm retired.

4 THE COURT: Okay. And what did you do before you retired?

5 PROSPECTIVE JUROR NO. 0520: I was a welding engineer for the

6 U.S. Navy.

7 THE COURT: So you served in the U.S. Navy?

8 PROSPECTIVE JUROR NO. 0520: I was Department of Defense, so civilian.

9 THE COURT: You were a civilian? How long did you work for the  
10 government?

11 PROSPECTIVE JUROR NO. 0520: 30 years.

12 THE COURT: Your marital status?

13 PROSPECTIVE JUROR NO. 0520: Married.

14 THE COURT: Is your spouse employed?

15 PROSPECTIVE JUROR NO. 0520: No, she's retired.

16 THE COURT: What did your spouse do before retirement?

17 PROSPECTIVE JUROR NO. 0520: She was a food and beverage manager.

18 THE COURT: Okay. Do you have any children?

19 PROSPECTIVE JUROR NO. 0520: Yes.

20 THE COURT: Are they old enough to be employed?

21 PROSPECTIVE JUROR NO. 0520: Yes.

22 THE COURT: Can you tell me what each does for a living?

23 PROSPECTIVE JUROR NO. 0520: Yeah. One child and she's in

24 cosmetology.

25 THE COURT: Do you know of any reason why you could not be a fair and

1 impartial juror if you were selected to serve?

2 PROSPECTIVE JUROR NO. 0520: No reason.

3 THE COURT: Thank you. Thank you very much for being here.

4 Mr. Frye, how long have you lived in Clark County?

5 PROSPECTIVE JUROR NO. 0534: 27 years.

6 THE COURT: Your education background?

7 PROSPECTIVE JUROR NO. 0534: So my background is I am the corporate  
8 vice president of design and construction for Boyd Gaming also in charge of facilities  
9 and safety.

10 THE COURT: I'm sorry, will you say that again?

11 PROSPECTIVE JUROR NO. 0534: Yes. I'm the corporate vice president of  
12 design and construction for Boyd Gaming and I'm also in charge of facilities and  
13 safety.

14 THE COURT: How long have you done that?

15 PROSPECTIVE JUROR NO. 0534: The entire time I've been in Las Vegas.

16 THE COURT: Okay. And so, like, do you do all their properties all over the  
17 country?

18 PROSPECTIVE JUROR NO. 0534: I do. I do.

19 THE COURT: Okay. So then you're a busy guy.

20 PROSPECTIVE JUROR NO. 0534: Very, very busy.

21 THE COURT: Your marital status?

22 PROSPECTIVE JUROR NO. 0534: Married.

23 THE COURT: Is your spouse employed?

24 PROSPECTIVE JUROR NO. 0534: Yes. She does property management.

25 THE COURT: Okay. And you have children?

1 PROSPECTIVE JUROR NO. 0534: I do. So our older daughter is a  
2 housemaker. Our son is in the juvenile prison system in Florida. And then our  
3 younger child is a student.

4 THE COURT: Is a student? What's your student studying?

5 PROSPECTIVE JUROR NO. 0534: Anthropology.

6 THE COURT: Okay. Do you know of any reason why you could not be a fair  
7 and impartial juror if selected to serve?

8 PROSPECTIVE JUROR NO. 0534: No.

9 THE COURT: Thank you. And thank you very much for being here, Mr. Frye.

10 Mr. Hughes, good afternoon. How long have you lived in Clark County?

11 PROSPECTIVE JUROR NO. 0542: Over 40 years.

12 THE COURT: Your education background?

13 PROSPECTIVE JUROR NO. 0542: High school.

14 THE COURT: Okay. And what do you do for a living?

15 PROSPECTIVE JUROR NO. 0542: Engineer.

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

17 PROSPECTIVE JUROR NO. 0542: 23 years.

18 THE COURT: Okay. Your marital status?

19 PROSPECTIVE JUROR NO. 0542: Single.

20 THE COURT: Do you have any children?

21 PROSPECTIVE JUROR NO. 0542: Yes.

22 THE COURT: Are they old enough to be employed?

23 PROSPECTIVE JUROR NO. 0542: Yes.

24 THE COURT: Okay. Can you tell me what each does for a living?

25 PROSPECTIVE JUROR NO. 0542: Daughter is a homemaker. She's -- she

1 was a hairdresser, but she's a homemaker now. Son's a pipefitter. My other son he  
2 trains for boxing.

3 THE COURT: I'm sorry, the third one does?

4 PROSPECTIVE JUROR NO. 0542: He's a trainer for boxing.

5 THE COURT: Oh, okay.

6 PROSPECTIVE JUROR NO. 0542: Trains with Raleigh.

7 THE COURT: Do you know of any reason why you could not be a fair and  
8 impartial juror if you were selected to serve, sir?

9 PROSPECTIVE JUROR NO. 0542: No.

10 THE COURT: Okay. Thank you, Mr. Hughes, and thank you very much for  
11 your willingness to be here.

12 Ms. Torres-Vazquez.

13 PROSPECTIVE JUROR NO. 0544: Yes.

14 THE COURT: Good afternoon.

15 PROSPECTIVE JUROR NO. 0544: Good afternoon.

16 THE COURT: How long have you lived in Clark County?

17 PROSPECTIVE JUROR NO. 0544: 23 years.

18 THE COURT: Okay. Your education background?

19 PROSPECTIVE JUROR NO. 0544: I went to college for like a year and a half  
20 but I didn't graduate.

21 THE COURT: Okay. And are you employed?

22 PROSPECTIVE JUROR NO. 0544: Yes.

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

24 PROSPECTIVE JUROR NO. 0544: I'm a trainer for a technology company.

25 THE COURT: How long have you done that?

1 PROSPECTIVE JUROR NO. 0544: Four years now.  
2 THE COURT: Okay. Your marital status?  
3 PROSPECTIVE JUROR NO. 0544: Married.  
4 THE COURT: Is your spouse employed?  
5 PROSPECTIVE JUROR NO. 0544: Yes.  
6 THE COURT: What does your spouse do?  
7 PROSPECTIVE JUROR NO. 0544: He is a technical merchandiser for the  
8 same company.  
9 THE COURT: Do you have any children?  
10 PROSPECTIVE JUROR NO. 0544: Not until December.  
11 THE COURT: Oh, okay. Well, congratulations.  
12 PROSPECTIVE JUROR NO. 0544: Thank you.  
13 THE COURT: Is there anything about that that would affect your ability to be  
14 here?  
15 PROSPECTIVE JUROR NO. 0544: No.  
16 THE COURT: Okay. Are you sure?  
17 PROSPECTIVE JUROR NO. 0544: Yeah.  
18 THE COURT: All right. Do you know of any reason why you could not be a  
19 fair and impartial juror if selected to serve?  
20 PROSPECTIVE JUROR NO. 0544: No.  
21 THE COURT: Okay. Thank you, and thank you again for your willingness to  
22 be here.  
23 Kristal Johnson, good afternoon.  
24 PROSPECTIVE JUROR NO. 0545: Good afternoon.  
25 THE COURT: How long have you lived in Clark County?

1 PROSPECTIVE JUROR NO. 0545: 18 years.  
2 THE COURT: Your education background?  
3 PROSPECTIVE JUROR NO. 0545: Some college.  
4 THE COURT: Okay. What did you study?  
5 PROSPECTIVE JUROR NO. 0545: Computer information systems.  
6 THE COURT: And what do you do for a living?  
7 PROSPECTIVE JUROR NO. 0545: I am a table games dealer at  
8 Caesar's Palace.  
9 THE COURT: How long have you done that?  
10 PROSPECTIVE JUROR NO. 0545: Over 20 years.  
11 THE COURT: You can probably tell us some good stories.  
12 Your marital status?  
13 PROSPECTIVE JUROR NO. 0545: Single.  
14 THE COURT: Do you have any children?  
15 PROSPECTIVE JUROR NO. 0545: Yes, one son and a daughter.  
16 THE COURT: You have one son?  
17 PROSPECTIVE JUROR NO. 0545: One son, one daughter.  
18 THE COURT: Okay. Are they old enough to be employed?  
19 PROSPECTIVE JUROR NO. 0545: Yes, ma'am.  
20 THE COURT: Can you tell us what each does?  
21 PROSPECTIVE JUROR NO. 0545: The son, he's in Indiana. I'm not sure, he  
22 was at Purdue, Fort Wayne. And my daughter, she's a student at Southern Utah  
23 University.  
24 THE COURT: Do you know what they're studying?  
25 PROSPECTIVE JUROR NO. 0545: Both legal studies.

1 THE COURT: I'm sorry?

2 PROSPECTIVE JUROR NO. 0545: Legal studies.

3 THE COURT: Okay. Do you know of any reason why you could not be a fair  
4 and impartial juror if selected to serve?

5 PROSPECTIVE JUROR NO. 0545: No, Your Honor.

6 THE COURT: Thank you, and thank you very much for your willingness to be  
7 here.

8 Mr. Rosales, good afternoon. How long have you lived in  
9 Clark County?

10 PROSPECTIVE JUROR NO. 0546: Five years.

11 THE COURT: Okay. Your education background?

12 PROSPECTIVE JUROR NO. 0546: Some college.

13 THE COURT: Okay. And you're employed with the coroner's office, correct?

14 PROSPECTIVE JUROR NO. 0546: That's correct.

15 THE COURT: And you help the medical examiners conduct their autopsy?

16 PROSPECTIVE JUROR NO. 0546: That's correct.

17 THE COURT: What specifically do you do?

18 PROSPECTIVE JUROR NO. 0546: Evisceration.

19 THE COURT: Okay. What is that?

20 PROSPECTIVE JUROR NO. 0546: Removing organs for the doctors.

21 THE COURT: Okay. Okay. Do you ever get called to testify?

22 PROSPECTIVE JUROR NO. 0546: Not yet.

23 THE COURT: Okay. And, again, anything about your employment that would  
24 affect your ability to be fair and impartial?

25 PROSPECTIVE JUROR NO. 0546: No.

1 THE COURT: Okay. Do you work with attorneys ever?  
2 PROSPECTIVE JUROR NO. 0546: No.  
3 THE COURT: Okay. Your marital status?  
4 PROSPECTIVE JUROR NO. 0546: Married.  
5 THE COURT: Is your spouse employed?  
6 PROSPECTIVE JUROR NO. 0546: No.  
7 THE COURT: Do you have children?  
8 PROSPECTIVE JUROR NO. 0546: Yes, two.  
9 THE COURT: Are they old enough to be employed?  
10 PROSPECTIVE JUROR NO. 0546: No.  
11 THE COURT: Any reason why you could not be a fair and impartial juror if  
12 selected to serve?  
13 PROSPECTIVE JUROR NO. 0546: No.  
14 THE COURT: Thank you, and, again, thank you very much for being here.  
15 Ms. Alexis Bisplinghoff.  
16 PROSPECTIVE JUROR NO. 0550: Bisplinghoff.  
17 THE COURT: Okay. How long have you lived in Clark County?  
18 PROSPECTIVE JUROR NO. 0550: 23 years.  
19 THE COURT: Your education background?  
20 PROSPECTIVE JUROR NO. 0550: I have a bachelor's in psychology.  
21 THE COURT: And what do you do for a living?  
22 PROSPECTIVE JUROR NO. 0550: I work with special ed at C.C.S.D.  
23 THE COURT: For the school district?  
24 PROSPECTIVE JUROR NO. 0550: Yes.  
25 THE COURT: Did you just start school?

1 PROSPECTIVE JUROR NO. 0550: We did, yesterday.  
2 THE COURT: Oh, and of course you got a summons on the second day of  
3 school.  
4 PROSPECTIVE JUROR NO. 0550: I'm here.  
5 THE COURT: Okay. How's it going so far on the first day?  
6 PROSPECTIVE JUROR NO. 0550: It was really good yesterday.  
7 THE COURT: Okay.  
8 PROSPECTIVE JUROR NO. 0550: I hope they're -- I hope they're doing  
9 good without me.  
10 THE COURT: They're probably -- kids are probably just so happy to be in  
11 in-person.  
12 PROSPECTIVE JUROR NO. 0550: They are.  
13 THE COURT: Be back in person in school. Your marital status?  
14 PROSPECTIVE JUROR NO. 0550: Long-term boyfriend, 13 years. We're  
15 not technically married.  
16 THE COURT: Is he employed?  
17 PROSPECTIVE JUROR NO. 0550: Yes.  
18 THE COURT: What does he do?  
19 PROSPECTIVE JUROR NO. 0550: He's a chef.  
20 THE COURT: Okay. Do you have any children?  
21 PROSPECTIVE JUROR NO. 0550: Yes.  
22 THE COURT: Are they old enough to be employed?  
23 PROSPECTIVE JUROR NO. 0550: No.  
24 THE COURT: Okay. Do you know of any reason why you could not be a fair  
25 and impartial juror if selected to serve?

1 PROSPECTIVE JUROR NO. 0550: No.  
2 THE COURT: Okay. Thank you, and thank you again for being here.  
3 Mr. Song.  
4 PROSPECTIVE JUROR NO. 0556: Yes.  
5 THE COURT: Good afternoon.  
6 PROSPECTIVE JUROR NO. 0556: Hi.  
7 THE COURT: How long have you lived in Clark County?  
8 PROSPECTIVE JUROR NO. 0556: Almost ten year.  
9 THE COURT: Okay. And your education background?  
10 PROSPECTIVE JUROR NO. 0556: High school.  
11 THE COURT: Where did you go to high school?  
12 PROSPECTIVE JUROR NO. 0556: In Korea.  
13 THE COURT: Okay. And can you just tell me again what you do for a living?  
14 PROSPECTIVE JUROR NO. 0556: What do I need?  
15 THE COURT: You work construction, correct?  
16 PROSPECTIVE JUROR NO. 0556: Oh, yeah, yes. I'm project manager of a  
17 general contractor company.  
18 THE COURT: Okay. Are you married?  
19 PROSPECTIVE JUROR NO. 0556: Single.  
20 THE COURT: Okay. Do you have kids?  
21 PROSPECTIVE JUROR NO. 0556: No.  
22 THE COURT: Any reason why you could not be a fair and impartial juror if  
23 selected to server?  
24 PROSPECTIVE JUROR NO. 0556: No.  
25 THE COURT: Okay. Thank you, Mr. Song. Thank you very much for being

1 here.

2 Ms. Larsen.

3 PROSPECTIVE JUROR NO. 0559: Yes.

4 THE COURT: Good afternoon. How long have you lived in Clark County?

5 PROSPECTIVE JUROR NO. 0559: Roughly 18 years.

6 THE COURT: Okay. And what do you do for a living?

7 PROSPECTIVE JUROR NO. 0559: I'm a student and then I'm also an

8 assistant.

9 THE COURT: An assistant?

10 PROSPECTIVE JUROR NO. 0559: Yeah, for a mobile dog grooming

11 company.

12 THE COURT: Okay. And what are you studying?

13 PROSPECTIVE JUROR NO. 0559: Secondary social studies.

14 THE COURT: So you want to, I assume, be a teacher --

15 PROSPECTIVE JUROR NO. 0559: Yes.

16 THE COURT: -- in middle school?

17 PROSPECTIVE JUROR NO. 0559: Middle or high school.

18 THE COURT: Okay. How close are you to graduating? Close?

19 PROSPECTIVE JUROR NO. 0559: Yeah, no, it was close and then I

20 transferred schools, so I'm a year behind so almost there.

21 THE COURT: Okay. I think a year is pretty close.

22 PROSPECTIVE JUROR NO. 0559: A year or two, yeah.

23 THE COURT: And then you want to teach here in Clark County?

24 PROSPECTIVE JUROR NO. 0559: Yes.

25 THE COURT: Okay. Your marital status?

1 PROSPECTIVE JUROR NO. 0559: Single.

2 THE COURT: Do you have kids?

3 PROSPECTIVE JUROR NO. 0559: I think my mom would kill me if I did, but,  
4 no.

5 THE COURT: Pardon?

6 PROSPECTIVE JUROR NO. 0559: I said I think my mom would kill me if I  
7 said, yes, but the answer is no.

8 THE COURT: No, she wouldn't.

9 Do you know of any reason why you could not be a fair and impartial  
10 juror?

11 PROSPECTIVE JUROR NO. 0559: No.

12 THE COURT: Okay. Thank you, and, again, thank you for being here.

13 And then if we can just get the microphone down. You know, you can  
14 pass it down, if you'll pass the microphone to Mr. Duncan.

15 PROSPECTIVE JUROR NO. 0561: Yes, Your Honor.

16 THE COURT: Good afternoon. How long have you lived in Clark County?

17 PROSPECTIVE JUROR NO. 0561: 17 years.

18 THE COURT: Your education background?

19 PROSPECTIVE JUROR NO. 0561: I have an associate's degree in interior  
20 design.

21 THE COURT: And what do you do for a living?

22 PROSPECTIVE JUROR NO. 0561: Owned my own company for six years  
23 until the recession and then I worked for another company called Natural Touch  
24 Silks and now I'm retired.

25 THE COURT: Okay. And your marital status?

1 PROSPECTIVE JUROR NO. 0561: I'm married.

2 THE COURT: Okay. Is your spouse employed?

3 PROSPECTIVE JUROR NO. 0561: My husband works for  
4 Caesar's Entertainment.

5 THE COURT: What does he do at Caesar's Entertainment?

6 PROSPECTIVE JUROR NO. 0561: He's a coordinator. He works with the  
7 host to get whatever the guest needs whether it be a limo or --

8 THE COURT: Do you have any children?

9 PROSPECTIVE JUROR NO. 0561: No.

10 THE COURT: Do you know of any reason why you could not be a fair and  
11 impartial juror if you were selected to serve?

12 PROSPECTIVE JUROR NO. 0561: No reason.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 0561: I do want to say, F.Y.I. this morning, I'm  
15 in the process of passing a kidney stone.

16 THE COURT: Oh, no.

17 PROSPECTIVE JUROR NO. 0561: So I've really been hanging in there  
18 today, I wanted to tell you.

19 THE COURT: Okay. I'm kind of -- I mean, are you okay? Because, I mean,  
20 I --

21 PROSPECTIVE JUROR NO. 0561: Oh, I'm fine. But I -- well, and they're  
22 chronic so it's not like I'm not used to them, so.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 0561: But I thought, no, I've got to go today, so  
25 I'm here.

1 THE COURT: But I don't want to torture either.  
2 PROSPECTIVE JUROR NO. 0561: No. It gets uncomfortable once in a  
3 while, but I'll hang in there.  
4 THE COURT: Okay. But you'll let me know --  
5 PROSPECTIVE JUROR NO. 0561: Absolutely.  
6 THE COURT: -- if it gets unbearable? Okay. Thank you. Thank you for your  
7 willingness to be here.  
8 Mr. Filimon.  
9 PROSPECTIVE JUROR NO. 0562: Hi, Your Honor.  
10 THE COURT: Okay. How long have you lived in Clark County?  
11 PROSPECTIVE JUROR NO. 0562: 22 years.  
12 THE COURT: Okay. And your education background?  
13 PROSPECTIVE JUROR NO. 0562: High school.  
14 THE COURT: Okay. And what do you do for a living?  
15 PROSPECTIVE JUROR NO. 0562: Food server.  
16 THE COURT: Okay. And your marital status?  
17 PROSPECTIVE JUROR NO. 0562: Married.  
18 THE COURT: Is your spouse employed?  
19 PROSPECTIVE JUROR NO. 0562: No.  
20 THE COURT: Do you have kids?  
21 PROSPECTIVE JUROR NO. 0562: Yes.  
22 THE COURT: How many?  
23 PROSPECTIVE JUROR NO. 0562: Two.  
24 THE COURT: Are they old enough to be employed?  
25 PROSPECTIVE JUROR NO. 0562: No.

1 THE COURT: Okay. Do you know of any reason why you could not be a fair  
2 and impartial juror if selected to serve?

3 PROSPECTIVE JUROR NO. 0562: No.

4 THE COURT: Okay. Thank you, sir.

5 PROSPECTIVE JUROR NO. 0562: Thank you.

6 THE COURT: And thank you, again, for being here.

7 Izabel Dero -- I'm sorry.

8 PROSPECTIVE JUROR NO. 0570: Derohanian.

9 THE COURT: Okay. Thank you.

10 How long have you lived in Clark County?

11 PROSPECTIVE JUROR NO. 0570: 11 years.

12 THE COURT: And what do you do for a living?

13 PROSPECTIVE JUROR NO. 0570: I was laid off ten years ago and now I  
14 just -- I'm the caregiver of my two grandchildren.

15 THE COURT: Oh, but that's --

16 PROSPECTIVE JUROR NO. 0570: They're autistic, so I take care of them.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 0570: But now they're in school today. They --  
19 this is the second day of school. Yay.

20 THE COURT: I just think the parents have to be so happy.

21 Your marital status?

22 PROSPECTIVE JUROR NO. 0570: Married 41 years.

23 THE COURT: And is your spouse employed?

24 PROSPECTIVE JUROR NO. 0570: No. He's retired from -- he was an  
25 operations officer of Beverly Hills Cab Company in California.

1 THE COURT: Okay. And you have children?  
2 PROSPECTIVE JUROR NO. 0570: I have two boys.  
3 THE COURT: Okay.  
4 PROSPECTIVE JUROR NO. 0570: One is a high school teacher, math; and  
5 the other one's a lawyer in California.  
6 THE COURT: Okay. Where in California?  
7 PROSPECTIVE JUROR NO. 0570: Los Angeles County.  
8 THE COURT: Okay. Do you know what kind of law your son practices?  
9 PROSPECTIVE JUROR NO. 0570: He is -- he works for the State Attorney  
10 General, blah, blah, blah office. I don't know.  
11 THE COURT: The Attorney General's Office?  
12 PROSPECTIVE JUROR NO. 0570: Yeah.  
13 THE COURT: Okay. Do you know what he does in the A.G.'s --  
14 PROSPECTIVE JUROR NO. 0570: You know, I -- I'll be honest, we don't talk  
15 about it because he has two children under the age of 2, and all we do pretty much  
16 is talk about the little kids and, you know, formula, diaper rash, stuff like that.  
17 THE COURT: Okay. Well, that's good because you don't have to be bored if  
18 he doesn't talk about his --  
19 PROSPECTIVE JUROR NO. 0570: No, no. There's no boring in that.  
20 THE COURT: Okay.  
21 PROSPECTIVE JUROR NO. 0570: When he went to school, you know, we  
22 talked about school but not now.  
23 THE COURT: Okay. And you understand that if you're selected to serve that  
24 you won't be able to call up your son and discuss this case with him while you're  
25 impaneled; you understand that, correct?

1 PROSPECTIVE JUROR NO. 0570: Yeah. I'm -- I'm -- yes, I do.  
2 THE COURT: Okay. And you --  
3 PROSPECTIVE JUROR NO. 0570: We weren't going to talk about diaper  
4 rash or anything, right?  
5 THE COURT: Okay. No, we're not.  
6 PROSPECTIVE JUROR NO. 0570: Yeah, so.  
7 THE COURT: And you would comply with that order?  
8 PROSPECTIVE JUROR NO. 0570: Yes. Yes, I would.  
9 THE COURT: Okay. Do you know of any reason why you could not be a fair  
10 and impartial juror?  
11 PROSPECTIVE JUROR NO. 0570: No. I can be partial.  
12 THE COURT: Okay. Thank you very much for being here.  
13 PROSPECTIVE JUROR NO. 0570: Thank you.  
14 THE COURT: Mr. Bilby, how long have you lived in Clark County?  
15 PROSPECTIVE JUROR NO. 0587: 18 years.  
16 THE COURT: And your education background?  
17 PROSPECTIVE JUROR NO. 0587: Associate's in aerospace propulsion.  
18 THE COURT: Okay. And what do you do for a living?  
19 PROSPECTIVE JUROR NO. 0587: I'm a jet engine mechanic.  
20 THE COURT: Where do you work?  
21 PROSPECTIVE JUROR NO. 0587: Nellis.  
22 THE COURT: I'm sorry?  
23 PROSPECTIVE JUROR NO. 0587: Nellis Air Force Base.  
24 THE COURT: And your marital status?  
25 PROSPECTIVE JUROR NO. 0587: Married, two daughters.

1 THE COURT: Okay. Is your spouse employed?  
2 PROSPECTIVE JUROR NO. 0587: No.  
3 THE COURT: Are either of your daughters old enough to be employed?  
4 PROSPECTIVE JUROR NO. 0587: Yes.  
5 THE COURT: Okay. What do they do for a living?  
6 PROSPECTIVE JUROR NO. 0587: The oldest works at a local dispensary,  
7 marijuana.  
8 THE COURT: Okay.  
9 PROSPECTIVE JUROR NO. 0587: And the other is in cosmetology school.  
10 THE COURT: Do you know of any reason why you could not be a fair and  
11 impartial juror?  
12 PROSPECTIVE JUROR NO. 0587: I do not.  
13 THE COURT: Okay. Thank you, sir. Thank you for being here.  
14 Ms. Richards.  
15 PROSPECTIVE JUROR NO. 0598: Yes.  
16 THE COURT: How long have you lived in Clark County?  
17 PROSPECTIVE JUROR NO. 0598: 16 years.  
18 THE COURT: Your education background?  
19 PROSPECTIVE JUROR NO. 0598: Some college.  
20 THE COURT: What'd you study?  
21 PROSPECTIVE JUROR NO. 0598: General, general ed.  
22 THE COURT: Okay. And what do you do for a living?  
23 PROSPECTIVE JUROR NO. 0598: I am a worker's comp coordinator for  
24 Cirque du Soleil.  
25 THE COURT: Okay. How long have you done that?

1 PROSPECTIVE JUROR NO. 0598: Eight years.  
2 THE COURT: Your marital status?  
3 PROSPECTIVE JUROR NO. 0598: I'm married.  
4 THE COURT: Is your spouse employed?  
5 PROSPECTIVE JUROR NO. 0598: Yes. He works for Western Alliance  
6 Bank.  
7 THE COURT: I'm sorry?  
8 PROSPECTIVE JUROR NO. 0598: Western Alliance Bank as a loan  
9 processor.  
10 THE COURT: Do you have children?  
11 PROSPECTIVE JUROR NO. 0598: I do. I have two.  
12 THE COURT: Okay. Are they old enough to be employed?  
13 PROSPECTIVE JUROR NO. 0598: One of them is.  
14 THE COURT: Can you tell me what that child does?  
15 PROSPECTIVE JUROR NO. 0598: Yep. She works for Target.  
16 THE COURT: Okay. Any reason why you could not be a fair and impartial  
17 juror?  
18 PROSPECTIVE JUROR NO. 0598: No, ma'am.  
19 THE COURT: If selected to serve?  
20 PROSPECTIVE JUROR NO. 0598: Nope.  
21 THE COURT: Okay. Thank you, and thank you very much for being here.  
22 Mr. Young, good afternoon. How long have you lived in Clark County?  
23 PROSPECTIVE JUROR NO. 0604: Just about 16 years.  
24 THE COURT: Okay. And what do you do for a living?  
25 PROSPECTIVE JUROR NO. 0604: I'm a geographic information systems

1 consultant.

2 THE COURT: Okay. What does that mean?

3 PROSPECTIVE JUROR NO. 0604: Basically computers and maps.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 0604: Location based services, applications,  
6 that kind of thing.

7 THE COURT: How long have you done that?

8 PROSPECTIVE JUROR NO. 0604: Almost 25 years.

9 THE COURT: Okay. Your marital status?

10 PROSPECTIVE JUROR NO. 0604: Married.

11 THE COURT: Is your spouse employed?

12 PROSPECTIVE JUROR NO. 0604: Yes.

13 THE COURT: What does your spouse do?

14 PROSPECTIVE JUROR NO. 0604: She's a retail manager.

15 THE COURT: Okay. And do you have kids?

16 PROSPECTIVE JUROR NO. 0604: Three.

17 THE COURT: Are any of them old enough to be employed?

18 PROSPECTIVE JUROR NO. 0604: All of them, yes.

19 THE COURT: Okay. Can you tell me what each does for a living?

20 PROSPECTIVE JUROR NO. 0604: The oldest is a barista and a student.

21 The middle child is a student and is a lifeguard for the City of Henderson. And the  
22 youngest is currently unemployed.

23 THE COURT: Do you know of any reason why you could not be a fair and  
24 impartial juror?

25 PROSPECTIVE JUROR NO. 0604: No.

1 THE COURT: Thank you, sir, and thank you, again, for being here.  
2 Joenel Buen.  
3 PROSPECTIVE JUROR NO. 0608: Buen.  
4 THE COURT: Buen.  
5 PROSPECTIVE JUROR NO. 0608: Yes.  
6 THE COURT: How long have you lived in Clark County?  
7 PROSPECTIVE JUROR NO. 0608: 27 years.  
8 THE COURT: Your education background?  
9 PROSPECTIVE JUROR NO. 0608: I have a bachelor's in psychology.  
10 THE COURT: What do you do for a living?  
11 PROSPECTIVE JUROR NO. 0608: Right now, I'm doing returns for Amazon.  
12 THE COURT: Okay. Your marital status?  
13 PROSPECTIVE JUROR NO. 0608: I'm single.  
14 THE COURT: Okay. Do you have children?  
15 PROSPECTIVE JUROR NO. 0608: No.  
16 THE COURT: Do you know of any reason why you could not be a fair and  
17 impartial juror?  
18 PROSPECTIVE JUROR NO. 0608: No reason.  
19 THE COURT: Thank you, sir. Thank you very much for being here.  
20 Mr. Francis, Jason Francis, how long have you lived in Clark County?  
21 PROSPECTIVE JUROR NO. 0613: About ten years.  
22 THE COURT: Okay. And can you tell me what you do for a living?  
23 PROSPECTIVE JUROR NO. 0613: I do high-end installations for TVs and  
24 home theater.  
25 THE COURT: How long have you done that?

1 PROSPECTIVE JUROR NO. 0613: 16 years.  
2 THE COURT: Okay. All right. Your marital status?  
3 PROSPECTIVE JUROR NO. 0613: Married.  
4 THE COURT: Is your spouse employed?  
5 PROSPECTIVE JUROR NO. 0613: Yes.  
6 THE COURT: What does your spouse do?  
7 PROSPECTIVE JUROR NO. 0613: She's a nurse.  
8 THE COURT: Okay. And what kind of nurse?  
9 PROSPECTIVE JUROR NO. 0613: She works with babies.  
10 THE COURT: She's pediatric?  
11 PROSPECTIVE JUROR NO. 0613: Yeah. I think so.  
12 THE COURT: Okay. Or, like, neonatal, like in a neonatal unit?  
13 PROSPECTIVE JUROR NO. 0613: She delivers babies.  
14 THE COURT: Oh, labor and delivery? Okay. Do you have any kids?  
15 PROSPECTIVE JUROR NO. 0613: Four.  
16 THE COURT: Okay. Are they old enough to be employed?  
17 PROSPECTIVE JUROR NO. 0613: No.  
18 THE COURT: Okay. Any reason why you could not be a fair and impartial  
19 juror if we select you to serve on this panel?  
20 PROSPECTIVE JUROR NO. 0613: Nope.  
21 THE COURT: Thank you, sir. Thank you very much for being here.  
22 Mr. Contreras, good afternoon.  
23 PROSPECTIVE JUROR NO. 0620: Yes.  
24 THE COURT: How long have you lived in Clark County?  
25 PROSPECTIVE JUROR NO. 0620: About ten years.

1 THE COURT: How long?  
2 PROSPECTIVE JUROR NO. 0620: Ten.  
3 THE COURT: Ten. Okay. And your education background?  
4 PROSPECTIVE JUROR NO. 0620: High school.  
5 THE COURT: And what do you do for a living?  
6 PROSPECTIVE JUROR NO. 0620: I'm a mailman.  
7 THE COURT: Okay. And you work for the U.S. Postal Service, right?  
8 PROSPECTIVE JUROR NO. 0620: Yeah, United States Postal Service.  
9 THE COURT: And how long have you worked for the Postal Service?  
10 PROSPECTIVE JUROR NO. 0620: About ten years.  
11 THE COURT: Okay. And your marital status, are you married?  
12 PROSPECTIVE JUROR NO. 0620: No.  
13 THE COURT: Do you have any kids?  
14 PROSPECTIVE JUROR NO. 0620: No.  
15 THE COURT: Okay. Any reason why you could not be a fair and impartial  
16 juror?  
17 PROSPECTIVE JUROR NO. 0620: No, not really.  
18 THE COURT: Okay. Thank you, sir. Thank you for being here.  
19 PROSPECTIVE JUROR NO. 0620: Okay.  
20 THE COURT: Okay. Mr. Love, how long have you lived in Clark County?  
21 PROSPECTIVE JUROR NO. 0626: 21 years.  
22 THE COURT: And your education background?  
23 PROSPECTIVE JUROR NO. 0626: Some college.  
24 THE COURT: Okay. What did you study?  
25 PROSPECTIVE JUROR NO. 0626: Graphic design, bachelor's of science.

1 THE COURT: And what do you do for a living?  
2 PROSPECTIVE JUROR NO. 0626: Hotel casino security.  
3 THE COURT: Okay. How long have you done that?  
4 PROSPECTIVE JUROR NO. 0626: Going on 11 years.  
5 THE COURT: And you are married, correct?  
6 PROSPECTIVE JUROR NO. 0626: Unmarried, three year relationship.  
7 THE COURT: Okay. And you have children?  
8 PROSPECTIVE JUROR NO. 0626: Yes, ma'am. I have a three-year-old -- or  
9 two-year-old, I'm sorry, and a nine-year -- nine-month-year-old.  
10 THE COURT: Okay. Any reason why you could not be a fair and impartial  
11 juror?  
12 PROSPECTIVE JUROR NO. 0626: No, Your Honor.  
13 THE COURT: Okay. Thank you, sir, and thank you very much for being here.  
14 PROSPECTIVE JUROR NO. 0626: Thank you.  
15 THE COURT: Okay. Ms. Smith, how long have you lived in Clark County?  
16 PROSPECTIVE JUROR NO. 0632: 14 years.  
17 THE COURT: Okay. And your education background?  
18 PROSPECTIVE JUROR NO. 0632: Bachelor's in management studies.  
19 THE COURT: Okay. And what do you do for a living?  
20 PROSPECTIVE JUROR NO. 0632: I work for the bank.  
21 THE COURT: I'm sorry. I'm having a hard time hearing you.  
22 PROSPECTIVE JUROR NO. 0632: I work for the bank.  
23 THE COURT: You work for the bank?  
24 PROSPECTIVE JUROR NO. 0632: Yes.  
25 THE COURT: And what do you do at the bank?

1 PROSPECTIVE JUROR NO. 0632: Commercial lending operations.  
2 THE COURT: And your marital status?  
3 PROSPECTIVE JUROR NO. 0632: I'm a widow.  
4 THE COURT: Okay. Do you have kids?  
5 PROSPECTIVE JUROR NO. 0632: One, yes.  
6 THE COURT: One child?  
7 PROSPECTIVE JUROR NO. 0632: Yes.  
8 THE COURT: Okay. Is that child old enough to be employed?  
9 PROSPECTIVE JUROR NO. 0632: Yes. She works for Las Vegas Metro  
10 Police Department.  
11 THE COURT: Okay. In records?  
12 PROSPECTIVE JUROR NO. 0632: Yes.  
13 THE COURT: Okay. Any reason why you could not be a fair and impartial  
14 juror if you were selected to serve?  
15 PROSPECTIVE JUROR NO. 0632: No, Your Honor.  
16 THE COURT: Thank you. Again, thank you for being here.  
17 Mr. Gunderson.  
18 PROSPECTIVE JUROR NO. 0633: Yes, ma'am.  
19 THE COURT: How long have you lived in Clark County?  
20 PROSPECTIVE JUROR NO. 0633: 15 years.  
21 THE COURT: Okay. And your education background?  
22 PROSPECTIVE JUROR NO. 0633: Bachelor's of science in architecture.  
23 THE COURT: And what do you do for a living?  
24 PROSPECTIVE JUROR NO. 0633: Vice-president of architecture for Resorts  
25 World Las Vegas.

1 THE COURT: And your marital status?  
2 PROSPECTIVE JUROR NO. 0633: Married.  
3 THE COURT: Is your spouse employed?  
4 PROSPECTIVE JUROR NO. 0633: No.  
5 THE COURT: Do you have children?  
6 PROSPECTIVE JUROR NO. 0633: Four children, all school age.  
7 THE COURT: Little? Okay. Any reason why you could not be a fair and  
8 impartial juror if you were selected to serve?  
9 PROSPECTIVE JUROR NO. 0633: No, Your Honor.  
10 THE COURT: Okay. Thank you, and thank you very much for being here.  
11 So the jury panel hasn't had lunch; is that correct?  
12 UNIDENTIFIED SPEAKER: Correct.  
13 THE COURT: Okay. All right. So we're going to break for lunch. We're  
14 going to break until 2:00 o'clock. When you're done, I just ask that you come up to  
15 the 14<sup>th</sup> floor. The court marshal will greet you and bring you in here when we're  
16 ready to begin again.  
17 During this recess you must not discuss or communicate with anyone  
18 including fellow jurors in any way regarding the case or its merits either by voice,  
19 phone, email, text, Internet, or other means of communication or social media; read,  
20 watch, or listen to any news or media accounts or commentary about the case; do  
21 any research such as consulting dictionaries, using the Internet, or using reference  
22 materials; make any investigation, test a theory of the case, re-create any aspect of  
23 the case, or in any other way investigate or learn about the case on your own; or  
24 form or express any opinion regarding the case until it's finally submitted to you.  
25 And if Ms. Lydia Pina and Alyssa Ferraris would just stay behind, other

1 than that, you're excused and we'll see you at 2:00 o'clock. Thank you.

2 THE MARSHAL: All rise.

3 [Outside the presence of the prospective jury panel]

4 [Jurors Number 0659 and 0692 present]

5 THE COURT: Okay. Ms. Lydia Pina.

6 PROSPECTIVE JUROR NO. 0659: Yes.

7 THE COURT: You are excused, you do not need to come back after lunch.

8 Okay?

9 PROSPECTIVE JUROR NO. 0659: I'm sorry. I couldn't hear.

10 THE COURT: You are excused.

11 PROSPECTIVE JUROR NO. 0659: Okay.

12 THE COURT: You do not need to come back. You can leave the courthouse  
13 and go home. Thank you very much for being here.

14 PROSPECTIVE JUROR NO. 0659: Thank you.

15 THE COURT: And Ms. Alyssa Ferraris.

16 PROSPECTIVE JUROR NO. 0692: Yes.

17 THE COURT: You are excused as well and you can leave. You do not have  
18 to come back after lunch. And thank you for being here.

19 PROSPECTIVE JUROR NO. 0692: Thank you.

20 THE COURT: Okay. We'll see you back at 2:00 o'clock.

21 [Recess at 1:04 p.m.; proceedings resumed at 2:07 p.m.]

22 [Outside the presence of the prospective jury panel]

23 THE COURT: So while we're waiting for the panel, the record will reflect that  
24 the hearing is taking place outside the presence of the jury panel. As to that  
25 misdemeanor issue, AB42 did modify the statute and I believe that this would fit

1 within the exception if it arises from -- if it is with a felony or a gross misdemeanor  
2 and arises from the same set of facts, then it can come here in district court and be  
3 tried.

4               So I'm assuming both sides believe that the misdemeanor battery D.V.  
5 is based on the same set of facts.

6               MR. KERN: It is.

7               MS. PARK: Yeah, it is.

8               THE COURT: Okay. So when we read the information again, we'll read the  
9 whole thing with Count 2 in there as well.

10              MR. KERN: Thank you, Your Honor.

11              THE MARSHAL: 43 are present.

12              THE COURT: Okay. All right.

13              THE MARSHAL: Two were excused?

14              THE COURT: Uh-huh. Okay. So we can bring them in. And remind the first  
15 23 that they sit in the same seats.

16              THE MARSHAL: Yes.

17              THE COURT: I don't know if I told them that.

18              THE MARSHAL: Do you want the remainder to be on this side?

19              THE COURT: They can sit wherever they want.

20                         [In the presence of the prospective jury panel]

21              THE MARSHAL: All right. Please rise for an entering jury.

22              THE COURT: You can have a seat when you come in. You can have a seat.

23                         Okay. Does the State stipulate to the presence of the panel?

24              MR. KERN: Yes, Your Honor.

25              THE COURT: And the defense?

1 MS. PARK: Yes, Your Honor.

2 THE COURT: Thank you.

3 At this time, ladies and gentlemen, the State of Nevada will now have  
4 an opportunity to voir dire the ladies and gentlemen of the jury panel.

5 Go ahead, Mr. Kern.

6 MR. KERN: Thank you. And, Your Honor, may I move the podium?

7 THE COURT: The what?

8 MR. KERN: May I move the podium?

9 THE COURT: I don't know if it moves.

10 THE RECORDER: I don't think it moves.

11 MR. KERN: It's got wheels but it doesn't move?

12 THE COURT: Yeah, it's wired in. I don't think you'll be able to move it.

13 MR. KERN: That's okay.

14 THE RECORDER: There's a portable one if you want to put that --

15 THE COURT: Do you want that?

16 MR. KERN: Yeah, I'll drag it over. Thank you.

17 THE COURT: Okay.

18 MR. KERN: Gotta get mic'd up here.

19 THE MARSHAL: You want that other podium somewhere?

20 MR. KERN: Oh, yeah, just in the front here, if you don't mind. Thank you so  
21 much.

22 Sorry, Your Honor, I thought you had more questions. I would have  
23 been better prepared.

24 THE COURT: No, you're fine.

25 You know what, I take it back, I do have a few more questions. I'm

1 sorry. I'm sorry. Before I do turn the panel over, I am going to ask just a few more  
2 questions, and these questions are for the panel as a whole, so if you want to  
3 respond to it, just raise your hand, we'll get the microphone to you so you can  
4 respond.

5 Is there anyone on the panel who has ever served as a juror before?

6 Okay. Go ahead, Ms. -- Ms. Hinderliter.

7 PROSPECTIVE JUROR NO. 0505: Hinderliter.

8 THE COURT: Sorry.

9 PROSPECTIVE JUROR NO. 0505: Close.

10 THE COURT: Go ahead, you've served as a juror before?

11 PROSPECTIVE JUROR NO. 0505: Yes, I have.

12 THE COURT: How many times?

13 PROSPECTIVE JUROR NO. 0505: Once.

14 THE COURT: One time. Where was it?

15 PROSPECTIVE JUROR NO. 0505: San Diego, California.

16 THE COURT: Okay. Was it civil or criminal?

17 PROSPECTIVE JUROR NO. 0505: Criminal, I guess, D.U.I.

18 THE COURT: Okay. Okay. Were you selected to be the foreperson?

19 PROSPECTIVE JUROR NO. 0505: No, I was not.

20 THE COURT: Okay. Without telling me what your verdict was, were you able  
21 to reach a verdict?

22 PROSPECTIVE JUROR NO. 0505: Yes, we were.

23 THE COURT: Is there anything about your prior service that would affect your  
24 ability to be fair and impartial in this case?

25 PROSPECTIVE JUROR NO. 0505: No.

1 THE COURT: Is that a "no"?

2 PROSPECTIVE JUROR NO. 0505: No, there -- nothing to affect it. I can --

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 0505: -- be fair and impartial.

5 THE COURT: Okay. Thank you.

6 PROSPECTIVE JUROR NO. 0505: Uh-huh.

7 THE COURT: Anyone else that's ever served as a juror before?

8 If you don't mind passing it down.

9 Will you state your name please?

10 PROSPECTIVE JUROR NO. 0570: Izabel Derohanian, do you want my

11 number?

12 THE COURT: Please.

13 PROSPECTIVE JUROR NO. 0570: Okay. Let me find it.

14 THE COURT: That's okay. Go ahead.

15 PROSPECTIVE JUROR NO. 0570: Okay.

16 THE COURT: Go ahead. You've served as a juror before?

17 PROSPECTIVE JUROR NO. 0570: Yes, I have.

18 THE COURT: How many times?

19 PROSPECTIVE JUROR NO. 0570: Three times.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 0570: I always get picked. I don't know why.

22 THE COURT: Okay. All right. So let's start with the first time. Was it civil or

23 criminal?

24 PROSPECTIVE JUROR NO. 0570: It was civil.

25 THE COURT: Okay. What jurisdiction?

1 PROSPECTIVE JUROR NO. 0570: I think -- it was in Van Nuys, California, it  
2 was a long time ago.

3 THE COURT: Okay. And then the second one?

4 PROSPECTIVE JUROR NO. 0570: Again, that would be in Los Angeles,  
5 downtown, California.

6 THE COURT: Okay. Was it civil or criminal?

7 PROSPECTIVE JUROR NO. 0570: Criminal.

8 THE COURT: Okay. And the third one?

9 PROSPECTIVE JUROR NO. 0570: Criminal.

10 THE COURT: Okay. So one civil and two criminal?

11 PROSPECTIVE JUROR NO. 0570: Uh-huh.

12 THE COURT: Okay. Is that a "yes"?

13 PROSPECTIVE JUROR NO. 0570: Yes, yeah.

14 THE COURT: In the civil case, without telling me what your verdict was, were  
15 you able to reach a verdict?

16 PROSPECTIVE JUROR NO. 0570: Yes. Unanimous.

17 THE COURT: Okay. And were you selected to be the foreperson?

18 PROSPECTIVE JUROR NO. 0570: No.

19 THE COURT: Okay. In the first criminal case that you did were you -- were  
20 you ever selected to be the foreperson in any of your --

21 PROSPECTIVE JUROR NO. 0570: No. No.

22 THE COURT: Okay. And in your two criminal cases, in both cases did you  
23 deliberate?

24 PROSPECTIVE JUROR NO. 0570: Yes, we did.

25 THE COURT: Okay. Without telling me your verdict, were you able to reach

1 a verdict in both cases?

2 PROSPECTIVE JUROR NO. 0570: Yes. Yes.

3 THE COURT: Okay. Is there anything about your prior service that would  
4 affect your ability to be fair and impartial in this case?

5 PROSPECTIVE JUROR NO. 0570: No. I will --

6 THE COURT: Thank you.

7 PROSPECTIVE JUROR NO. 0570: -- put everything on the board that you  
8 guys give us.

9 THE COURT: I'm sorry?

10 PROSPECTIVE JUROR NO. 0570: I said I will look at everything that you  
11 give us, no adding.

12 THE COURT: Okay. Thank you, and thank you for your service.

13 Anyone else that's ever served as a juror before?

14 Okay. The record will reflect no further response from the panel.

15 Have you or anyone close to you such as a family member or a friend  
16 ever been the victim of a crime?

17 Okay. You can -- if you'll state your name and badge number.

18 PROSPECTIVE JUROR NO. 0626: Kevin Love, one second, I forgot my  
19 badge number.

20 THE COURT: It's 0626, so go ahead.

21 PROSPECTIVE JUROR NO. 0626: Correct.

22 THE COURT: And you've been the victim of a crime?

23 PROSPECTIVE JUROR NO. 0626: No, a family member.

24 THE COURT: Okay. I'm sorry. Go ahead.

25 PROSPECTIVE JUROR NO. 0626: Domestic dispute in my father's home

1 against a sister and my father. He's elderly.

2 THE COURT: Okay. When was that?

3 PROSPECTIVE JUROR NO. 0626: It was a domestic battery.

4 THE COURT: When was it?

5 PROSPECTIVE JUROR NO. 0626: When? 2019.

6 THE COURT: Okay. Who was charged?

7 PROSPECTIVE JUROR NO. 0626: My sister.

8 THE COURT: Okay. So your sister was charged with a battery D.V. against

9 your father?

10 PROSPECTIVE JUROR NO. 0626: I do not know the outcome. It got

11 delayed due to the COVID.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 0626: So I think she took a lesser charge.

14 THE COURT: But your sister was charged and the allegations were that your

15 father was the victim?

16 PROSPECTIVE JUROR NO. 0626: Correct.

17 THE COURT: Okay. And is that case still open; do you know?

18 PROSPECTIVE JUROR NO. 0626: I'm unaware at this time. We kind of split

19 ways and my father's hard headed, he doesn't really talk to me about it.

20 THE COURT: Okay. Is there anything about that that would affect your ability

21 to be fair and impartial in this case?

22 PROSPECTIVE JUROR NO. 0626: Just my strong disagree against

23 domestic battery, but, again, I'll be truthful and up forth and honest as best as I can.

24 THE COURT: Okay. But if you're selected to serve on this panel you will

25 judge this case solely on the evidence that comes out at the time of trial; is that

1 correct?

2 PROSPECTIVE JUROR NO. 0626: Correct.

3 THE COURT: Okay. Thank you very much.

4 Anyone else?

5 Do you want to send the microphone back, Juror Number 1 and 2 both.

6 Ms. Hinderliter, go ahead.

7 PROSPECTIVE JUROR NO. 0505: Yes. I had a dear friend of mine, she

8 went through a pretty bad rape.

9 THE COURT: I'm sorry, a --

10 PROSPECTIVE JUROR NO. 0505: She was raped.

11 THE COURT: Oh, I'm sorry. And how long ago was it?

12 PROSPECTIVE JUROR NO. 0505: It had to be at least ten years ago.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 0505: Maybe 15.

15 THE COURT: And what jurisdiction?

16 PROSPECTIVE JUROR NO. 0505: San Diego.

17 THE COURT: Okay. And I'm assuming she told you about it?

18 PROSPECTIVE JUROR NO. 0505: Yes.

19 THE COURT: Okay. Did she call the --

20 PROSPECTIVE JUROR NO. 0505: She came to stay with me after.

21 THE COURT: Okay. Did she call the police?

22 PROSPECTIVE JUROR NO. 0505: Yes.

23 THE COURT: Okay. And was it investigated?

24 PROSPECTIVE JUROR NO. 0505: Yes, it was.

25 THE COURT: Did they ever arrest anyone?

1 PROSPECTIVE JUROR NO. 0505: Yes, they did.

2 THE COURT: Okay. And was that person charged?

3 PROSPECTIVE JUROR NO. 0505: Yes, he was because she wasn't the only  
4 one.

5 THE COURT: Okay. And what was the result of that?

6 PROSPECTIVE JUROR NO. 0505: He was found guilty and put in jail.

7 THE COURT: Okay. So you -- it sounds like you followed the case?

8 PROSPECTIVE JUROR NO. 0505: Yeah. Because she was staying at my  
9 house for a little bit, it was hard not to.

10 THE COURT: Okay. Is there anything about that case that would affect your  
11 ability to be fair and impartial in this case?

12 PROSPECTIVE JUROR NO. 0505: No.

13 THE COURT: Do you think your friend was treated fairly by the, I guess, the  
14 criminal system in San Diego?

15 PROSPECTIVE JUROR NO. 0505: Oh, absolutely.

16 THE COURT: Okay. Thank you.

17 PROSPECTIVE JUROR NO. 0505: Uh-huh.

18 THE COURT: And then Ms. Antenille Law.

19 PROSPECTIVE JUROR NO. 0518: Yes.

20 THE COURT: Go ahead.

21 PROSPECTIVE JUROR NO. 0518: One of my brothers was stabbed in the  
22 neck at a park here locally about two and a half years ago and he died twice, they  
23 brought him back.

24 THE COURT: Okay. I'm sorry, sometimes I have a hard time hearing.

25 PROSPECTIVE JUROR NO. 0518: My brother was stabbed in the neck at a

1 park, in a bathroom park. And he died twice and they brought him back.

2 THE COURT: Thank goodness. And he's okay now?

3 PROSPECTIVE JUROR NO. 0518: Yeah.

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

5 PROSPECTIVE JUROR NO. 0518: Yes.

6 THE COURT: And I'm assuming the police were called?

7 PROSPECTIVE JUROR NO. 0518: Yes.

8 THE COURT: And did they investigate it?

9 PROSPECTIVE JUROR NO. 0518: They did. But it was a homeless person  
10 so they never found out who did it.

11 THE COURT: Okay. So they never arrested anybody?

12 PROSPECTIVE JUROR NO. 0518: No.

13 THE COURT: Is the case still open?

14 PROSPECTIVE JUROR NO. 0518: Not that I know of, I'm not -- I don't know.

15 THE COURT: Okay. Anything about that that would affect your ability to be  
16 fair and impartial in this case?

17 PROSPECTIVE JUROR NO. 0518: No.

18 THE COURT: Okay. Thank you.

19 PROSPECTIVE JUROR NO. 0518: Uh-huh.

20 THE COURT: Anyone else?

21 Mr. Frye, you can go ahead.

22 PROSPECTIVE JUROR NO. 0534: Yeah, we had two home invasion  
23 robberies, once when we were at home, once when we were not. We did call the  
24 police, we did report it, but nothing was ever returned.

25 And then also, when we were in Florida, we had a neighbor who was

1 under the D.A.'s drug protection program or witness protection program and the  
2 drug dealer showed up at her house and shot the officer through the window and  
3 then he came to our house and he died in our arms and so we had to testify in court  
4 and so forth and the guy got life.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 0534: Actually, no. He got death.

7 THE COURT: Let's back up. What -- now, in Florida?

8 PROSPECTIVE JUROR NO. 0534: In Florida, yes.

9 THE COURT: A victim came to your house after they were shot?

10 PROSPECTIVE JUROR NO. 0534: That's right.

11 THE COURT: And it was your neighbor?

12 PROSPECTIVE JUROR NO. 0534: No, it was the officer from the D.A.'s  
13 office who was guarding the neighbor.

14 THE COURT: Oh, no. How long ago was that?

15 PROSPECTIVE JUROR NO. 0534: It's been now, you know, 30 years ago.

16 THE COURT: Okay. And you had to actually go to court and testify?

17 PROSPECTIVE JUROR NO. 0534: Yes. My wife and I.

18 THE COURT: And so they found the person that shot him and that person  
19 was charged?

20 PROSPECTIVE JUROR NO. 0534: Yes.

21 THE COURT: Okay. And you said the person got?

22 PROSPECTIVE JUROR NO. 0534: He got the death penalty.

23 THE COURT: Okay. Anything about that incident that would affect your  
24 ability to be fair and impartial?

25 PROSPECTIVE JUROR NO. 0534: I don't think so, but, I mean, you know,

1 not knowing the circumstances we're going to hear, it's always hard to say, right?

2 THE COURT: Okay. But, again, I'm going to ask you, I mean, you cannot  
3 judge this case based on any other life experiences; and you understand that,  
4 correct?

5 PROSPECTIVE JUROR NO. 0534: I understand the concept, yes.

6 THE COURT: Okay. And you would judge this case solely on the evidence  
7 and the law as given to you by the Court?

8 PROSPECTIVE JUROR NO. 0534: Yes.

9 THE COURT: Okay. And the other cases, the -- the home robberies, you  
10 said one when you were home and one when you were not?

11 PROSPECTIVE JUROR NO. 0534: That's correct.

12 THE COURT: Were those both here in Clark County?

13 PROSPECTIVE JUROR NO. 0534: Yes, they were.

14 THE COURT: Okay. And you obviously called the police?

15 PROSPECTIVE JUROR NO. 0534: We did.

16 THE COURT: And they never apprehended anyone?

17 PROSPECTIVE JUROR NO. 0534: No.

18 THE COURT: Okay. Do you think you were treated fairly?

19 PROSPECTIVE JUROR NO. 0534: Well, I would like my stuff back.

20 THE COURT: Well, of course. I mean --

21 PROSPECTIVE JUROR NO. 0534: But, no.

22 THE COURT: -- I guess by the police --

23 PROSPECTIVE JUROR NO. 0534: I think, yeah.

24 THE COURT: -- not by the person that came into your home.

25 PROSPECTIVE JUROR NO. 0534: Right. Yeah, I suppose so.

1 THE COURT: Okay. Anything about those incidents that would affect your  
2 ability to be fair and impartial in this case?

3 PROSPECTIVE JUROR NO. 0534: No.

4 THE COURT: Okay. Thank you. Thank you, Mr. Frye.

5 Anyone else? Okay.

6 PROSPECTIVE JUROR NO. 0546: Richard Rosales, 0546. I had a friend  
7 murdered about 20 years ago in Phoenix, Arizona.

8 THE COURT: I'm sorry.

9 PROSPECTIVE JUROR NO. 0546: And I was rear-ended by a drunk driver  
10 last year.

11 THE COURT: Okay. So you were rear-ended just last year? Is that a "yes"?

12 PROSPECTIVE JUROR NO. 0546: Yes. Sorry.

13 THE COURT: And was the -- you said by a drunk driver. How --

14 PROSPECTIVE JUROR NO. 0546: Yes.

15 THE COURT: I mean, I'm assuming the police came?

16 PROSPECTIVE JUROR NO. 0546: Yes.

17 THE COURT: And they arrested the person that hit you for D.U.I.?

18 PROSPECTIVE JUROR NO. 0546: Yes.

19 THE COURT: Okay. And do you know if that person was charged?

20 PROSPECTIVE JUROR NO. 0546: They were charged. I don't remember --  
21 I didn't follow it after I got the victim notification statement.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 0546: From the courts. They asked me to write  
24 a letter.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 0546: And I wrote a letter and the charges were  
2 D.U.I., driving without insurance, and I think that was it.

3 THE COURT: Okay. But you didn't ever have to go and testify?

4 PROSPECTIVE JUROR NO. 0546: No.

5 THE COURT: Okay. And, you know, the friend in Phoenix, did they ever  
6 apprehend --

7 PROSPECTIVE JUROR NO. 0546: Yes.

8 THE COURT: -- the person? Okay. And was that person charged?

9 PROSPECTIVE JUROR NO. 0546: Yes.

10 THE COURT: And what happened as a result of being charged?

11 PROSPECTIVE JUROR NO. 0546: He was incarcerated.

12 THE COURT: Okay. So he was charged with the murder and convicted?

13 PROSPECTIVE JUROR NO. 0546: Yes.

14 THE COURT: Okay. Anything about those incidents that would affect your  
15 ability to be fair and impartial?

16 PROSPECTIVE JUROR NO. 0546: No.

17 THE COURT: In this case?

18 PROSPECTIVE JUROR NO. 0546: No.

19 THE COURT: Thank you, sir.

20 Anyone else?

21 Okay. The record will reflect no further response from the panel.

22 Have you or anyone close to you such as a family member or friend  
23 ever been accused of a crime?

24 Okay. Where's -- do you have the microphone still?

25 PROSPECTIVE JUROR NO. 0546: I do, yes.

1 THE COURT: Go ahead, if you'll just state your name.  
2 PROSPECTIVE JUROR NO. 0546: Richard Rosales, 0546.  
3 THE COURT: Okay. Go ahead.  
4 PROSPECTIVE JUROR NO. 0546: My brother was arrested for D.U.I.  
5 THE COURT: Okay. When was that?  
6 PROSPECTIVE JUROR NO. 0546: Oh, ten years ago.  
7 THE COURT: Okay. What jurisdiction?  
8 PROSPECTIVE JUROR NO. 0546: Phoenix, Arizona.  
9 THE COURT: Anything about that that would affect your ability to be fair and  
10 impartial?  
11 PROSPECTIVE JUROR NO. 0546: No.  
12 THE COURT: Okay. Anything else?  
13 PROSPECTIVE JUROR NO. 0546: No.  
14 THE COURT: Okay. If you don't mind passing down.  
15 Go ahead. No, go ahead. If you'll state your name.  
16 PROSPECTIVE JUROR NO. 0505: Okay. Yes, Stacy Hinderliter, 0505.  
17 THE COURT: Okay. Okay.  
18 PROSPECTIVE JUROR NO. 0505: My younger brother is currently  
19 incarcerated.  
20 THE COURT: Okay. And do you -- what jurisdiction?  
21 PROSPECTIVE JUROR NO. 0505: El Cajon, California, so probably --  
22 THE COURT: All right.  
23 PROSPECTIVE JUROR NO. 0505: -- San Diego County is what they'll do.  
24 THE COURT: Do you know what for?  
25 PROSPECTIVE JUROR NO. 0505: Possession of narcotics, giving false

1 information, and weapon.

2 THE COURT: Okay. Was he charged by the federal government or the state  
3 government or do you know?

4 PROSPECTIVE JUROR NO. 0505: No. He's currently waiting, he's going to  
5 be sent to Patton for assessment as to whether or not he's capable mentally of --

6 THE COURT: Okay. I'm sorry, can you say that again?

7 PROSPECTIVE JUROR NO. 0505: He is being transferred to Patton to  
8 check his stability, his mental stability on being tried, like if he's --

9 THE COURT: Okay. So he's just been accused of a crime at this point?

10 PROSPECTIVE JUROR NO. 0505: Yes.

11 THE COURT: He hasn't been convicted?

12 PROSPECTIVE JUROR NO. 0505: Not of this one.

13 THE COURT: Okay. So --

14 PROSPECTIVE JUROR NO. 0505: But he has in the past of others.

15 THE COURT: He's awaiting trial?

16 PROSPECTIVE JUROR NO. 0505: Yes.

17 THE COURT: Okay. And are you following his case?

18 PROSPECTIVE JUROR NO. 0505: No.

19 THE COURT: All right. So he's not being -- he's not under a term of  
20 imprisonment in prison; is that correct?

21 PROSPECTIVE JUROR NO. 0505: No. Not at this time, no.

22 THE COURT: Okay. Anything about that that would affect your ability to be  
23 fair and impartial?

24 PROSPECTIVE JUROR NO. 0505: No.

25 THE COURT: Okay. Thank you.

1 Was there anyone else?

2 Mr. Love, did you want to respond?

3 PROSPECTIVE JUROR NO. 0626: Yeah. It's the same case that I just told  
4 you about with my father and sister, the domestic battery and then abuse on an  
5 elderly person. I believe it was court ordered for her to go to anger management  
6 and alcoholism classes. That's about where it stands currently. But, again, this was  
7 a few years ago.

8 THE COURT: Okay. Thank you, Mr. Love.

9 Anyone else that wants to respond?

10 Okay. The record will reflect no further response from the panel.

11 Would anyone on the panel have a tendency to give more weight or  
12 credence or less weight or credence to the testimony of a witness simply because  
13 that witness is a police officer?

14 Okay. The record will reflect no response from the panel.

15 And at this time I am going to turn the panel over to the State of  
16 Nevada.

17 MR. KERN: Thank you, Your Honor.

18 More papers than I have room up here.

19 THE RECORDER: Can you turn that mic on please, Mr. Kern?

20 MR. KERN: Oh, yeah.

21 THE RECORDER: Thank you.

22 MR. KERN: Can you hear me?

23 THE RECORDER: Yep.

24 MR. KERN: All right. Thanks.

25 Well, this is an impressive group. I don't think I've ever had anybody on

1 a jury panel sitting through passing a kidney stone, that's tough.

2 PROSPECTIVE JUROR NO. 0561: Not yet.

3 MR. KERN: So -- that's amazing.

4 So just to, you know, kind of at the beginning Judge Leavitt, you know,  
5 told you that we're just here to hear the truth and to ask you some questions that'll  
6 make sure that you can be fair and impartial in this case. And so while some of  
7 these questions might be a little bit personal, I hope you understand that I'm asking  
8 them only for -- for the purposes here. Nobody's here to judge you or pass  
9 judgment on your past or your views or anything like that. So I guess, just kind of  
10 generally, is anybody here excited to be here for jury duty?

11 I am not seeing anybody. Okay.

12 All right. Maybe a couple. Okay. Okay. Thank you. Yeah. And, you  
13 know, it's a difficult time to be here for jury duty. You know, there's a lot of other  
14 concerns out there in the world right now. But I certainly appreciate that you are  
15 here and you're participating.

16 So Judge Leavitt had asked a little about past experience with criminal  
17 charges and law enforcement. But more generally, has anybody here had any  
18 positive or negative experiences with law enforcement that kind of stick out in their  
19 mind that you'd be willing to talk about?

20 PROSPECTIVE JUROR NO. 0598: I would. I don't know, would you  
21 consider the fire department law enforcement?

22 THE COURT: If you -- okay, just a minute, state your name and badge  
23 number.

24 PROSPECTIVE JUROR NO. 0598: I apologize. Susanna Richards, and it is  
25 0598.

1 THE RECORDER: Can she have the microphone?

2 THE MARSHAL: Who's got the mic?

3 PROSPECTIVE JUROR NO. 0598: Susanna Richards, 0598. Would you  
4 consider the fire department law enforcement or no?

5 MR. KERN: Not really, but.

6 PROSPECTIVE JUROR NO. 0598: Then I don't have anything to say.

7 MR. KERN: Positive experience with the fire department? Negative?

8 PROSPECTIVE JUROR NO. 0598: Yes, definitely.

9 MR. KERN: Okay. Okay. Good. I'm glad to hear that.

10 PROSPECTIVE JUROR NO. 0598: Yeah, we're good.

11 MR. KERN: Yeah. All right. And was that here in Las Vegas?

12 PROSPECTIVE JUROR NO. 0598: That was in L.A. Yeah.

13 MR. KERN: Okay. Okay. Very good. Well, you know, because you were  
14 brave enough to grab the microphone and volunteer, what was your positive  
15 experience?

16 PROSPECTIVE JUROR NO. 0598: I got rear-ended with my daughter in the  
17 car and we had just come back from grocery shopping. My car was totaled. We  
18 had to be taken to the hospital. The firemen actually took my groceries to their fire  
19 house, and then came, picked me up from the hospital, took me back to the fire  
20 house to get my groceries, and took me home.

21 MR. KERN: That's --

22 PROSPECTIVE JUROR NO. 0598: Which I thought was so cool because  
23 they didn't have to do that.

24 MR. KERN: Yeah. That's above and beyond.

25 PROSPECTIVE JUROR NO. 0598: Yeah.

1 MR. KERN: Good for them.

2 PROSPECTIVE JUROR NO. 0598: Yeah.

3 MR. KERN: I'm glad they did that.

4 So with respect to your involvement do you have any friends of family  
5 who are criminal attorneys on either the prosecution or the defense side? Anybody  
6 here? Nobody?

7 PROSPECTIVE JUROR NO. 0570: I think I said my son is a --

8 MR. KERN: That's right. Yeah. Yeah.

9 THE COURT: Okay. Will you state your name please before responding.

10 PROSPECTIVE JUROR NO. 0570: Izabel Derohanian, let me see what my  
11 number is.

12 THE COURT: Thank you.

13 PROSPECTIVE JUROR NO. 0570: It is 0570. He works -- he is state  
14 attorney. Here, I have a card of his. So it's -- the title is deputy attorney general. Is  
15 that what it says? Yeah. Deputy Attorney General.

16 MR. KERN: Okay Perfect.

17 PROSPECTIVE JUROR NO. 0570: In the state of California.

18 MR. KERN: Okay.

19 PROSPECTIVE JUROR NO. 0570: I didn't know if that's important.

20 MR. KERN: No. I'm --

21 PROSPECTIVE JUROR NO. 0570: I looked it up at lunch time.

22 MR. KERN: I appreciate -- I appreciate that. Thank you very much.

23 PROSPECTIVE JUROR NO. 0570: I wanted to [indiscernible].

24 MR. KERN: Perfect. Thank you.

25 So what about domestic violence specifically, and I know that you

1 had -- sorry, my -- I'm a little bit out of order here on where everybody is sitting at,  
2 but, Mr. Love, you had indicated that there was a prior incident involving your sister  
3 and your father. Just to follow up a little bit on that, you had mentioned that you had  
4 strong feelings about domestic violence. What -- how does that play on your mind?

5 THE RECORDER: Microphone.

6 THE COURT: You're going to have to -- okay. Just a minute.

7 MR. KERN: I'm sorry. I'm getting -- I'm really bad at that, yes. Mr. Love.

8 THE COURT: That's okay. No. We just -- if you just don't mind just passing  
9 it. Okay. Mr. Love, you may respond now.

10 PROSPECTIVE JUROR NO. 0626: Okay. Kevin Love, forgot -- forgot my  
11 badge number again, sorry. Strong feeling, I'm just against it. I don't believe in it  
12 whatsoever. I think walking away is a better alternative.

13 MR. KERN: Okay.

14 PROSPECTIVE JUROR NO. 0626: Sister actually was a victim of domestic  
15 violence before this incident occur and years go by, family ties and trials and  
16 tribulations and all that good stuff happen with parents and their kids and all that  
17 good stuff and alcohol and all that in one bundle, just not a huge fan of it.

18 MR. KERN: Okay. And were those cases both here in Clark County?

19 PROSPECTIVE JUROR NO. 0626: Correct.

20 MR. KERN: And were they handled by the District Attorney's Office?

21 PROSPECTIVE JUROR NO. 0626: As far as I know.

22 MR. KERN: Okay.

23 PROSPECTIVE JUROR NO. 0626: I'm not sure if hers -- hers was ever. I  
24 couldn't tell you. It was more than a decade ago.

25 MR. KERN: Okay.

1 PROSPECTIVE JUROR NO. 0626: But this one was actually from  
2 North Las Vegas. So she was actually took into custody and then released on  
3 medical and then COVID happened and then it just got --

4 MR. KERN: Okay. And you kind of lost track of where -- what was happening  
5 with the case?

6 PROSPECTIVE JUROR NO. 0626: Exactly. Yeah.

7 MR. KERN: Okay. Okay. All right. And with respect to what you know about  
8 the case, do you believe that the District Attorney's Office treated your sister fairly  
9 and your father fairly?

10 PROSPECTIVE JUROR NO. 0626: I don't think it was handled, again, in  
11 regards to COVID, I know everything kind of put on the back burner, I think it drug  
12 on too far and things got swept under the rug a little bit.

13 MR. KERN: Okay.

14 PROSPECTIVE JUROR NO. 0626: To be honest.

15 MR. KERN: No. I -- and I appreciate your honesty.

16 PROSPECTIVE JUROR NO. 0626: Yeah. I wish it was handled a little more  
17 prompt, but, again --

18 MR. KERN: Absolutely. Absolutely.

19 PROSPECTIVE JUROR NO. 0626: Due to the circumstances.

20 MR. KERN: Yeah, and unfortunately we had quite a delay with just our cases  
21 proceeding during COVID.

22 PROSPECTIVE JUROR NO. 0626: Right. Right.

23 MR. KERN: And I don't know if that's what happened there, but it sounds like  
24 it might have been the same time frame. So when -- when you're thinking about  
25 that, is there anything about that situation that would keep you from being fair and

1 impartial in this case?

2 PROSPECTIVE JUROR NO. 0626: Again, no. I'm going to be completely  
3 honest and use what is brought forth with -- to me, you know, and try to keep an  
4 unbiased side due to this, you know.

5 MR. KERN: Absolutely.

6 PROSPECTIVE JUROR NO. 0626: This is my first time doing this, so please  
7 excuse me, but I will be honest and up forth with --

8 MR. KERN: That's perfect. You're doing great.

9 PROSPECTIVE JUROR NO. 0626: -- whatever I think.

10 MR. KERN: All right. Anybody else, domestic violence specific, whether  
11 yourself, friends, family, anything that is coming to mind? Okay.

12 I know we have several parents here on the jury pool and, you know,  
13 I'm a parent myself and I understand that, you know, kids can be frustrating at times.  
14 But does anybody that think it's okay for a parent to hit their child if it's not for  
15 disciplinary purposes? Anybody think that's all right?

16 And even if it's for discipline, does everybody agree that there's types of  
17 physical force that are okay and not okay? Everybody agree with that?

18 Mr. Love, I'm going to ask you to pass the microphone just -- let's keep  
19 it in front here, just to your left.

20 THE COURT: Who do you want to talk?

21 MR. KERN: Your right, I'm sorry. My left, your right. And we're going to pass  
22 it to -- to Ms. Smith. Skipped right over you. And so -- you don't have to stand up,  
23 it's okay.

24 PROSPECTIVE JUROR NO. 0632: Imelda Smith.

25 MR. KERN: Hi.

1 PROSPECTIVE JUROR NO. 0632: Hi.

2 MR. KERN: And what's your badge number?

3 PROSPECTIVE JUROR NO. 0632: 0632.

4 MR. KERN: 0632? Okay. So can you think of some examples of types of  
5 discipline that are okay and types that are not okay?

6 PROSPECTIVE JUROR NO. 0632: I do believe that discipline may be a  
7 spanking. I do believe in that because not -- the right -- the right spanking though. I  
8 believe in that although I've never spanked my daughter.

9 MR. KERN: Okay.

10 PROSPECTIVE JUROR NO. 0632: Only because it could help them. But at  
11 the same time it could ruin them if it's too much. But I do believe that in the Bible  
12 there's -- I don't know if I'm supposed to bring up Bible but I do believe that, you  
13 know, they can be disciplined through the right way of --

14 MR. KERN: Okay. So if I'm hearing you right there's a right way and a wrong  
15 way?

16 PROSPECTIVE JUROR NO. 0632: And a wrong, yeah, when you go  
17 extreme.

18 MR. KERN: Okay. Does anybody else have any other thoughts on that? All  
19 right.

20 Has anybody here -- and actually, can you pass it to your right and -- to  
21 Mr. Gunderson?

22 PROSPECTIVE JUROR NO. 0633: Correct. 0633.

23 MR. KERN: All right. Perfect. Thank you.

24 Mr. Gunderson, have you or anybody in your family or your friends dealt  
25 with issues involving alcohol?

1 PROSPECTIVE JUROR NO. 0633: No.

2 MR. KERN: Okay. Has anybody had friends or family or yourself personally  
3 have to deal with issues involving alcohol?

4 Okay. And that's kind of what I expected. If you wouldn't mind, could  
5 you pass the microphone back to Mr. Duncan?

6 PROSPECTIVE JUROR NO. 0561: Oh, I don't have my glasses on. Sorry.  
7 Let's see, my Badge Number, I'm Richard Duncan, 0561.

8 MR. KERN: All right

9 PROSPECTIVE JUROR NO. 0561: And my mother died of alcoholism 21  
10 years ago. And I was an alcoholic for 24 years. But I haven't had a drink for almost  
11 30.

12 THE COURT: Good for you.

13 MR. KERN: Congratulations.

14 PROSPECTIVE JUROR NO. 0561: Thank you. I don't even think about it  
15 really.

16 MR. KERN: That's awesome. So how is that -- how did that affect, I guess,  
17 your mother and then you?

18 PROSPECTIVE JUROR NO. 0561: Well, let's see, my mother, she basically  
19 died of a broken heart because my father passed away just a year prior to that. He  
20 passed away from cancer. And so she really had no one there to kind of watch over  
21 her in that way and that's what she ended up doing. She -- to me, I personally think  
22 it was a slow death. It was just, she wanted to die. She wanted to go. And so all  
23 we found when we cleaned the house out was soup bowls and cocktail glasses in  
24 the dishwasher. So we knew that, you know, that -- and of course on her death  
25 certificate also says -- none of my family, they all are in denial about the whole thing,

1 but I have the proof. But anyway.

2 And then with me it got to the point where I just wasn't going to spend  
3 another decade as an alcoholic. Plus physically it started to wear me down.

4 MR. KERN: Okay.

5 PROSPECTIVE JUROR NO. 0561: And I quit cold turkey, totally.

6 MR. KERN: Okay.

7 PROSPECTIVE JUROR NO. 0561: And like I say, I haven't done it for almost  
8 30 years now.

9 MR. KERN: All right. And thank you for -- for sharing that.

10 I saw a lot of hands go up, so I might lose track. I think the gentleman  
11 next to you. Is that Mr. Filimon?

12 PROSPECTIVE JUROR NO. 0562: Yes. Yes, I'm --

13 THE COURT: He's 0562.

14 PROSPECTIVE JUROR NO. 0562: Sorry?

15 THE COURT: I'm just telling the recorder your badge number, 0562.

16 PROSPECTIVE JUROR NO. 0562: 0562, yes, Viorel Filimon. I -- I used to  
17 drink maybe a little bit more than I was supposed to.

18 MR. KERN: Okay.

19 PROSPECTIVE JUROR NO. 0562: Back in the days, but I don't drink any  
20 more, so, for like, 15 --

21 MR. KERN: All right. So you stopped entirely?

22 PROSPECTIVE JUROR NO. 0562: Yeah, entirely, zero for about 15 years or  
23 so, 14, 15, yeah, about there.

24 MR. KERN: When you say a little bit more than -- than should have, was it  
25 causing issues for -- for what was going on in your life?

1 PROSPECTIVE JUROR NO. 0562: Not really. I was single at the time, so I  
2 was --  
3 MR. KERN: Okay.  
4 PROSPECTIVE JUROR NO. 0562: -- I was okay.  
5 MR. KERN: All right.  
6 PROSPECTIVE JUROR NO. 0562: Nobody cared, I guess.  
7 MR. KERN: And what made you decide to stop drinking?  
8 PROSPECTIVE JUROR NO. 0562: I got -- I got caught drinking, it was, like,  
9 D.U.I.  
10 MR. KERN: Okay. Was that kind of --  
11 PROSPECTIVE JUROR NO. 0562: So that's the --  
12 MR. KERN: -- the breaking point for you?  
13 PROSPECTIVE JUROR NO. 0562: That's when I stopped. That's it. That's  
14 when I stopped completely.  
15 MR. KERN: All right. All right. Okay. If you could pass it now to Mr. Bilby?  
16 PROSPECTIVE JUROR NO. 0587: Yes, Russell Bilby, 0587. My father was  
17 an alcoholic.  
18 MR. KERN: Okay.  
19 PROSPECTIVE JUROR NO. 0587: He was not violent. But he would binge  
20 drink so he would be gone for three, four days at a time.  
21 MR. KERN: All right. Did that affect -- obviously it would have affected your --  
22 your life at home as --  
23 PROSPECTIVE JUROR NO. 0587: Yeah. I was young.  
24 MR. KERN: Okay.  
25 PROSPECTIVE JUROR NO. 0587: And I remember my mom taking it out on

1 us too.

2 MR. KERN: Okay. Did that go on the entire time you were at home?

3 PROSPECTIVE JUROR NO. 0587: No.

4 MR. KERN: All right. Do you --

5 PROSPECTIVE JUROR NO. 0587: One time it got bad a bit and she was --  
6 she got into Alcoholics Anonymous after that.

7 MR. KERN: Okay. Did that help?

8 PROSPECTIVE JUROR NO. 0587: Yes.

9 MR. KERN: All right. Glad to hear that. And when you were living there  
10 did -- did they go into treatment when you were living there or afterwards?

11 PROSPECTIVE JUROR NO. 0587: My mother did.

12 MR. KERN: Okay.

13 PROSPECTIVE JUROR NO. 0587: My father did not.

14 MR. KERN: All right. All right. And just sticking with the front row, do I have  
15 anyone else who's dealt with those issues?

16 Okay, seeing none. Now to the back row, anybody who's dealt with  
17 those issues? And if you could keep it going -- nope, well, okay. Here we go.

18 PROSPECTIVE JUROR NO. 0546: Richard Rosales, 0546.

19 MR. KERN: Okay.

20 PROSPECTIVE JUROR NO. 0546: About ten years ago I had a friend that  
21 was -- that died from drinking.

22 MR. KERN: All right. That's -- I'm sorry to hear that. Did he actually die of  
23 alcohol poisoning or was it --

24 PROSPECTIVE JUROR NO. 0546: It was chronic. It was a chronic.

25 MR. KERN: Were you close friends?

1 PROSPECTIVE JUROR NO. 0546: Yes.

2 MR. KERN: And were you -- did you kind of have to watch that process as --  
3 as it was happening?

4 PROSPECTIVE JUROR NO. 0546: Kind of. He had been diagnosed with a  
5 bunch of issues because of it, and then he stopped cold turkey for a while and then  
6 just had a bad day and drank himself to death.

7 MR. KERN: Sorry to hear that. All right. And going next in line, going to your  
8 left is -- whoever's up next, just grab it. I think --

9 PROSPECTIVE JUROR NO. 0550: Alexis Bisplinghoff, 0550.

10 MR. KERN: Okay. And can you tell us what issues you had to deal with.

11 PROSPECTIVE JUROR NO. 0550: My aunt's a recovering alcoholic and my  
12 mother was a single mother and she dealt with alcoholism until she passed away in  
13 2013.

14 MR. KERN: Did that -- was that alcohol related or --

15 PROSPECTIVE JUROR NO. 0550: No, she -- of leukemia.

16 MR. KERN: Okay. How did that affect you in your relationship?

17 PROSPECTIVE JUROR NO. 0550: It was a very inconsistent upbringing, you  
18 know, highs and lows and just very troublesome not having a father figure and  
19 having that as a mother. She's very loving and caring, but it just consumed her.

20 MR. KERN: Okay. Okay. And I think now all the way down to the end.  
21 Ms. Hinderliter.

22 PROSPECTIVE JUROR NO. 0505: Stacy Hinderliter, Badge 0505. My  
23 mother was an alcoholic.

24 MR. KERN: And how did that affect your relationship with her?

25 PROSPECTIVE JUROR NO. 0505: I didn't spend a lot of time with her. I

1 lived with different family members and then I finally planted with my grandmother  
2 who didn't drink at all and lived with her the rest of my childhood years, so.

3 MR. KERN: All right.

4 PROSPECTIVE JUROR NO. 0505: Made me sad that she couldn't stop.

5 MR. KERN: Absolutely.

6 PROSPECTIVE JUROR NO. 0505: Yeah.

7 MR. KERN: And so I appreciate everybody sharing that information. And so  
8 just a general question for everybody that had something to share, is anything about  
9 that experience if you should hear that alcohol was involved in this case, would it  
10 inhibit your ability to be fair and impartial in this case?

11 I'm not seeing -- okay, seeing no hands.

12 Does anybody think it's okay to use force or threat of force or violence  
13 against somebody you're in a relationship with?

14 Seeing nobody.

15 What about if you're really mad? Does that change anything? No?  
16 Okay.

17 So you're going to hear testimony in this case and some of the  
18 testimony is going to be from the victims in the case. Do you have any expectations  
19 about how a victim of a crime will act? Anybody have any thoughts about how  
20 somebody will act?

21 If -- Ms. Hinderliter, can you just pass that to your right to Ms. Law?  
22 And I'm sorry to point certain people out, but just to get the conversation going here.  
23 What sort of things would you expect to see or how would you expect somebody to  
24 react if they were a victim of a violent crime?

25 PROSPECTIVE JUROR NO. 0518: Law, 0518.

1 MR. KERN: You're good. Okay.

2 PROSPECTIVE JUROR NO. 0518: I don't think anyone will necessarily have  
3 a certain way that they would respond. Everybody, you know, handles things  
4 differently. Everybody may react differently. So I'm not expecting someone to come  
5 out necessarily crying or mad or anything like that, you know. So I don't really have  
6 an expectation.

7 MR. KERN: Okay. Fair to say that some people might cry?

8 PROSPECTIVE JUROR NO. 0518: Yeah.

9 MR. KERN: Some people might just shut down emotionally? Other --

10 PROSPECTIVE JUROR NO. 0518: Yes. I -- uh-huh.

11 MR. KERN: Okay. Others might even laugh?

12 PROSPECTIVE JUROR NO. 0518: Right.

13 MR. KERN: And --

14 PROSPECTIVE JUROR NO. 0518: I am one of those, so yes.

15 MR. KERN: Okay. All right. So you know firsthand. Okay.

16 And, Ms. Law, if you could just pass the microphone to the right to  
17 Mr. Stacy?

18 PROSPECTIVE JUROR NO. 0520: Yes, Robert Stacy.

19 THE COURT: All right. So do you think that victims of domestic violence  
20 specifically might have different reactions than people of -- or victims of a crime by a  
21 stranger?

22 PROSPECTIVE JUROR NO. 0520: Yeah. I -- probably so, yeah.

23 MR. KERN: Okay. And what sort of -- what sort of things might be playing  
24 into that different reaction?

25 PROSPECTIVE JUROR NO. 0520: I think the fact that it's a family member

1 would probably make quite a bit of difference.

2 MR. KERN: All right. Do you agree that there's going to be more of an  
3 emotional history that would perhaps dictate how they react and how they feel about  
4 the situation?

5 PROSPECTIVE JUROR NO. 0520: I think so.

6 MR. KERN: Anybody disagree with that?

7 If you could pass it to Mr. Frye.

8 THE COURT: Okay. Remember, Mr. Kern --

9 MR. KERN: Oh, and I --

10 THE COURT: -- I've indicated your questions need to be to the panel as a  
11 whole.

12 MR. KERN: Oh, would you like me to -- okay. Sorry, I was having -- okay.

13 THE COURT: That's okay.

14 MR. KERN: Yeah, certainly.

15 May I ask specific questions regarding some of the questionnaires?

16 THE COURT: Sure.

17 MR. KERN: Okay.

18 THE COURT: Sure.

19 MR. KERN: So does anybody -- does anybody have any thoughts about how  
20 to tell when somebody's being honest or being dishonest? Specifically, would you  
21 agree that things such as corroboration, things such as motive, influence, and  
22 demeanor are all elements that you can use to determine when somebody's being  
23 honest? Does everybody agree that those are things that are -- or factors that can  
24 help you use to determine when somebody's being honest? Does anybody  
25 disagree with that?

1           Mr. Frye, I just wanted to -- we had received copies of questionnaires  
2 that had been filled out. And so one of the questions that was asked is, In general  
3 do you believe that the criminal -- or do you feel that the criminal justice system is  
4 fair. The report I received indicated that you had answered "no"; is that correct?

5           PROSPECTIVE JUROR NO. 0534: That may be correct.

6           MR. KERN: And, Mr. Frye, your badge number is?

7           PROSPECTIVE JUROR NO. 0534: It's 0534.

8           MR. KERN: 0534? What did you mean by that?

9           PROSPECTIVE JUROR NO. 0534: Well, what is specific about the question  
10 was is it always fair in every case and so I think that, you know, a good attempt is  
11 made, but I think it's almost impossible to be fair all the time in every case.

12          MR. KERN: Okay.

13          PROSPECTIVE JUROR NO. 0534: Is my intent of the answer.

14          MR. KERN: Okay. So fair to say that every case is unique and individual?

15          PROSPECTIVE JUROR NO. 0534: Sure.

16          MR. KERN: And there will be cases where some people are not treated  
17 fairly? And some where they are?

18          PROSPECTIVE JUROR NO. 0534: Or the evidence isn't shown or, you  
19 know, or exculpatory evidence.

20          MR. KERN: Okay. Okay. Okay. So you -- are you going to be able to judge  
21 this case on its own merits without looking to other cases to determine whether or  
22 not you believe it's being fair or not?

23          PROSPECTIVE JUROR NO. 0534: I think so.

24          MR. KERN: Okay. And if you could now pass it to Mr. Hughes?

25                 And, Mr. Hughes, this is kind of along the same lines, you had

1 answered in general would you say you have positive thoughts about law  
2 enforcement, and you had answered "no," and then there's a follow-up question, Do  
3 you -- can you still be fair and impartial; and you answered "no." Is that accurate?

4 PROSPECTIVE JUROR NO. 0542: Yes.

5 THE COURT: All right. And why is that?

6 PROSPECTIVE JUROR NO. 0542: Years back I got harassed by some  
7 officers, 30 years ago, what have you.

8 MR. KERN: Okay.

9 PROSPECTIVE JUROR NO. 0542: Put their hands on me, no more than  
10 that.

11 MR. KERN: Okay. Mr. Hughes, I'm sorry, can I ask you just to give us your  
12 badge number?

13 PROSPECTIVE JUROR NO. 0542: It's 0542.

14 MR. KERN: Thank you. So you say you were harassed by officers, what sort  
15 of harassment was that?

16 PROSPECTIVE JUROR NO. 0542: We were at the park playing.

17 MR. KERN: Okay.

18 PROSPECTIVE JUROR NO. 0542: I was younger. I think I was 19 or  
19 something like that. It was a while back.

20 MR. KERN: Okay.

21 PROSPECTIVE JUROR NO. 0542: They rounded up a lot of different people  
22 accusing them of some -- certain things and what have you and just left a bad taste  
23 in my mouth the whole time.

24 MR. KERN: Okay. And has that continued for -- since then?

25 PROSPECTIVE JUROR NO. 0542: I hear a lot of different stuff from different

1 people, you know, that are in trouble, and, you know, being impartial to it, you know,  
2 I've seen good sides of it, I've seen bad sides, so.

3 MR. KERN: All right. All right. And so, I mean, you know, obviously, the  
4 point of all this is to make sure that you can be fair and impartial, you know, looking  
5 at something that -- that happened 30 years ago and since then it seems like  
6 you've -- that it's affected your view on things going forward, can you be fair and  
7 impartial in this case?

8 PROSPECTIVE JUROR NO. 0542: I think so.

9 MR. KERN: You think so or --

10 PROSPECTIVE JUROR NO. 0542: Yeah.

11 MR. KERN: Is that a "yes"?

12 PROSPECTIVE JUROR NO. 0542: Yes.

13 MR. KERN: All right. Thank you. Going to ask you to pass the mic now  
14 down to Number 10, Mr. Song. Or sorry, not Number 10, Seat 10.

15 And you are Badge Number 556?

16 PROSPECTIVE JUROR NO. 0556: Yeah, Badge Number 556.

17 MR. KERN: And, Mr. Song, you had, again, on these questionnaires, you had  
18 indicated that you cannot be fair and impartial, why is that?

19 PROSPECTIVE JUROR NO. 0556: I'm sorry, sir, I don't remember that  
20 because when I complete for report I use some translate -- yeah, use that.

21 MR. KERN: Okay.

22 PROSPECTIVE JUROR NO. 0556: So, yeah.

23 MR. KERN: Okay. So maybe some miscommunication in the translation or  
24 the understanding the question?

25 PROSPECTIVE JUROR NO. 0556: Yeah, I think so. Yeah.

1 MR. KERN: All right. So a couple of the other -- or the questions following  
2 that was Have you or anyone close to you been a victim of a crime and the answer  
3 was "yes." And if reported, was it properly handled by law enforcement, and the  
4 answer was "no," are those accurate answers?

5 PROSPECTIVE JUROR NO. 0556: Yeah, I think I was confused some  
6 question. So because I don't understand for the crime and some [indiscernible] I did  
7 not understand for that.

8 MR. KERN: Okay. Okay. So sitting here today you believe you can be fair  
9 and impartial?

10 PROSPECTIVE JUROR NO. 0556: Yes.

11 MR. KERN: Okay. And if we could pass it up now to Mr. Buen?

12 PROSPECTIVE JUROR NO. 0608: Yes, sir.

13 MR. KERN: All right. Just right in front of you. Thank you.

14 And your Badge Number is 0608?

15 PROSPECTIVE JUROR NO. 0608: Yes.

16 MR. KERN: Again, looking at the questionnaire you had answered to the  
17 question in general, Do you feel the criminal justice system is effective; "no"; and In  
18 general do you feel the criminal justice system is fair; "no." And so I want you to --  
19 can you develop that a little bit and tell me why you believe --

20 PROSPECTIVE JUROR NO. 0608: Just in general how one side will always  
21 be a winner and then the other side is a winner, I mean, the loser. So the other side  
22 will always seem like that they're not being treated fairly.

23 MR. KERN: Okay. So is -- and I'm just trying to frame this correctly, so is it  
24 your belief that when there is a determinative outcome, like, somebody wins and  
25 somebody loses, that one of those sides is not treated fairly?

1 PROSPECTIVE JUROR NO. 0608: Just like the general idea of not being  
2 treated fairly.

3 MR. KERN: Okay. And I guess in the process or the criminal justice process  
4 itself, you know, we all have laws and rules that we have to abide by.

5 PROSPECTIVE JUROR NO. 0608: Yes. Yes.

6 MR. KERN: And so do you believe that those are fair and -- in the criminal  
7 justice system?

8 PROSPECTIVE JUROR NO. 0608: Yeah.

9 MR. KERN: Okay. And so if everybody's being treated fairly under those  
10 rules and laws would that mean that the system is -- is treating people fairly?

11 PROSPECTIVE JUROR NO. 0608: Yes.

12 MR. KERN: Okay. And can you be -- can you be fair and impartial?

13 PROSPECTIVE JUROR NO. 0608: Yes.

14 MR. KERN: Okay. All right. Is everybody here comfortable with making  
15 important decisions?

16 Everybody's nodding "yes," okay.

17 Does everybody agree that some important decisions you are going to  
18 have to make without knowing everything about everything?

19 Does anybody feel like they would not be able to make a decision in  
20 this case?

21 Everybody's aware that the State has the burden to prove the case  
22 beyond a reasonable doubt, correct? And so you'd all agree with me that if at the  
23 end of the evidence the State has not proven its case beyond a reasonable doubt  
24 the verdict must be not guilty; is that right? And if the State has proven its case  
25 beyond a reasonable doubt the verdict must be guilty; everybody agree?

1 All right. Thank you.

2 THE COURT: Do you pass the panel for cause?

3 MR. KERN: May we approach?

4 THE COURT: Sure.

5 THE RECORDER: You might have to turn that lapel mic off.

6 [Bench conference transcribed as follows:]

7 MR. KERN: Your Honor, with respect to Mr. Frye, he only said he can be fair  
8 and impartial after I basically embarrassed him into saying that, so I think there's a  
9 for-cause challenge there.

10 THE COURT: He said about 18 times to me that he could be fair and  
11 impartial.

12 I mean, Ms. Park, I don't know if you want to be heard on that.

13 MS. PARK: I mean, I think he said numerous times he can be fair and  
14 impartial, I mean, if that's how he feels.

15 THE COURT: Okay. I'm going to overrule that challenge for cause.

16 MR. KERN: Okay.

17 THE COURT: Is there anything else?

18 MR. KERN: That's it. Yeah.

19 THE COURT: Okay.

20 [End of bench conference]

21 THE COURT: Okay. At this time the defense may address the jury panel.

22 MS. PARK: Hi, everyone. You've been asked an awful lot of questions  
23 already today. So I don't think I have a whole lot of questions, just a few follow-up  
24 things.

25 Well, one general question you haven't been asked, I know a lot of you

1 said you have kids, how many of you have teenage kids or have raised a child  
2 through their teenage years into adulthood?

3 Okay. That's quite a few of you.

4 How many of you think that raising a teenager is a challenging  
5 experience?

6 Okay. Thank you.

7 And there were some of you that said you had dealt with family  
8 members or friends that had problems with alcohol. Can I ask all of you that have  
9 answered yes to that, do you feel that it affected your relationship with that person in  
10 a negative way? Do you think that it affected your relationship with that person, I  
11 won't say in a positive way, but in a caring sort of way? I mean, did you -- did any of  
12 you feel that, I guess, you felt bad for them? Or did you feel sorry for them? Were  
13 you angry with them?

14 Does anybody who answered yes to having someone who had  
15 problems with alcohol have a thought on that?

16 Yes. And, sorry, Ms. Hinderliter, did I say that right?

17 PROSPECTIVE JUROR NO. 0505: Yes, correct.

18 MS. PARK: Okay. Juror 505.

19 PROSPECTIVE JUROR NO. 0505: Yes.

20 MS. PARK: Okay.

21 PROSPECTIVE JUROR NO. 0505: I think that if there's alcoholism in any  
22 family that it's going to affect other people. As for how it affects them, I think it kind  
23 of runs the gamut from, you know, not understanding; as you get older maybe  
24 there's anger; maybe there's sadness. And then, you know, there's just ultimately  
25 choices to be made on your part whether or not you want to be around the individual

1 or not.

2 MS. PARK: Okay.

3 PROSPECTIVE JUROR NO. 0505: So I absolutely do feel it does.

4 MS. PARK: Okay. So I would -- just all of you would say it had some effect  
5 on you?

6 Okay. And --

7 PROSPECTIVE JUROR NO. 0550: Can I make a comment?

8 MS. PARK: Okay.

9 PROSPECTIVE JUROR NO. 0550: Alexis Bisplinghoff, 0550. My mother  
10 being an alcoholic, it affected our relationship negatively. I mean, I did feel sorry for  
11 her, but essentially she's the mother, I'm the daughter. I'm supposed to be -- feel  
12 like I'm being taken care of and more important than the alcohol, and I didn't feel like  
13 that. I feel like that took over her whole world and it tore up our relationship and I  
14 didn't -- I didn't feel taken care of. I took care of my brother. I had to grow up early  
15 on and be more mature than her and I felt like I didn't really get to have a childhood.

16 MS. PARK: Okay. Thank you.

17 And if I could do a follow-up with Mr. Bueno.

18 PROSPECTIVE JUROR NO. 0608: Buen.

19 MS. PARK: Buen, I'm sorry, Buen.

20 PROSPECTIVE JUROR NO. 0608: Yes.

21 MS. PARK: Okay. And I'm trying to -- I'm still not clear with your answer  
22 when the State asked you when you said that you don't feel that you could be --  
23 well, you said you could be fair and impartial, but you had a negative attitude  
24 towards the system. When you -- when you say one side wins, are you saying that  
25 the criminal justice system is one-sided?

1 PROSPECTIVE JUROR NO. 0608: No, just the two parties. When -- when --  
2 just the general idea of fairness, someone will always feel like they're feeling treated  
3 unfairly.

4 MS. PARK: Okay. So you're saying in any criminal proceeding one side is  
5 going to feel that way?

6 PROSPECTIVE JUROR NO. 0608: Yes.

7 MS. PARK: Okay. Do you feel that way about one side or the other?

8 PROSPECTIVE JUROR NO. 0608: No.

9 MS. PARK: No? Okay. Do you feel that -- have you ever been involved in  
10 the criminal justice system?

11 PROSPECTIVE JUROR NO. 0608: No, I haven't.

12 MS. PARK: Have you ever feel like you've been treated unfairly?

13 PROSPECTIVE JUROR NO. 0608: No.

14 MS. PARK: Okay. And I don't have any further questions for any of you.  
15 Thank you.

16 THE COURT: Okay. And you'll pass this panel for cause? Do you pass the  
17 panel for cause?

18 MS. PARK: Yes, Your Honor.

19 THE COURT: Okay. Thank you.

20 At this time the clerk has prepared what has been marked as Court's  
21 Exhibit Number 1. Okay. And the court marshal can hand Exhibit 1 to the State of  
22 Nevada who may exercise their first peremptory challenge.

23 The defense may exercise their first peremptory challenge.

24 If you don't mind handing it to the marshal so he can present it to the  
25 Court. Thank you.

1           Okay. Can I have the parties just use numbers.

2           MS. PARK: Okay.

3           THE COURT: Okay. So on your first one, if you -- if you don't mind using a  
4 number one.

5           MR. KERN: Of course.

6           THE COURT: And the second one number two. So we'll -- when it comes  
7 back to you if you just don't mind correcting that.

8           Okay. Officer, you can hand Exhibit 1 to the State who may exercise  
9 their second peremptory challenge.

10           Defense may exercise their second peremptory challenge.

11           The State and the defense may exercise their third peremptory  
12 challenge.

13           The defense may exercise their third.

14           The State and the defense may exercise their fourth peremptory  
15 challenge.

16           The defense may exercise their fourth.

17           All right. At this time the State and the defense can exercise their fifth  
18 and final peremptory challenge. It's available as to 21 through 23 only.

19           Thank you.

20           Okay. At this time, ladies and gentlemen, we're going to take a short  
21 recess. There's something I have to do outside of your presence. When you come  
22 back in if you'll all sit in the gallery, at that time the clerk will call our panel of jurors.  
23 If your name is called you'll be impaneled, if not you'll be excused to go. So we just  
24 need about three to five minutes. So if you'll stay close by as well. Thank you very  
25 much.

1 THE MARSHAL: All rise for an exiting jury.

2 [Outside the presence of the prospective jury panel]

3 THE COURT: Okay. The record will reflect that the hearing is taking place  
4 outside the presence of the jury panel. Juror Number 1 will be -- Juror Number 1 will  
5 be Robert Stacy; Number 2, Kristal Johnson; Number 3, Richard Rosales;  
6 Number 4, Alexis Bisplinghoff; Number 5, Richard Duncan; Number 6,  
7 Viorel Filimon; Number 7, Izabel Derohanian; Number 8, Bilby; Number 9,  
8 Susanne Richards; Number 10, Neil Young; Number 11, Jason Francis; Number 12,  
9 Jose Contreras; and Imelda Smith with be Juror Number 13, our alternate.

10 Is there any objection by the State?

11 MR. KERN: No, Your Honor.

12 THE COURT: By the defense?

13 MS. PARK: No, Your Honor.

14 THE COURT: Okay. Did -- I think I interrupted something.

15 THE CORRECTIONS OFFICER: Your Honor, I just thought we were on a  
16 break. I was going to ask if he needed to use the bathroom.

17 THE COURT: Okay.

18 THE CORRECTIONS OFFICER: I'm sorry.

19 THE COURT: Do you need to use the restroom?

20 THE CORRECTIONS OFFICER: No, no, no, no. I misunderstood, I'm sorry.

21 THE DEFENDANT: No, I'm okay.

22 THE COURT: Okay. I just wanted to make sure.

23 So we can bring them back in.

24 THE MARSHAL: All right.

25 [In the presence of the prospective jury panel]

1 THE MARSHAL: All rise for an entering jury.

2 THE COURT: Okay. When your name is called, please take your seat.

3 Juror Number 1 is going to be Robert Stacy. Robert Stacy.

4 You can sit wherever you want and when the clerk calls your name,  
5 take your seat.

6 So, Mr. Stacy, you're Number 1.

7 Number 2 is Kristal Johnson. Kristal Johnson, you are Juror Number 2.

8 Thank you. Right back there, Mr. Stacy.

9 Okay. And Juror --

10 THE MARSHAL: Would you like them one seat apart, Your Honor?

11 THE COURT: I mean, if you want to, it's up to you.

12 Juror Number 3 is Richard Rosales. Juror Number 3, Richard Rosales;  
13 Number 4, Alexis Bisplinghoff; Juror Number 5, Richard Dun -- Duncan, sorry,  
14 Mr. Duncan.

15 You're okay though, right, Mr. Duncan?

16 PROSPECTIVE JUROR NO. 0561: Well, I'm kind of uncomfortable right now,  
17 but --

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 0561: -- I'm hanging in there. This will pass.

20 THE COURT: Number 6, Viorel Filimon; Number 7, Izabel Der -- I'm sorry.

21 PROSPECTIVE JUROR NO. 0570: It's okay.

22 THE COURT: Number 8, Russell Bilby; Number 9, Susanne Richards;  
23 Number 10, Neil Young; Number 11, Jason Francis; Number 12, Jose Contreras;  
24 and Number 13, Imelda Smith.

25 Okay. At this time, ladies and gentlemen, we do have our impaneled

1 jury panel. If your name has not been called, you are excused. I just want to thank  
2 you very much for your willingness to be here and you are excused.

3 You have to -- we need your badges though.

4 THE MARSHAL: They have stickers. Those are stickers, Your Honor.

5 THE COURT: They're stickers now? Okay, perfect. So you're good.

6 THE MARSHAL: Thank you for your service.

7 THE COURT: Thank you.

8 Does the State stipulate to the panel as now impaneled?

9 MR. KERN: Yes, Your Honor.

10 THE COURT: And the defense?

11 MS. PARK: Yes, Your Honor.

12 THE COURT: Okay. Mr. Duncan.

13 PROSPECTIVE JUROR NO. 0561: Yes.

14 THE COURT: I mean, I really appreciate you being here. If you're not feeling  
15 that great, I can conclude for the day and we can come back tomorrow.

16 PROSPECTIVE JUROR NO. 0561: Oh, Your Honor, that would be very  
17 appreciated.

18 THE COURT: Okay. All right. You think everything'll be good by tomorrow?

19 PROSPECTIVE JUROR NO. 0561: I hope so, yeah. It's, like I say, you just  
20 never know. You know when it happens, but it takes a while sometimes.

21 THE COURT: I know, well, I -- I do appreciate you being here, so.

22 PROSPECTIVE JUROR NO. 0561: Thank you.

23 THE COURT: What we're going to do is we'll probably conclude for the day,  
24 we're going to start tomorrow morning at 9:00 a.m. Before you go though, I'm going  
25 to have the court marshal give you blue badges. These badges identify you as a

1 juror in Department 12. I just ask that you wear those badges when you are in the  
2 courthouse. It identifies you as a juror so that the parties and people in the  
3 courthouse know that you are an impaneled juror and so they know not to talk  
4 around you about this case.

5 And, again, I want to remind you that you are not permitted to discuss  
6 this case with anyone even your fellow jurors until you are excused to deliberate  
7 upon your verdict. Anyone else means members of your family, your friends, and  
8 your co-workers. You may tell them that you are a juror in a criminal case, but you  
9 may not tell them anything else until you are discharged as jurors.

10 When you come back tomorrow morning at 9:00 a.m., you can come  
11 right up to the 14<sup>th</sup> floor, you can wait outside of this courtroom. The court marshal  
12 will greet you and bring you in. When you come in you'll be sworn in, given more  
13 instructions, and then both sides will be permitted to speak to you in their opening  
14 statement, and then the State of Nevada will begin calling witnesses.

15 I want to thank you very much for your willingness to be here, for your  
16 courtesy and professionalism during voir dire, and we will conclude for the day and  
17 I'll see you tomorrow morning at 9:00 a.m.

18 Oh, wait, I have to read you this -- I have to read the admonishment  
19 one more time. During the recess you must not discuss or communicate with  
20 anyone including fellow jurors in any way regarding the case or its merits either by  
21 voice, phone, email, text, Internet, or other means of communication or social  
22 media; read, watch, or listen to any news or media accounts or commentary about  
23 the case; do any research such as consulting dictionaries, using the Internet, or  
24 using reference materials; make any investigation; test a theory of the case;  
25 re-create any aspect of the case; or in any other way investigate or learn about the

1 case on your own, or form or express any opinion regarding the case until it's finally  
2 submitted to you.

3 Are we okay? All right. And so we'll be in recess 'til tomorrow morning  
4 at 9:00 a.m. Thank you very much and you are excused.

5 THE MARSHAL: All rise for exiting jury. And I just need you guys to wait  
6 around out here for me.

7 PROCEEDING CONCLUDED AT 3:32 P.M.

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber